

from the service of such notice, perform the conditions or comply with the provisions upon which the default shall have occurred, such mortgage shall be reinstated and shall remain in full force and effect the same as if no default had occurred therein.

Provided, further, that if an action or proceeding to foreclose is not begun within ninety days after the date of the notice herein provided for, then all proceedings hereunder shall be deemed to be discontinued.

Approved March 11, 1921.

---

## GAME AND FISH

---

### CHAPTER 67.

(H. B. No. 160—Game and Fish Committee.)

---

#### BAG LIMIT.

AN ACT to amend and Re-enact Section 52 of Chapter 161 of the Session Laws of North Dakota for the year 1915 as amended by Section 52 of Chapter 122 of the Session Laws for the year 1917, relating to bag limit of game birds.

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

§ 52. AMENDMENT. BIG LIMIT FOR GAME BIRDS.] No person shall in any one day, take, catch, kill or destroy, to exceed five pinnated grouse (prairie chicken), sharptailed grouse (white breasted), grouse, turtle dove, plover of any variety or five of the same combined, or have in possession at any one time, to exceed ten of each of all combined, nor more than eight each of wild geese of any variety, fifteen each of wild ducks of any variety, quail, woodcock or snipe of any variety, or of the same combined; or have in possession at any one time to exceed the limit of two days' bag of each or all of the same combined.

Any person violating any provisions of this section, shall upon conviction, be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00), for each and every bird and cost of prosecution, or be imprisoned in the County jail for not less than twenty days or more than thirty days, or by both such fine and imprisonment in the discretion of the Court, for each and every bird so killed or destroyed or had in possession contrary to the provisions of this section.

Approved March 9, 1921.

## CHAPTER 68.

(H. B. No. 106.—House Game and Fish Committee.)

## BEAVER, OTTER, MUSKRAT.

AN ACT to Amend and Re-enact Section 46 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 63 of the Laws of North Dakota for the year 1917 as amended by Chapter 134 of the Laws of North Dakota for the year 1919, prohibiting the trapping, catching, killing, or destroying of beaver, muskrat and otter, for a limited period, or the destruction of houses, mounds and dams, thereof.

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

§ 1. AMENDMENT.] That Section 46 of Chapter 161 of the Laws of North Dakota for the year 1915, as amended by Chapter 63 of the Laws of North Dakota for the year 1917, as amended by Chapter 134 of the Laws of North Dakota for the year 1919, be and the same is hereby amended and re-enacted to read as follows:

§ 46. BEAVER AND OTTER.] No person shall take, kill, catch, trap or destroy any beaver, otter or muskrat within the boundary of the State of North Dakota until the 10th day of January, 1924. However, at no time shall it be lawful to cut into, destroy, dynamite or molest, any beaver dam, beaver or muskrat house or mound. Provided, however, that any person having procured a trapping license may take, kill, catch or trap beaver or muskrat, but never by shooting, on or after the 10th day of January, 1924, and between and including the 10th day of January and the 10th day of March of each year thereafter.

Any violation of this section of the law shall be declared a misdemeanor and any person or persons convicted of the violation thereof, shall be punished by a fine of not less than seventy-five dollars or more than one hundred dollars, and the costs of prosecution, or by imprisonment in the county jail, for not less than ten or more than thirty days; or by both such fine and imprisonment.

If the owner, owners, leasee or leasees of any premises upon which there may be any beaver or muskrat shall, thereupon post in a conspicuous place upon such premises a notice forbidding trapping thereon, it shall be unlawful to take, kill, catch or trap beaver or muskrat upon such premises providing, however, the owners or leasees of said premises or any member of his family may take, kill, catch or trap beaver or muskrat upon his or their own premises after the tenth day of January, 1924, and between and including the tenth day of January, and the tenth day of March thereafter of each year, and any person or persons violating this provision shall be guilty of a misdemeanor.

Approved March 9, 1921.

## CHAPTER 69.

(H. B. No. 107—Game and Fish Committee.)

## DEER SEASON.

AN ACT to Amend and Re-enact Section 10298 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 162 of the Laws of North Dakota for the year 1915, as amended by Chapter 134 of the Laws of North Dakota for the year 1919, relating to the season for killing deer.

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

§ 1. AMENDMENT.] That Section 10298 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 162 of the Laws of North Dakota for the year 1915, as amended by Chapter 134 of the Laws of North Dakota for 1919, be and the same is hereby amended and re-enacted to read as follows:

§ 10298. DEER, SEASON FOR KILLING.] No person shall hunt, shoot, catch, kill, trap or in any way destroy any deer within the boundary limits of the State of North Dakota, except as hereinafter provided. It shall be lawful for any person owning a valid residence hunting license to kill by shooting one horned buck deer, from November 21st to November 30th (both dates inclusive). Any person hunting as provided for herein shall wear while afield a jacket or coat and cap or hat made from a dark blue or black material. It shall be unlawful to at any time, shoot, catch, trap, kill or in any manner destroy any fawn or doe deer.

