

until the same are paid; and if the same are not paid and said animals removed within ten days after they are impounded the poundmaster shall give notice as provided in chapter 117 of the session laws of 1907, and also by posting in three of the most public places in the township, notices that said animals, describing them, are impounded, and that unless the same are taken away and fees paid within thirty days after the date of such notice, he will sell the same at public vendue at the place where the township meetings of such township are usually held; and on the day designated in such notice the poundmaster shall expose such animals for sale and sell the same to the highest bidder for cash, for which service he shall receive two per cent of the purchase money for each animal.

§ 2. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

Approved March 13, 1909.

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## FIRE ARMS

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### CHAPTER 122.

[H. B. No. 372—Hale]

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#### USE OF "SILENCER" PROHIBITED.

AN ACT Prohibiting the Use, Sale or Purchase of Any Device Known as a Silencer to be Used on Any Firearm.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. PROHIBITED. EXCEPTION.] The use of any device whatsoever for the purpose of silencing or deadening the sound or report of any firearm used in this state is hereby prohibited; provided, that the use of such device may be permitted the national guard or regular army on any rifle range in this state under the supervision of a commissioned officer.

§ 2. NOT LAWFUL TO SELL.] No person shall be permitted to sell or offer for sale any device or attachment to any firearm which will silence or deaden the sound or natural report of the same when discharged.

§ 3. PENALTY.] Any person violating the provisions of this act shall be punished by a fine of not less than fifty dollars or more than one hundred dollars and costs of prosecution or imprisonment in the county jail for not less than ninety days or more than six months, or by both such fine and imprisonment.

§ 4. EMERGENCY.] Whereas, an emergency exists in that there is now in existence no provision prohibiting the use of a firearm silencer in this state, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 12, 1909.

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## FIREMEN

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### CHAPTER 123.

[S. B. No. 96—Kennedy]

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#### FIREMEN'S RELIEF ASSOCIATION PENSION FUND.

AN ACT Creating a Fund and Providing for the Disbursement Thereof, for Pensions and Relief by Firemen's Relief Associations, in Cities, Towns and Villages.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. PAID FIRE DEPARTMENT AND FIREMEN'S RELIEF ASSOCIATION.] In cities, towns and villages having a paid fire department and a duly organized and incorporated fireman's relief association, the amount received by the city, town or village treasurer, as provided in section 2968, of article 9, revised codes of North Dakota, 1905, shall be apportioned as follows: One-half shall be placed in a fund to be disbursed by the city council, trustees or other governing body of such city, town or village in maintaining such fire department and one-half shall be paid to the treasurer of the fireman's relief association, to be disbursed only for the following purposes, viz.:

First: For the maintenance of the fireman's relief association.

Second: For pensions and the relief of sick, injured and disabled members of any fire department in such city, town or village and their widows and orphans.

Third: For the payment of service pensions as hereinafter provided in such amounts and in such manner as its articles of incorporation and by-laws shall designate. Every such fire department relief association organized under any law of this state may pay out of any funds received from the state, or other source, a service pension, in such amounts, not exceeding forty dollars per month, as may be provided by its by-laws to each of its members who have heretofore retired or may hereafter retire, who has reached or shall hereafter reach the age of fifty years, and who has done, or hereafter shall do, active duty for twenty years or more as a member of a volunteer, paid, or partially paid and partially volunteer fire depart-