

(3) Such license revocations shall be for the following periods:

(a) [For] *Except as otherwise herein provided* for the first offense, any person convicted or having signed an \*acknowledgment, subject to a right of appeal, of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of not to exceed three years. Any person convicted or having signed an acknowledgment of a second or subsequent offense of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, [for a period of not less than two \*\* or more than three years. For the third offense of violating any of the provisions of this act such person shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license,] for such period as the commission shall determine.

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APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

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No. 177

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," further regulating the use of automatic and magazine shotguns and providing a penalty.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: The Game Law.

Section 1. Subsection (a) of section 703, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended June 24, 1939 (P. L. 810), is amended to read: Subsection (a), section 703, act of June 3, 1937, P. L. 1225, amended June 24, 1939, P. L. 810, further amended.

Section 703. Lawful Methods of Hunting.—It is lawful to hunt for, catch, take, wound or kill game of any kind only through the use of a gun, pistol, revolver, or bow and arrow, of a kind the use of which is not hereinafter prohibited, except:

(a) That raccoons may be killed or captured in any manner, including the use of lights such as are ordi- Raccoons.

\* "acknowledgement" in original.

\*\* "years" in original.

narly carried in the hand or on the person, except that such animals may not be taken through the use of [automatic firearms, or magazine shotguns which contain more than three shells at one time in the magazine and chamber combined,] *an automatic shotgun or magazine shotgun of any kind unless it has been limited to three-shell capacity by a plug in such a manner that the plug cannot be removed without disassembling the gun*, or snares, poisons, explosives, or chemicals, or by smoking out or digging out dens or houses, or cutting den trees, nor, except as otherwise provided, may traps or deadfalls be used to capture raccoons in any county which has not been declared open to trapping for such animals, nor may such traps or deadfalls be used except under conditions set forth in paragraph (c) of this section governing the use thereof:

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Subsection (a),  
section 704 of  
the act, amended  
May 10, 1951,  
P. L. 286,  
further amended.

Section 2. Subsection (a) of section 704 of the act, amended May 10, 1951 (P. L. 286), is amended to read:

(a) Unlawful Methods and Devices

Section 704. Unlawful Methods of Hunting.—It is unlawful for any person to shoot at or to shoot for any wild bird or wild animal unless it is plainly visible to him, or to dig, cut, or smoke or in any other manner take any live wild bird or wild animal, other than a predator, out of its den or place of refuge, except that woodchucks may be dug out of their dens in cultivated fields, under the conditions stipulated in the preceding section.

Except as otherwise provided, it is unlawful to hunt for, catch, take, kill, or wound, or attempt to catch, take, kill, or wound any wild bird or wild animal of any kind through the use of, (a) what is commonly known as an automatic gun or an automatic firearm of any kind, except that semi-automatic shotguns may be used for hunting and killing small game, predators, and unprotected birds; (b) or a magazine shotgun to hunt for any bird or animal, other than big game, [which contains more than three shells at one time in the magazine and chamber combined] *unless it has been limited to three-shell capacity in magazine and chamber combined by a plug in such a manner that the plug cannot be removed without disassembling the gun*, or a swivel gun or an air-rifle, or the apparatus known as a silencer; (c) or from an automobile or vehicle or boat or craft of any kind, propelled by any mechanical power; (d) or to set, lay or prepare for use or to use any bait, hay,

grain, or other food, or any trap, snare, set-gun, net, bird-lime, deer-lick, pit-fall, turkey blind or turkey pen; the term "set-gun" as herein used meaning any contrivance, device, or firearm capable of discharging, or projecting, a deadly charge or missile, which is set to operate in the absence of the owner; (e) or to make use of, or take advantage of, any artificial light, battery, or other contrivance or device, except that artificial lights such as are ordinarily carried in the hand or on the person, may be used for the purpose of taking raccoons, opossums and skunks; (f) or to make use of any method or device not specifically permitted by this act, for the purpose of catching, taking, wounding, or killing wild birds or wild animals.

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Section 3. Clause (c) of section 731 of the act, amended June 24, 1939 (P. L. 810), is amended to read:

Clause (c),  
section 731 of  
the act, amended  
June 24, 1939,  
P. L. 810,  
further amended.

Section 731. Penalties.—Any person violating any of the provisions of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

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(e) For taking any wild animal or wild bird contrary to the provisions of this article, or regulations adopted thereunder by the commission, *or for using an unplugged shotgun*, ten dollars (\$10) for each trap or device so used;

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APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 178

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

The Game Law.

Section 1. Subsection (2) of section 724, act of June 3, 1937 (P. L. 1225), known as "The Game Law," is amended to read:

Subsection (2),  
section 724, act  
of June 3, 1937,  
P. L. 1225,  
amended.