

of attorney shall be procured and filed for record in the office of the register of deeds of the county wherein said real estate is located on or before the day fixed or appointed to make the same.

Approved March 5, 1927.

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## GAME and FISH

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### CHAPTER 145

(H. B. No. 199—Committee on Game and Fish)

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#### POWERS AND DUTIES OF GAME AND FISH BOARD

An Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 Relating to the Powers and Duties of the North Dakota Game and Fish Board.

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

§ 1. That Section 10322a4 of the Supplement to the Compiled Laws 1913 be amended and re-enacted to read as follows:

§ 10322a4. POWERS AND DUTIES OF THE BOARD.] Said Board shall enforce the laws of this state, involving the protection and propagation of all game animals, game birds, fish and harmless birds and animals.

1. The propagation and preservation of such variety of game and fish as it shall deem to be of public value.

2. The collection and diffusion of such statistics and information as shall be germane to the purpose of this act, and the publication of such information and reports.

3. The power to purchase, sell and lease for the state, all sales of real estate to be approved by the Governor, to control, construct, mark, designate and manage all state fish hatcheries, state game farms, game refuges, game reserves and game reservations, that are now or may hereafter be owned, leased or controlled for such purposes.

4. The receiving from the United States Commissioner of Fisheries or other persons and the gathering, purchase and distribution to the waters of this state of all fish spawn or fry.

5. The taking of fish from public waters of the state for the propagation and stocking of other waters therein. The taking alive at any time, by any means, under the personal supervision of any

member of the board, or some one appointed by them, any birds or animals for propagating purposes or for the exchange with other states for game and birds and animals of other species.

6. The seizure and disposition of all wild birds, wild animals and fish, either taken, killed, transported, or possessed contrary to law, of all dogs, guns, seines, nets, boats, lights, automobiles, vehicles or other instrumentalities unlawfully used or held with intent to use in pursuing, taking, or attempting to take, concealing or disposing of the same, and for these purposes it is hereby authorized and empowered to make all such rules and regulations for carrying out the provisions of this section as said board may deem most expedient.

7. The power to appoint Chief Game Wardens, State Wide Deputy Game Wardens, District Game Wardens, and such other special wardens as may be necessary to enforce the provisions of the game laws of the State of North Dakota, and the Deputy Game and Fish Commissioner, as provided for in Section Six and Section Eight of this act.

It is further provided that the Game and Fish Board shall have the power and authority to remove at their pleasure any one or all of its appointees.

8. The Game and Fish Board shall have full power and authority to fix a maximum amount of traveling and other expenses which may or might be incurred by any or all of its appointees or by the Game and Fish Commissioner.

9. Said board shall, on or before December 1st of each even numbered year, submit to the Governor a detailed report of its actions, including the amount of moneys received from all sources, an inventory of all birds, game, fish, dogs, guns, seines, nets and other property seized and sold, the names of the purchasers, and the amount received and statement of its disbursements. The books and vouchers of said board shall be subject to examination by the public examiner at all times.

Approved February 28, 1927.

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## CHAPTER 146

(H. B. No. 155—Committee on Game and Fish)

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### FUR BEARING ANIMALS

An Act Relating to Fur Bearing Animals; Regulating the Taking Thereof and Fixing Penalties.

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

§ 1. ANIMALS MAY BE TAKEN, WHEN.] No person shall hunt, shoot, trap, or take in any manner any fur bearing animals except during the open or lawful season, as established by this act;

provided, that it shall be lawful to take at any time, or in any manner any wild fur bearing animal not specifically protected by this act, and, provided further, that animals may be taken pursuant to the provisions of Chapter 225, Session Laws of 1923.

§ 2. DESTRUCTION OF PREDATORY ANIMALS.] Land owners and tenants may destroy any wild fur bearing animal which is committing depredations upon their poultry, domestic animals or crops, but under no circumstances shall it be legal to sell, ship or commercialize in the pelts of such depredating animals, or any part thereof, if caught or killed out of season.

§ 3. SKUNK, BADGER.] It shall be lawful to trap or take for commercial purposes the skunk and badger between the first day of October and the twenty-eighth day of February, both inclusive.

§ 4. MINK, WEASEL, RACCOON, FOX.] It shall be lawful to trap or take for commercial purposes the mink, weasel, raccoon, red and gray fox and swift between the first day of November and the thirty-first day of March, both inclusive.

