

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.

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## GARNISHMENT

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### CHAPTER 72.

(H. B. No. 11—Lakie.)

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#### 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

exempt salary or wages shall be held by the employer to abide the event of the garnishment suit. At least two days prior to the issuance of any garnishment summons the creditor shall cause demand to be served upon the debtor and the employer for the excess above the amount herein exempted. Such demand with proof of service shall be filed with the Court at the time of the issuance of garnishment summons. Failure to serve or file said notice as herein provided shall render said garnishment void. The excess of wages over and above the amount herein exempted shall be held by the employer subject to such garnishment from the time of service of such demand and for five days thereafter.

Approved February 18, 1921.

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## CHAPTER 73.

(H. B. NO. 185—Reichert.)

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### WITNESS FEES.

**An Act to Amend and Re-enact Section 1, Chapter 124 of the Session Laws of 1917, as Amended by Chapter 136, Session Laws of 1919, Relating to Witness Fees in Garnishment Proceedings.**

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

1. **AMENDMENT.]** That Section 1 of Chapter 124, Session Laws of 1917, as amended by Chapter 136 of the Session Laws of 1919, be and the same is hereby amended and re-enacted to read as follows:

§ 1. **WITNESS FEES.]** In all garnishment proceedings in the District Court and County Courts of increased jurisdiction the plaintiff, when garnishment summons is served upon the garnishee, shall tender to the garnishee the sum of Two Dollars (\$2.00), as his fee for making his affidavit of disclosure and filing the same in the office of the Clerk of the Court in which such garnishment proceedings is pending. Should the plaintiff take issue on the said answer to the garnishee summons and require the garnishee to stand trial, he shall, at the time issue is taken tender to the garnishee his traveling fees and fees for one day's attendance in Court, which fees shall be the same as witness fees in the District Court; provided, however, that where the garnishee is a foreign corporation and service is made upon the Secretary of State or Commissioner of Insurance, it shall not be necessary to tender traveling fees either from the home office of the corporation or from the Capitol of the State, but that in lieu thereof there shall be paid to the Secretary of State or to the Commissioner of Insurance the sum of Two Dollars and Ten Cents (\$2.10) to be remitted to the garnishee.

Approved March 9, 1921.