

GAME AND FISH.

CHAPTER 103.

[H. B. 67.]

GAME AND FISH.

AN ACT to Amend Section 7679 of the Revised Codes of 1899, Being Chapter 93 of the Session Laws of 1899, Relating to Game and Fish.

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

§ 1. AMENDMENT.] That section 7679 of the Revised Codes of 1899, be amended so as to read as follows:

§ 7679. CATCHING FISH RESTRICTED.] Every person who either:

1. Takes, catches, kills or destroys any fish of any kind in any of the lakes, streams or other public waters of this state in any manner other than by angling with hook and line, or

2. Between the first day of January and the following first day of May in each year, takes, catches, kills or destroys in any manner, by any device in any of the public waters of this state, any pike, pickerel, perch, croppie, trout, buffalo, bass, or muskalonge for any purpose other than for propagating or breeding the same, is guilty of a misdemeanor, and upon conviction thereof is punishable by a fine of not less than five and not exceeding twenty-five dollars, and for every subsequent offense by imprisonment in the county jail not exceeding thirty days, or by a fine of not less than ten dollars, and not exceeding one hundred dollars, or by both.

3. Provided, further, that it shall be unlawful between the first day of October and the following first day of May, for any person to fish in any manner in any of the waters of this state wherein any fish have been placed for propagating or breeding, by either the state or the national government, and the same penalty shall apply as provided elsewhere in this act.

Approved March 12, 1901.

CHAPTER 104.

[H. B. 167.]

PROHIBITING SALE OF GAME BIRDS AND ANIMALS.

AN ACT to Prohibit the Sale of Certain Game Birds and Animals Within the State, and Providing a Penalty for Violation of the Same.

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

§ 1. GAME BIRDS AND ANIMALS. TO PROHIBIT SALE OF CERTAIN.] Every person who sells or exposes for sale, or has in his possession, with intent to sell or ship, for the purpose of selling to any person within the state, by common or private carrier, at any time, any prairie chickens, pinnated grouse, sharp tailed grouse, ruffled grouse, woodcock, or deer, is guilty of a misdemeanor, and upon conviction thereof before any justice of the peace of the county, is punishable by a fine of not exceeding ten dollars for each of the game birds or deer herein mentioned, sold, exposed for sale, or shipped, or had in his possession with the intent to sell or ship as aforesaid.

Approved March 12, 1901.

CHAPTER 105.

[S. B. 92.]

ANTELOPE.

AN ACT to Prevent the Extermination of Antelope.

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

§1. ANTELOPE. EXTERMINATION OF.] It shall not be lawful to hunt, shoot at, kill, or capture any antelope within the limits of the state of North Dakota at any time after this act shall become a law, prior to January first, nineteen hundred and eleven.

§ 2. PENALTY.] Any person violating the provisions of this law shall be deemed guilty of a misdemeanor, the same to be prosecuted as are the other violations of the game laws of this state; and upon conviction thereof the offender shall be fined not less than \$100 nor more than \$500, and imprisoned for a term not exceeding three months for each offense, in the county jail in and for the county wherein the act was committed.

Approved March 8, 1901.

CHAPTER 106.

[H. B. 18.]

GAME AND FISH LAWS.

AN ACT to Amend Section 7677 of Chapter 72 of the Revised Codes of 1899, Relating to Game and Fish.

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

§ 1. AMENDMENT.] That section 7677 of chapter 72 of the Revised Codes of 1899, be amended to read as follows:

§ 7677. SHOOTING OR KILLING RESTRICTED. PENALTY.] Every person who either

1. Shoots or kills any prairie chicken, pinnated grouse, sharp tailed grouse, ruffed grouse, or woodcock, between the fifteenth day of October, and the first day of September following, or any song bird or insect-eating bird, except snipe, or plover, at any time, or

2. Shoots, kills, or takes any quail, English or Chinese pheasant or wild swan, until after the first day of September, A. D. 1905, and after that time between the fifteenth day of October and the first day of September following; or

3. Shoots or kills any wild duck between the first day of May and the first day of September following; or

4. Shoots or kills any wild goose, crane, or brant between the first day of May and the first day of September following; or

5. Shall at any time catch or kill any of the birds permitted to be killed by this act at any time in any other manner than by shooting them with a gun held to the shoulder by a person discharging the same; or

6. Shall at any time set, lay or prepare any traps, snare, net, bird line, medicated, drugged or poisoned food or grain, or swivel gun, or any contrivance or device whatever with intent to catch, take or kill any of the birds in this act mentioned, whether the same are caught or not, or make use of any artificial light, battery or any other deception, contrivance or device whatever, with intent to attract or deceive any of the birds in this act mentioned, except decoys and blinds may be used in hunting wild geese, ducks and brants. No person shall at any time hunt or shoot from any boat, canoe or contrivance or device whatever on any waters in this state, between the hours of five p. m. and eight a. m., and no person shall at any time make use of, hunt or shoot from any floating battery, sink boat or sunken tub or any similar device on any of the waters of this state.

7. Wantonly destroys any nest or eggs of any of the birds mentioned in subdivisions 1, 2, 3 or 4 of this section; or

8. Shoots or kills any buffalo, moose, elk, caribou, or mountain sheep, at any time, or any deer between the first day of December and the tenth day of November following; or

9. Shoots, kills, traps or takes any beaver or otter at any time prior to the tenth day of November, A. D. 1905, or thereafter between the tenth day of December and the tenth day of November following;

or

10. At any time uses or employs any hound or dog in running or driving any of the animals mentioned in subdivision 8 of this section;

or

11. Sets any spring or other gun, trap snare, or other device to kill, wound or destroy any of the animals mentioned in subdivision 8 of this section; or

12. Shoots or kills in any one day more than twenty-five of the game birds mentioned in subdivisions 1, 2, 3 or 4 of this section, or in any one season more than five of the animals mentioned in subdivision 8 of this section, is guilty of a misdemeanor, and upon conviction thereof before any justice of the peace of the county, is punishable by a fine of not exceeding ten dollars, for each of the birds mentioned in subdivisions 1, 2, 3 or 4 of this section, so shot or killed, or nest, or eggs, so destroyed, and for each violation of subdivisions 5 or 6 of this section, and not exceeding one hundred dollars for each animal mentioned in subdivisions 8 and 9 of this section, so shot, killed, trapped or taken, and not exceeding one hundred dollars for each violation of subdivisions 10, 11 or 12 of this section.

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

Approved March 12, 1901.