§ 5. MUSKRAT.] It shall be lawful to trap or take for commercial purposes the muskrat between the fifteenth day of December and the fifteenth day of February, both inclusive, provided that it shall be unlawful at any time, or for any purpose, to shoot, or spear the muskrat; to molest, dynamite or destroy in any manner a muskrat house, burrow or retreat.

§ 6. BEAVER, OTTER.] It shall be unlawful to hunt, trap, catch, take or kill in any manner any otter or beaver, or to cut into, molest, dynamite or destroy in any way any beaver house, burrow, retreat or dam; provided, that the Game and Fish Commission may, when proof of actual damage being committed by any beaver or colony of beaver is furnished, enter in or upon any premises where such damage is being committed and remove by its agents, under supervision of a bonded warden, such beaver; its agent may be the property owner on whose land beaver is doing damage. In such case the Game and Fish Board may make such regulation from taking beaver as it may deem necessary; and any moneys accruing from the sale of live beaver, or its fur, shall be paid over to the State Treasurer and by him credited to the Game and Fish Fund.

§ 7. DEALER'S LICENSE.] It shall be unlawful for any person to engage in the business of buying, shipping or selling of raw furs without first procuring a license, the fee for which shall be as follows: For a non-resident buyer or shipper, or his agent, license

fee shall be \$50.00; for a resident shipper or buyer, the fee shall be \$5.00 for each place of business in the state; for a resident traveling agent, buyer or shipper the fee shall be \$15.00; said license to be obtained from the secretary of the Game and Fish Commission, fees for which shall be credited to the Game and Fish Fund in the usual manner.

§ 8. INSPECTION OF PREMISES AND RECORDS.] The Game and Fish Commission through its bonded officers shall have the right without warrant to enter upon the premises of any dealer or trader in raw furs for the purpose of inspecting any warehouse or other store rooms, or places, and to call for and inspect records of buying, shipping or selling of raw furs, provided, however, that the right to enter and search without a warrant shall in no manner be taken or construed to apply to the entry or search of the dwelling house or living quarters of any person. They shall also have the power and authority to confiscate any raw furs obtained illegally, and shall have the right to search camps, tents, automobiles or other vehicles for the same purpose.

§ 9. TRANSPORTATION OF FURS.] It shall be unlawful to ship raw furs within or without the boundary of the State of North Dakota without a permit and tag, said tag to be obtained from the secretary of the Game and Fish Commission, or the bonded game wardens; said permit and tag shall show in duplicate the name and address of consignor and consignee, the number of the dealers and trappers license, the number and kind of furs in the package, provided that owners, tenants or minors under sixteen years who may trap on their own premises without license must give name, post-office and place of residence as designated by township, range, section and county, together with number and kind of furs being shipped. The duplicate must be returned to the secretary of the Game and Fish Commission. It shall be unlawful for any common carrier, agent, dealer or person to receive and transport within or without the state any raw furs that do not have the permit tag attached thereto. All unused permits and tags together with a report of number and kind of furs, bought, sold or shipped, must be returned to the secretary of the Game and Fish Commission before the first of September of each year. The Game and Fish Board may refuse to knowingly issue license to any dealer who has failed to make such return.

§ 10. EXPIRATION OF LICENSE.] The life of all licenses issued to dealers in raw furs and trappers shall terminate on September 1st of each year. It shall be unlawful to have in possession any raw furs for more than ten days after the close of the open season for the trapping of a particular species of fur animals, unless permit to do so be obtained from the secretary of the Game and Fish Commission.

§ 11. PENALTIES.] Penalties to be imposed for violation of this act shall upon conviction be as follows: For violation of Sections 3, 4, 5, or 6, a fine of not less than \$25.00 nor more than \$100.00 and cost or imprisonment in the county jail for not less than fifteen days, nor more than thirty days, or both such fine and imprisonment for the first conviction; for violation of Sections 7, 8, and 9, the penalty shall be not less than \$75.00 nor more than \$250.00, or imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment. The penalty for any subsequent violation and conviction shall be double that for the first conviction.