Provided, however, that any deer killed accidentally, the killing of such deer being prohibited by this act, the carcass of said animal shall be delivered immediately to the nearest Justice of the peace or Game Warden, and upon a satisfactory explanation being given to said Justice of the Peace or Game Warden no prosecution shall be had under this act, and no penalty shall attach for said accident. The carcass shall be disposed of by said Justice of the Peace or Game Warden at the most advantageous price, and the proceeds of such sale shall be deposited with the Game and Fish Board, and become a part of said Board's Fund.

Any person violating the provisions in this section shall be guilty of a misdemeanor and upon conviction thereof shall for each and every deer killed contrary to the provisions of this section be fined not less than one hundred (\$100.00) nor more than five hundred (\$500.00) dollars, and costs of prosecution, and by imprisonment in the County Jail for not less than thirty (30) or more than sixty (60) days, or by both such fine and imprisonment in the discretion of the Court.

Approved March 2, 1921.

---

**CHAPTER 70.**

(H. B. No. 159—Game and Fish Committee.)

---

**HOURS FOR SHOOTING.**

AN ACT for an Act to Amend and Re-enact Section 26 of Chapter 161 of the Session Laws of 1915, relating to Hours for Shooting.

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

§ 1. AMENDMENT.] Section 26 of Chapter 161 of the Session Laws of 1915, is hereby amended and re-enacted to read as follows:

§ 26. HOURS FOR SHOOTING.] No person shall hunt, pursue, catch, shoot at or in any way molest any of the game birds or animals mentioned in this Act, within the borders of the State, during the time elapsing between actual sunset and one-half hour before sunrise.

§ 2. Any Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 18, 1921.

---

**CHAPTER 71.**

(H. B. No. 108—House Game and Fish Committee.)

---

**TRESPASSING ON LANDS.**

AN ACT to Amend and Re-enact Section 28 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 134 of the Laws of North Dakota for the year 1919, relating to trespassing on lands where hunting is prohibited.

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

§ 1. AMENDMENT.] That Section 28 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 134 of the Laws of North Dakota for 1919, be and the same is hereby amended and re-enacted to read as follows:

§ 28. ENTERING UPON POSTED LANDS.] No person shall at any time go upon any lands for the purpose and with intent to take or kill any game birds or wild animal, upon which signs have been posted, by the owner, leasee or agent bearing the inscription "No Hunting or Trespassing Allowed" without first obtaining the written consent so to do from such owner, leasee or agent. Any person or persons entering upon the premises of another without permission as above provided for who have in his or her possession any gun or firearms, shall prima facie be presumed to have entered said premises for the purpose of hunting game

within the meaning of this act. Provided, however, that it shall be lawful for any person to pursue upon said posted lands any deer or other wild animal which had been shot and wounded on other lands not so posted; provided, further, no person shall enter upon such posted land unless there be a visible trail of blood clearly indicating the course of such wounded animal onto such posted land and in no event shall it be lawful for more than two persons to pursue such wounded animal.

Any person or persons convicted of the violation of this section shall be fined not less than ten (\$10.00) nor more than fifty (\$50.00) dollars and cost of prosecution.

Approved March 9, 1921.

---

## GARNISHMENT

---

### CHAPTER 72.

(H. B. No. 11—Lakie.)

---

#### GARNISHMENT OF WAGES.

AN ACT to Amend Section 7567 of the Compiled Laws of North Dakota for the year 1913, and Relating to Garnishments.

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

§ 1. AMENDMENT.] That Section 7567 of the Compiled Laws of the State of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

§7567. CREDITORS MAY PROCEED BY GARNISHMENTS.] Any creditor shall be entitled to proceed by garnishment in any court having jurisdiction of the subject of the action against any person, including a public corporation, who shall be indebted to or have any property whatever, real or personal, in his possession or under his control, belonging to such creditor's debtor, in the cases, upon the conditions and in the manner prescribed in this chapter. The term plaintiff is used in this chapter to embrace every judgment creditor and the term defendant a judgment debtor. Provided that the wages or salary of any person who is the head of a family and a resident of this State to the amount of \$15.00 per week, shall be exempt from garnishment. Every employer shall pay to such person such exempt wages or salary not to exceed the sum of \$15.00 per week of each week's wages earned by him, when due, upon such wage earner making and delivering to such employer his affidavit that he is such head of a family and residing with the same in this state, notwithstanding the service of such writ, and the surplus only of such