

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 258
HOUSE BILL 220

AN ACT TO ESTABLISH THE HUNTING SEASON FOR BEAR, DEER, AND
SQUIRREL IN THE COUNTIES OF DUPLIN, ONSLOW AND PENDER.

The General Assembly of North Carolina do enact:

Section 1. Notwithstanding any other provisions of law, the open season for the taking of bear, male deer, and squirrels, shall begin on October 1 of each calendar year and end January 1, next following.

Sec. 2. The taking of female deer (doe) is expressly forbidden at any time.

Sec. 3. It shall be lawful during the open season to take bear, male deer and squirrels during the hours between sunrise and sunset, with a shotgun no larger than number ten (10) gauge, a rifle, or with bow having minimum pull of forty-five (45) pounds and non-poisonous, non-barbed, non-explosive arrows with minimum broad head width of 7/8 inch, unless otherwise specifically permitted by this article.

Sec. 4. Game animals, except squirrels, listed in this Act shall not be taken from any automobile, or from any powered or self-propelled vehicle, or any vehicle especially equipped to provide for taking bear or deer by any unlawful means or by aid of, or with the use of any jack light, or any artificial light, net, fire, salt lick, or poison; nor shall any such jack light, trap, net, fire, salt lick, or poison be used to take bear, or male deer nor shall such animals be taken at any time from an airplane, power boat, sail boat, or any boat under sail, or any floating device pulled by a power boat, or a sail boat during the hours between sunset and sunrise, or from any other floating device: Provided that this Section does not prohibit the transportation of hunters or their legally taken game by means of any boat or other floating device, and shall not prohibit the hunter shooting from his stand if such stand is not with, or a part of, such boat or floating device. However, it shall be lawful to take or attempt to take bear, male deer and squirrels during the open season, therefor with the aid of dogs. It shall be lawful for individuals or organized field trial clubs or associations for the protection of game, to hold trials or train dogs at any time: Provided, that no firearm be used and that no game animals shall be taken during the closed season by reason thereof.

It shall be unlawful for any person or persons to hunt with guns or dogs upon the lands of another without first having obtained permission from the owner or owners of such lands, and said permission so obtained may be continuous for the open hunting season.

It shall be unlawful for any person to hunt, take or kill squirrels, with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off, or plugged with a

one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined. It shall be unlawful for any person, while hunting game animals with a gun to refuse to surrender said gun for inspection upon request of a duly authorized officer.

Sec. 5. This Act shall not prevent any person from killing or causing to be killed bear, deer, or squirrels at any time when such animals are committing depredations upon his property. Animals killed for this reason shall be given to houses of alms.

Sec. 6. It shall be lawful to take bear with the aid of dogs and firearms during the closed season therefor when a depredation has been committed. Upon notice of such damage to a duly authorized officer and verification of such damage by said officer, said officer shall issue a permit to the owner, tenant or other person in charge of the damaged property to chase and take or attempt to take such bear with the aid of dogs and firearms. A duly authorized officer is an officer constituted a game protector by G.S. 113-92. Any bear taken pursuant to Section 6 of this Act shall not be required to be given to houses of alms.

Sec. 7. The North Carolina Wildlife Resources Commission is authorized, during the open season as provided herein, to permit hunting for male deer on the "Holly Shelter Wildlife Refuge" in Pender County, provided however, that there shall not be authorized during one open season

- a. more than five (5) calendar hunting days for still hunting with bow and arrow; and,
- b. more than two (2) calendar hunting days for still hunting with firearms; and,
- c. more than five (5) calendar hunting days for hunting with the aid of dogs and firearms.

Sec. 8. Duplin County, defined area closed to deer hunting, terminal date: Beginning with the effective date of this Act and expiring on October 1, 1974, it shall be unlawful to take or attempt to take deer in that area of Duplin County described as follows: Beginning at the center line intersection of North Carolina Highway Fifty (50) and North Carolina Highway Forty-One (41) in Chinquapin; thence, along the center line of North Carolina Highway Fifty (50) in a southerly direction to the intersection of State Road #1827 (Pinhook); thence, in a northwesterly direction along the center line of State Road #1827 to the center line intersection of State Road #1827 and North Carolina Highway Forty-One (41); thence, in a northerly and easterly direction along the center line of North Carolina Highway Forty-One (41) to the point of beginning.

Sec. 9. Penalties for any violation of this Act shall be the same as those provided for violation of prohibited acts under Chapter 113 of the General Statutes of North Carolina.

Sec. 10. This Act shall apply only to the counties of Duplin and Pender.

Sec. 11. The provisions of this Act shall remain in full force and effect, unless expressly repealed by some subsequent Act of the General Assembly, and shall not be repealed by implication or by general repealing clauses in any Act of the General

Assembly conferring authority in the North Carolina Wildlife Resources Commission over the game animals, the open season and manner of taking the game animals herein provided for.

Sec. 12. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 13. This Act shall be in full force and effect after July 1, 1969.

In the General Assembly read three times and ratified, this the 22nd day of April, 1969.