§ 12. TRESPASSING.] Any owner or lessee of any premises upon which there may be any muskrats shall have the right to post in conspicuous places a notice forbidding the trapping of muskrats thereon, and it shall be unlawful for anyone to trap, take or kill any muskrats thereon, provided, however, that said owner or lessee may trap muskrats in a lawful way in the open season for same. Violation of this section shall be deemed a misdemeanor.

§ 13. FISH.] The Game and Fish Commission shall have the power and authority to close any lake or lakes against the trapping or the killing of the muskrat therein when it is essential for the welfare of the game fish in said lake or lakes, notice of such closing to be posted at said lake or lakes.

§ 14. REPEALED.] Section 45 of Chapter 161, Session Laws of 1915, and Section 46 of Chapter 161, Session Laws of 1915 as amended by Chapter 63, Session Laws of 1917 as amended by Chapter 134, Session Laws of 1919 as amended by Chapter 68, Session Laws of 1921, as amended by Chapter 224, Session Laws of 1923, and all other acts and parts of acts in conflict herewith are hereby repealed.

Approved March 7, 1927.

## CHAPTER 147

(H. B. No. 166—Committee on Game and Fish)

## GOVERNOR'S ADDITIONAL POWERS TO OPEN AND CLOSE SEASONS

**An Act Conferring Additional Powers Upon the Governor to Open and Close Seasons in Any and All Subdivisions of the State When Deemed Necessary for the Better Protection of Game Birds, Fish or Animals.**

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

§ 1. ADDITIONAL PROTECTION—GOVERNOR'S ORDERS.] Whenever the Governor, after investigation and recommendation by the Game and Fish Commission, finds that any species of game birds, fish or animals for which an open season is provided are in danger of undue depletion or extinction or when necessary for the proper protection during the propagating period, he may by an order provide protection for such species, additional to that provided by law, and to that end may prescribe in what manner, in what number, in what places and at what times the same may be taken. Provided, further, that whenever the Governor, after investigation and recommendation by the Game and Fish Commission, finds that any species of game birds, fish or animals has become sufficient in numbers to warrant an open season, he may by order declare an open season thereon or extend the already open season as now provided by law and to that end may prescribe in what manner, in what number, in what places and at what times the same may be taken. Any order issued by the Governor pursuant to this act shall have the force of law and the appropriate penalties now prescribed by law for the unlawful killing of game shall follow and be applicable to violations of any such order. No such order shall be valid after the closing of the regular session of the Legislature next succeeding its issuance. Any resident of this state may appeal from an order issued under this section by filing within thirty days thereafter a notice of appeal, specifying the grounds on which it is based with the Clerk of the District Court of the county of his residence. The court shall after hearing, if it finds any reasonable foundation exists for said order, sustain the same, but if it finds the same to be arbitrarily issued, it shall set the same aside.

§ 2. PUBLICATION OF ORDERS.] All orders and rules and regulations affecting the entire state as provided for herein shall be published once in the official newspaper of each county affected by such orders. No order, rule or regulation shall take effect until after such publication.

Approved February 28, 1927.

## CHAPTER 148

(H. B. No. 198—Committee on Game and Fish)

## HUNTING LICENSES

An Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as Amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as Amended by Section 5, Chapter 134, Session Laws of 1919, as Amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, Relating to Game and Fish.

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

§ 1. AMENDMENT.] That Section 35, Chapter 161, Session Laws of 1915, as amended by Section 7, Chapter 224, Session Laws of 1923, is hereby amended and re-enacted so as to read as follows:

§ 35. LICENSES FOR RESIDENT AND NON-RESIDENT HUNTERS, FISHING AND TAXIDERMISTS. HOW PROVIDED.] All persons are prohibited from hunting, catching, taking or killing any protected game bird, animal or fish in this state without having first procured a hunting, trapping or fishing license, as prescribed in this act. It is hereby provided, however, that no license is required for any resident of this state to hunt, fish or trap on lands owned by him or actually cultivated by him, or any member of his family residing permanently with him, during the open season as provided for in this act. All persons are prohibited from practicing taxidermy for pay without first having secured a license therefor. The expiration of all licenses shall be on the following dates—each subsequent to their issuance: Hunting licenses on the thirty-first day of December, trapping licenses on the first day of September, fishing licenses on the fifteenth day of October, and taxidermists licenses on the thirty-first day of December. The North Dakota game and fish board shall provide the necessary blank forms for applications and licenses of all kinds and distribute them among those authorized to sell said licenses.

