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# GAME

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## CHAPTER 173.

[S. B. No. 148—McLean.]

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### BEAVERS, REMOVAL OF—FISH AND GAME.

AN ACT to Amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8 and 35 of Chapter 128 Laws of 1909, as Amended by Chapter 141 of the Laws of 1911, Relating to Fish and Game; Providing for the Removal of Beavers Causing Damage to Property.

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

§ 1. Section 8 of Chapter 128 of the Laws of 1909, as amended by Chapter 141, Laws of 1911, is hereby amended to read as follows:

§ 8. EMPLOYEES.] The board may appoint and remove at pleasure, not to exceed one regular deputy game warden for each judicial district in this state. Such regular deputy wardens shall be appointed for the period not exceeding five months during each year, which months shall be designated by the game and fish board of control, providing however, the board of control may, and they are hereby authorized to appoint any of the above mentioned regular deputies in any county to serve for a period of one year, if in their judgment it is necessary for the better protection of game of the state. *Provided*, further, the chief game warden in each district may appoint one or more resident county game wardens in each county in their respective districts, who shall serve for such a time and in such manner as the chief game warden may direct. They shall serve as such resident county game wardens without compensation, except as provide in Section 24 of Chapter 128 Session Laws of 1909. Such regular deputy game wardens shall receive as full compensation for their services, not to exceed one hundred dollars per month and actual expenses incurred in the performance of their duties. Each deputy game warden shall devote his whole time to the work, under the direction of the chief game warden of the district for which he is appointed. At the close of each week he shall mail to the chief game warden an itemized statement of his expenses, and attach thereto vouchers for all moneys so expended by him, together with a statement showing his

daily activities during said week. The salaries and expenses of all employees shall be paid from the state game and fish fund. That annually after January 1, 1912 there shall be transferred from the game and fish fund by the game and fish board of control the sum of \$2,000.00 to be known as the expenses and improvement fund, to defray the necessary expenses in and about the fish hatchery as directed by the fish commission, on vouchers duly audited by the president and secretary of the board of control, and paid by the treasurer, as provided by law. Each deputy game warden shall, without delay, report to the chief game warden of his district all violations known to him and convictions secured, and give a detailed statement of the same.

§ 2. Section 35 of Chapter 128 Laws of 1909, as amended by Chapter 141, Laws of 1911, is hereby amended to read as follows:

§ 35. GAME BIRDS, SEASONS FOR KILLING.] No person shall hunt, take, kill, ship, convey or cause to be shipped or transported by common or private carrier, to any person either within or without the state, expose for sale, sell to anyone, have in possession with intent to sell, or have in possession, or under control at any time, any turtle dove snipe, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, Chinese ring-neck or English pheasant, Hungarian partridge, wild duck of any variety, wild goose of any variety, brant of any variety, or aquatic fowl whatever, or any part thereof, except: First that any snipe, crane of any variety, prairie chicken, pinnated grouse, white-breasted or sharp-tailed grouse, woodcock, upland plover or golden plover, may be killed and had in possession between the seventh day of September and the first day of November, (both inclusive) following. Second, that wild duck of any variety, or wild goose of any variety may be killed and had in possession between the seventh day of September and the fifteenth day of December (both inclusive) following. Any person violating the provisions of this section shall be punished by a fine of not less than ten dollars for each bird or more than twenty-five dollars, and costs of prosecution, or by imprisonment in the county jail for not less than twenty days nor more than thirty days, or by both fine and imprisonment in the discretion of the court, for each and every bird killed or destroyed contrary to the provisions of this section.

§ 3. Section 36 of Chapter 128 of the Laws of 1909, is hereby amended to read as follows:

§ 36. DEER. SEASON FOR KILLING.] No person shall hunt, shoot, catch, kill, trap, or in any way destroy any deer with-

in the boundary limits of the state of North Dakota before November 10th, 1916, and after November 10th, 1916, it shall be unlawful to kill any doe or female deer, and it shall be unlawful to hunt shoot, catch, kill, trap or in any way destroy any male deer, except from November 10th until November 30th, both inclusive. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction therefor shall be fined one hundred dollars for each deer, and costs of prosecution, or by imprisonment in the county jail for not less than thirty days nor more than sixty days, or by both such fine and imprisonment, in the discretion of the court, for each and every deer killed contrary to the provisions of this act.

§ 4. Whenever a colony of beavers is causing damage to property, the state district game warden of the game district where said beavers are causing such damage, may employ an expert of the federal government, or any other suitable person, to remove such beavers to another place where such damage cannot be caused.

§ 5. EMERGENCY.] Inasmuch as an emergency exists this law shall be in force from and after its passage and approval.

Approved March 10, 1913.

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## GOPHERS

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### CHAPTER 174.

[S. B. No. 14—Englund.]

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#### EXTERMINATION OF GOPHERS.

AN ACT to Provide for the Extermination of Gophers, Compensation Therefor, Declaring the Gopher Pest a Common Nuisance and Defining the Term Gopher.

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

§ 1. EXTERMINATION OF GOPHERS.] When the county commissioners of any county in this state, where there are gophers, does not offer a bounty for the destruction of the same, then the township supervisors of any township within such county, upon a petition of ten resident land owners therein, are hereby authorized and empowered to appoint some suitable person, or persons, whose duty it shall be to