

GAME.

CHAPTER 69.

[H. B. No. 49.]

FOR PROTECTION OF SMALL GAME.

AN ACT for the Protection of Game.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 2, of Chapter 58 of the Laws of 1887, being Section 2366 of the Compiled Laws, be amended to read as follows:

§ 2. UNLAWFUL TO KILL AT CERTAIN TIMES.] It shall be unlawful for any person to shoot, trap, snare or kill any prairie chickens or pinnated grouse or sharp tail grouse, or ruffled grouse, or wild duck between the 1st day of December and the 20th day of August of the year following or any song bird at any time, or to hunt upon the enclosed or cultivated premises of another, except uncultivated lands of non-residents of this State without consent of the owner, tenant or agent thereof; *Provided, however,* That the owner, tenant or agent of such premises shall first post and maintain in at least two conspicuous places, notices signed by such owner, tenant or agent of such prohibition on each highway running by and contiguous to such premises and one such notice in a conspicuous place on each quarter section, owned or controlled by the party prohibiting such shooting; such notices to be on that part of the premises most likely to give warning to hunters not entering such premises by the highway, such notices to be fastened to stakes driven into the earth, and shall be at least three feet above the ground and shall be legible at all times.

§ 2. AMENDMENT.] That Section 6 of Chapter 58 of the Laws of 1887, being Section 2370 Compiled Laws, be amended to read as follows:

§ 6. PENALTY.] If any person shall shoot, kill, take or trap, ensnare, buy, sell, ship or have in possession or ship, take or carry out of the State contrary to the provisions of this act, any of the birds named in this act or willfully destroy any nests or eggs of any bird named in this act or shall hunt upon the premises of another contrary to the provisions of this act or shall hunt upon the premises of another contrary to the provisions of Section 1 of this act, such person shall be punished by a fine of ten (10)

dollars for each bird shot or killed and ten dollars for each nest or eggs therein so destroyed, and ten (10) dollars for each time he shall hunt upon the premises of another contrary to the provisions of Section 1 of this act, and shall stand committed to the county jail unless such fine and the costs of the prosecution be sooner paid; *Provided*, That no prosecution under this act for hunting upon the premises of another shall be maintained except upon information furnished by the owner, tenant or agent of such premises.

§ 3. AMENDMENT.] That Section 2 of Chapter 59 of the laws of 1887, being Section 2375 Compiled Laws, be amended to read as follows:

Sec. 2. UNLAWFUL TO KILL QUAIL, WHEN.] It shall be unlawful for any person or persons to kill, trap or destroy, by any means whatever any quail in the State of North Dakota for a period of four years from and after the passage of this act.

§ 4. EMERGENCY.] That whenever in any of the game laws now in force in this State the words "Territory of Dakota" or "Dakota Territory" shall appear they shall be construed to mean State of North Dakota; an emergency existing in that there is now no law to prevent the destruction of quail in this State, now therefore this act shall take effect and be in force from and after the passage and approval of this act.

Approved March 6, 1891.

CHAPTER 70.

[S. B. No. 189.]

PROTECTION OF BIG GAME.

AN ACT to Amend Sections 1 and 2 of Chapter 63 of the General Laws of 1883.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 63 of the General Laws of 1883 be amended so as to read as follows:

Section 1. WHEN UNLAWFUL TO KILL ELK, DEER, AND OTHER GAME.] That it shall be unlawful for any person or persons to kill, ensnare or trap in any form or manner, or by any device whatever, or for any purpose, any buffalo, elk, deer, antelope or mountain sheep, between the 1st day of January and the 1st day of September of each and every year. And it shall be unlawful for any person or persons, at any time, to use or employ any hound or dogs of any kind in running or driving any buffalo, elk, deer,

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antelope or mountain sheep, or to set any gun or guns or gun trap to be discharged upon or by, any buffalo, elk, deer, antelope or mountain sheep as driven or pursued in any manner whatever.

§ 1. AMENDMENT.] That Section 2 of Chapter 63 of the General Laws of 1883 shall be amended so as to read as follows:

Sec. 2. PENALTY FOR VIOLATING SECTION ONE.] Any person or persons who shall violate any of the provisions of Section 1 of this act shall be considered guilty of a misdemeanor, and, upon conviction thereof, shall be fined for each buffalo, elk, deer, antelope or mountain sheep so killed and found in his, her or their possession, between the 1st day of January and the 1st day of September in each year, the sum of one hundred (100) dollars; and any person or persons who shall set any gun or guns or any gun trap or use any hound or dogs in the manner set forth in Section 1 of this act, upon conviction thereof, shall be fined the sum of one hundred (100) dollars and sentenced to not more than ninety days or less than thirty days in the county jail.

§ 3. REPEAL.] That all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Approved March 7, 1891.

CHAPTER 71.

[H. B. No. 22.]

WOLF BOUNTY.

AN ACT to Amend Section 1, of Chapter 157, of the Laws of 1890, Entitled "Bounty for Wolf Scalps."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 157 of the Laws of 1890 be amended to read as follows:

Section 1. BOUNTY FOR WOLF SCALPS.] The county commissioners of each county in the State of North Dakota shall, upon the petition of twenty-five stock raisers, offer a bounty not to exceed three (3) dollars and not less than one (1) dollar for each and every wolf or coyote killed within the limits of their county.

Approved March 11, 1891.