§ 2. That Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919 and as amended by Section 8, Chapter 224, Session Laws of 1923, is hereby amended and re-enacted so as to read as follows:

§ 36. RESIDENT LICENSES. COST. HOW ISSUED. APPLICATIONS. FORMS. GAME AND FISH SHIPMENTS.] Application for resident hunting, trapping or fishing licenses shall show the applicant is a bona fide resident of the state and for six months has been a resident of the county in which license is sought, shall give his

residence, postoffice address, shall contain a description of his person as to his height, weight, color of his hair and eyes, and shall be verified by some free-holder of the county, other than the applicant, acquainted with the facts as set forth in the application; and it is provided, further, that if any person selling licenses is in doubt as to the question of the residence of the applicant, an affidavit on that point may be required additional to the usual application. Resident hunting, trapping, fishing, and taxidermists licenses may be sold by the County Auditors, members of the game and fish board and all bonded game wardens. When sold by members of the game and fish board or the bonded appointees of the board, the gross receipts must be sent to the secretary of the board at the end of each month and by him transmitted to the State Treasurer, who shall credit the amount to the game and fish fund. No such resident license shall be transferable. Resident hunting licenses shall be sold for one dollar and fifty cents each, resident trapping licenses for two dollars each, resident fishing licenses for fifty cents each, taxidermists licenses for one dollar each; provided, that any person under sixteen years of age may fish without a license. Resident licenses, when issued, shall describe the licensee, designate his place of residence and have printed upon it in large figures the year for which issued and the words "Not Transferable." Any resident of the state having procured a resident hunting, trapping or fishing license as required, and being lawfully in possession of any protected game birds, animals, or fish mentioned in this act, may ship by common carrier or when same is accompanied by the person legally in possession of said protected game birds, animals or fish, may carry on the same train or other conveyance, to his home address in the county in which he resides not to exceed a two days' bag limit of any protected game birds, animals or fish. Any resident of the state who shall hunt, trap, fish, practice taxidermy for pay without having first procured a license therefor as provided in this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail not less than ten days nor more than thirty days for each offense, or by both such fine and imprisonment, and each violation of this act shall be a distinct and separate offense.

§ 3. AMENDMENT.] That Section 37, Chapter 161, Session Laws of 1915 is hereby amended and re-enacted so as to read as follows:

§ 37. NON-RESIDENT LICENSE, COST. HOW ISSUED. APPLICATIONS. FORMS. GAME SHIPMENTS.] Every person, not a resident of this state for six months prior to the application for any license provided herein, is prohibited from hunting, taking, trapping, killing or capturing any protected game, or animal unless he shall have first procured a non-resident hunting and trapping license for



which he shall pay the sum of twenty-five dollars. Every person not a resident of this state for six months is prohibited from fishing, taking, catching, killing or capturing in any manner any fish unless he shall have first procured a non-resident fishing license for which he shall pay the sum of three dollars; provided, that any person under twelve years of age may fish without a license. Such non-resident licenses may be sold by any member of the Game and Fish Board or bonded Game Wardens or bonded Game and Fish Commissioners or County Auditors; when countersigned by the secretary of the North Dakota Game and Fish Board, or bonded appointees, the gross receipts must be sent to the secretary of the board at the end of each month and by him transmitted to the State Treasurer, who shall credit such amounts to the game and fish fund, to be used for the enforcement of the game laws as provided in this act. Said non-resident licenses shall describe the licensee, designate the place of residence, and have printed on them in large letters the year for which issued and the words "Non-resident License" and "Non-transferable." Any non-residents having procured such non-resident hunting and trapping license may carry with him on leaving the state not to exceed a two days' bag limit. Any common carrier is hereby permitted to carry any such protected game birds and animals when same is accompanied and carried on the same train or conveyance by the person who displays a non-resident license identifying him and who is legally in possession of the same, provided that the same is plainly marked with a suitable tag bearing the name and address of the licensee, and number of his non-resident hunting and trapping license and there is attached thereto a special tag provided on the non-resident license form, and carried openly for inspection of its contents. Any non-resident of this state who shall hunt, trap or fish without having procured a non-resident license therefor as provided in this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars and not more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for not less than twenty days nor more than forty days, or by both such fine and imprisonment, for each and every offense. Each violation of this section shall be a distinct and separate offense.

