

5. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of said premises where it can readily be seen from the outside.

Sec. 13. PENALTY FOR FALSE INFORMATION.) If any person in purchasing or otherwise securing delivery of a pistol or revolver or in applying for a permit to carry the same, shall give false information or offer false evidence of his identity he shall be punished by imprisonment for not less than five nor more than ten years.

Sec. 14. ALTERATION OF IDENTIFYING MARKS PROHIBITED.) No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol or revolver. Possession of any such firearm upon which the same shall have been changed, altered, removed, or obliterated, shall be presumptive evidence that such possessor has changed, altered, removed, or obliterated the same. Violations of this section shall be punished by imprisonment for not less than one year nor more than five years.

Sec. 15. EXISTING LICENSES REVOKED.) All Licenses heretofore issued within this State permitting the carrying of pistols or revolvers concealed upon the person shall expire at midnight of June 30th, 1923.

Sec. 16. EXCEPTIONS.) This Act shall not apply to antique pistols or revolvers incapable of use as such.

Sec. 17. CERTAIN ACTS REPEALED.) All laws or parts of laws inconsistent herewith are hereby repealed.

Approved March 7th, 1923.

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## PLEDGE

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### CHAPTER 267.

(H. B. No. 177—Cole.)

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#### SALE OF PROPERTY PLEDGED.

An Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

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

Sec. 1. AMENDMENT.) Section 6790 of the Compiled Laws of the State of North Dakota for 1913 is amended and re-enacted to read as follows:

Sec. 6790. EVIDENCE OF DEBT.) A pledgee may collect when due any evidence of debt pledged to him; he may also sell any evidence of debt pledged to him to secure the performance of an original obligation, if at the time of making such original obligation the pledgor shall have authorized in writing such sale. Before such evidence of debt can be sold and after the maturity of the original obligation, the pledgee must demand, in writing, the performance thereof from the debtor if he can be found. Notice of the sale of such evidence of debt must be given by publication once, and at least ten days prior to such sale, in a newspaper published at the place of sale, if there is one, otherwise in a newspaper in the county in which such sale is to be made, and by service of such notice upon the pledgor and the makers of the securities, by registered mail addressed to them at their postoffice address as shown upon the securities to be sold, and if not so shown, at their last known postoffice address, and if there is no newspaper in the county, or upon the written request of the pledgor, notice shall be given by posting the same in five public places in such county for at least ten days prior to such sale. The notice of sale must specify the names of the pledgor and pledgee and the assignee, if any, the date, maturity and amount of the original obligation and the amount claimed to be due thereon, a description of the evidence of debt to be sold, which shall contain the names of the makers, the date and maturity of such obligation to be sold, and the time and place of sale. Such sale may be made by the pledgee, his agent or attorney. A report of such sale must be made and filed, substantially as required by Section 8128 in chattel mortgage foreclosures, and when so filed shall have the same force and effect.

Sec. 2. Any pledgor of personal property, or his assignee, may redeem the same from a sale upon foreclosure of any pledge within ten days after such sale, exclusive of the day of sale, by paying or tendering to the owner of the pledge at the time of sale, his agent or attorney, or the person making the sale, the amount for which said property was sold with the cost of sale and interest at the rate of seven per centum per annum from the date of sale. The pledgor or his assignee desiring to redeem such property shall at the time of sale give written notice to the person making the sale of his desire to make such redemption; otherwise he shall be deemed to have waived his right to do so. In case such notice is served, the person making such sale shall retain the possession of the property sold until the expiration of said ten days and shall be entitled to his reasonable expenses in caring for the same. In case a part only of the property sold is redeemed the redemptioner shall pay or tender in addition to the price for which such part was sold such proportion of the costs of sale as said price bears to the entire price of all the property

sold and also the reasonable expense of caring for the property redeemed and interest.

Approved February 27th 1923.

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## PROHIBITION

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### CHAPTER 268.

(H. B. No. 50—Miller and Halcrow.)

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#### PROHIBITION.

An Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same; Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty and defining the crime of engaging in liquor traffic.

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

Sec. 1. AMENDMENT.) Section 1 of Chapter 97, Session Laws, 1921, is hereby amended and re-enacted so as to read as follows:

Sec. 1. INTOXICATING LIQUOR AND CRIME OF ENGAGING IN LIQUOR TRAFFIC DEFINED.) The following liquors are hereby declared to be intoxicating and their intoxicating quality shall, by the Courts, be presumed, viz: alcohol, brandy, whiskey, rum, gin, beer, ale, porter and wine and in addition thereto any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of 1 per centum or more of alcohol by volume which are fit for use for beverage purposes; Provided, that the foregoing definition shall not extend to sweet fruit juices or dealcoholized wine nor to any beverage or liquid produced by the process by which beer, ale, porter or wine is produced if it contains less than one-half of 1 per centum of alcohol by volume and is otherwise denominated than as beer, ale, or porter and is pasteurized and contained and sold in or from hermetically sealed and labeled bottles.

Sec. 1A. The word person shall mean and include natural persons, associations, copartnerships, corporations and their clerks, agents and abettors.

Sec. 1B. CRIME OF ENGAGING IN LIQUOR TRAFFIC, DEFINED.) Any person who shall within this State, manufacture, sell, bar-