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

Approved March 7, 1927.

## CHAPTER 149

(H. B. No. 153—Committee on Game and Fish)

## SEARCH AND SEIZURE

An Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1915, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, Session Laws of 1915.

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

§ 1. AMENDMENT.] Section 14, Chapter 161, Session Laws of 1915 is hereby amended and re-enacted so as to read as follows:

§ 14. SEARCH AND SEIZURE.] The State Game and Fish Board and bonded state game wardens are hereby authorized and empowered:

(1) To enter and inspect any hotel, restaurant, cold storage warehouse, plant, ice house or building actually used for the storage of dressed meats, game or fish for the purpose of determining whether game or fish or parts thereof are kept or stored therein in violation of this chapter, and without warrant to open, enter and examine all buildings, camps, vessels, boats, wagons, automobiles or other vehicles, cars, crates, boxes, and other receptacles and places where they have reason to believe that wild animals or parts thereof are to be found which have been taken or held in violation of the laws pertaining to the taking of wild game and fish. Provided, however, that the right to enter and search without a warrant shall be in no manner taken or construed to apply to the entry or search of the dwelling house or living quarters of any person. Willful hindering, obstructing, interfering or refusing such inspection shall constitute a misdemeanor.

(2) To seize and confiscate in the name of the state any wild animal, including birds or fish, carcasses or parts thereof, caught, killed, taken or had in possession or under control, or sold or transported in violation of this chapter and to seize, confiscate and dispose of all guns, firearms, nets, boats, lines, rods, poles, fishing tackle, lights, lanterns, snares, traps, used unlawfully in pursuing, hunting, taking, attempting to take, conceal or dispose of, or transport such wild animals. All confiscated wild animals, or carcasses, hides or parts thereof and all confiscated apparatus, appliances, or devices shall, if not destroyed as authorized by law, be retained by the Game and Fish Department for the use of the department, or sold to the highest bidder at the price obtainable by the said department, or its agents, under written authority and supervision of the said department, after one publication of sale. The net proceeds

after expenses are paid, shall be paid to the State Treasury, and credited to the Game and Fish Funds, and the remittances to be covered by an itemized account of such sale.

(3) To open and examine any packages in the possession of a common carrier which they suspect or have reason to believe contains contraband, or is falsely labeled in the violation of the provisions of the Game and Fish Laws of the State of North Dakota; and every such common carrier and every agent thereof, servant, or employee thereof shall permit any such officer to examine and open any such package. Any package so opened shall be restored to its original condition. Violation of this section shall be a misdemeanor and such officer shall, in the performance of his official duty, or duties, be exempt from any and all liabilities, to any person for act done, or permitted, or property destroyed by law.

(4) Confiscation of any part of shipment shall include the entire shipment, and whenever two or more wild animals, birds or fish, carcasses, hides or parts thereof, are packed, stored or contained in the same bag, crate, box or other receptacle, or are otherwise commingled and one or more thereof are contraband, then in such cases, the whole shipment or parcel shall be deemed contraband.

(5) PENALTY.] Any person who shall violate any provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$100.00 or by imprisonment in the county jail for a term not to exceed thirty days, or by both such fine and imprisonment.

§ 2. REPEAL.] Section 15, Chapter 161, Session Laws of 1915 and all other acts or parts of acts in conflict herewith are hereby repealed.

Approved February 28, 1927.

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## CHAPTER 150

(S. B. No. 240—Olson of Burleigh)

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### HOURS FOR SHOOTING GAME BIRDS OR ANIMALS

An Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

§ 1. AMENDMENT.] That Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota be, and the same is, hereby amended and re-enacted to read as follows:

§ 10322a26. 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; provided, however, that migratory game birds may be hunted one-half mile from any permanent waters in the state until thirty minutes after sunset.

Approved March 5, 1927.

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#### CHAPTER 151

(S. B. No. 166—Stevens)

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##### TRESPASSING BY HUNTING ON LAND BEARING SIGN

An Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws of 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

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

§ 1. That Section 10322a28 of the Supplement to the Compiled Laws 1913 is hereby amended and re-enacted to read as follows:

§ 10322a28. No person shall, with intent to kill or take any wild game birds, go upon any lands upon which signs have been posted, by the owner, lessee or agent, bearing the inscription, "No Hunting or Trespassing Allowed" without first obtaining the consent of such owner, lessee or agent so to do, provided such signs shall be conspicuously posted at a distance of not more than eighty rods apart and be readable from the outside of the land. Any violation of this act shall constitute an act of trespass, and shall be subject to the penalties thereof.

§ 2. That Section 10322a29 of the Supplement to the Compiled Laws 1913 is hereby repealed.

Approved March 3, 1927.

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#### CHAPTER 152

(H. B. No. 174—Committee on Game and Fish)

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##### TRAPS, SNARES, LIGHTS, ETC.

An Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10322A24 and 10322A25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

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

§ 1. No person shall at any time set, lay, prepare or have in possession any trap, snare, artificial light, net, bird lime, swivel gun

or contrivance whatever, including the dragging of wire or rope between two vehicles or other carriers, for the purpose of catching, taking, killing or raising any protected game birds and animals mentioned in this act. Game birds and animals protected by law can be taken only in daytime with a gun not larger in bore than a ten gauge shotgun, fired from the shoulder. Natural blinds, which are stationary, decoys and boats anchored or tied in natural blinds can be used in the taking of wild ducks and geese. No person shall shoot from a sunken boat, nor from any moving boat, nor from any boat in open water of this state, nor shall any person use or cause to be used any floating battery, electric, steam or gasoline or other floating vessel, or rifle for the purpose of raising or driving any game birds from their resting or feeding places in any waters of this state. Rifles shall not be used in hunting or pursuing wild ducks and geese. No person while in a motor vehicle shall take any game or discharge any firearm at any protected birds or animals. No gun or other firearm, with the exception of pistol or revolver, shall be carried in a motor vehicle unless the same be unloaded in both barrels and magazine and taken apart or in a case, between July 1st and September 16th of each year. It shall be unlawful to use any kind or type of silencer on firearms.

Any violation of this section shall be a misdemeanor and punishable by a fine of not less than Twenty-five Dollars (\$25.00) or more than Fifty Dollars (\$50.00), or by imprisonment in the county jail, for not less than ten or more than thirty days, or both such fine and imprisonment at the discretion of the court.

§ 2. That Sections 10322A24 and 10322A25 of the Supplement to the Compiled Laws 1913 and any and all acts in conflict herewith are hereby repealed.

Approved February 26, 1927.

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## CHAPTER 153

(S. B. No. 135—Stevens)

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### DISQUALIFICATION OF GAME WARDENS

**An Act Forbidding Any Person to Act or be Appointed as Game Warden, Deputy Game Warden or Special Deputy Game Warden Who is in the Employ of, or Acting Agent of, Any Person or Persons Who Own, Operate, Hold or Possess Any Land, or Lease Upon Any Lands, for Hunting Purposes Within the State of North Dakota, and Making the Violation Thereof a Misdemeanor.**

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

§ 1. No person, or agent or employee of such person, shall act or be appointed as a game warden, deputy game warden or

special deputy game warden, who is the owner of or in possession of any land which is under lease or contract for hunting purposes within the State of North Dakota.

§ 2. Any person or persons violating this act shall be guilty of a misdemeanor.

Approved March 7, 1927.

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## GOPHERS

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### CHAPTER 154

(H. B. No. 66—Zimmermann)

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#### GOPHER BOUNTY PETITION

An Act to Amend and Re-enact Section 2262 of the Supplement to the Compiled Laws of North Dakota of 1913.

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

§ 1. That Section 2262 of the Supplement to the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted to read as follows:

§ 2262. It shall be the duty of the board of county commissioners of any county, on receiving a petition signed by not less than twenty per cent of the total number of votes cast at the last general election held in such county, requesting them to do so, to offer a bounty or reward for each gopher, rabbit, crow and prairie dog destroyed during the year. The board of county commissioners when petitioned, as herein provided, shall publish in the local papers of the county during the month of March of each year the amount of bounty or reward to be paid for each gopher, rabbit, crow and prairie dog destroyed, the manner of ascertaining the number of gophers, rabbits, crows and prairie dogs destroyed and the manner of procedure necessary to obtain such reward.

Approved February 16, 1927.