

packages or cans painted and marked as above. No person keeping for use, or using, kerosene shall put or keep the same in any barrel, cask, package or can painted or marked as above. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by fine of not less than five, nor more than one hundred dollars.

SEC. 2. Gasoline for manufacturing or mechanical purposes. This act shall not be construed to prohibit the use of gasoline from tanks or reservoirs, of not less than ten gallons capacity, for manufacturing or mechanical purposes.

SEC. 3. Acts in conflict repealed. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 4. In effect. This act shall take effect and be in force on and after the first day of January, 1907.

Approved March 30, A. D. 1906.

CHAPTER 107.

POWERS OF STATE FOOD AND DAIRY COMMISSIONER, HIS DEPUTIES AND ASSISTANTS.

S. F. 157.

AN ACT defining the powers of the state food and dairy commissioner, his deputy and assistants. [Additional to chapter thirteen (13) of title twelve (XII) of the code, relating to the dairy commissioner and imitation dairy products.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Access to factories, buildings, etc. The state food and dairy commissioner and his deputy and assistants shall have full access to all places of business, factories, buildings, wagons and cars used in the manufacture, sale or transportation within the state of any dairy products or any imitation thereof.

SEC 2. Examination and inspection. They may examine and open any package, can or vessel containing, or believed to contain any article or product which may be manufactured, sold or exposed for sale in violation of the laws of this state relative to the dairy products and imitation thereof, and may inspect the contents therein and take therefrom samples for testing or analysis.

SEC 3. Penalty. Whosoever shall refuse to allow the inspection herein provided for or shall in any way hinder or obstruct the proper officers performing their duties hereunder shall be punished by fine not exceeding one hundred (100) dollars or by imprisonment in the county jail not exceeding thirty (30) days.

Approved March 17, A. D. 1906.

CHAPTER 108.

PROTECTION OF BIRDS AND THEIR NESTS AND EGGS.

S. F. 120.

AN ACT for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (XII) of the code.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Wild birds. That all wild birds, both resident and migratory, in this state, shall be, and are hereby declared to be the property of the state.

SEC. 2. Sale of wild birds, plumage, etc., prohibited—game birds defined. That no person shall, within the state of Iowa, kill or catch, or have in his or her possession, living or dead, any wild bird other

than a game bird, or purchase, offer or expose for sale, transport or ship within or without the state, any such wild bird after it has been killed or caught, except as permitted by this act. No part of the plumage, skin, or body of any bird protected by this section shall be sold or had in possession for sale, irrespective of whether said bird was captured or killed within or without the state. For the purpose of this act the following only shall be considered game birds: The Anatidae, commonly known as swans, geese, brant and river and sea ducks; the Rallidae, commonly known as rails, coots, mud-hens and gallinules; the Limicolae, commonly known as shore birds, plovers, surf birds, snipe, wood-cock, sandpipers, tattlers, and curlews; the Gallinae, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges, and quails. All other species of wild birds, either resident or migratory, shall be considered non-game birds.

SEC. 3. Birds' nests and eggs. That no person shall, within the state of Iowa, take or needlessly destroy or attempt to take or destroy the nest or the eggs of any wild birds, or have such nest in his or her possession, except as permitted by this act.

SEC. 4. Transportation of wild birds prohibited. That no person or persons, or any corporation acting as a common carrier, its officers, agents or servants, shall ship, carry, take or transport, either within or beyond the confines of the state, any resident or migratory wild non-game bird, except as permitted by this act.

SEC. 5. Not applicable to holder of certificate. That sections 2, 3, 4, and 10 of this act shall not apply to any person holding a certificate giving the right to take birds, their nests, or eggs for scientific purposes only, as provided in section 6 of this act.

SEC. 6. Permission certificate—fees. That certificates may be granted by the fish and game warden of the state to any properly accredited persons of the age of fifteen years or upward, permitting the holder thereof to collect birds, their nests or eggs for scientific purposes only. The applicant for the same must present to said officer written testimonials from two well known ornithologists who must be residents of Iowa, certifying to the good character, and fitness of said applicant to be entrusted with such privilege and must pay said officer one dollar to defray the necessary expenses attending the granting of such certificate. On proof that the holder of such certificate has killed any bird, or taken the nest or eggs of any bird for other than strictly scientific purposes, his certificate shall become void, and he shall be liable to a fine of one hundred dollars, or imprisonment of thirty days, or both, at the discretion of the court.

SEC. 7. Certificates expire—when. That the certificates authorized by section 6 of this act shall expire on the 31st day of December of the year issued and shall not be transferrable.

Sec. 8. Birds not included. That the English, or European house sparrow, great horned owl, sharp shinned hawk, Cooper's hawk, and black-birds and crows are not included among the birds protected by this act.

SEC. 9. Domestic pets—parrots and canaries. That nothing in this act shall prevent a citizen of Iowa from taking or keeping any wild non-game bird in a cage as a domestic pet, provided that such bird shall not be sold, or exchanged, or offered for sale or exchange, or transported out of the state; and provided further that this act shall not be construed to forbid the selling or shipping of parrots, canaries or any other cage birds, which are imported from other countries or not native to any part of the United States.

SEC. 10. Penalty. That any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and shall be liable to a fine of five dollars for each offense, and an additional fine of five dollars for each bird, living or dead, or part of bird, or nest, or set of eggs, or part thereof,

possessed in violation of this act, or to imprisonment for thirty days, or both, at the discretion of the court.

S. c. 11. Acts in conflict repealed. All acts or parts of acts heretofore passed inconsistent with or contrary to the provisions of this act are hereby repealed.

Approved April 5, A. D. 1906.

CHAPTER 109.

REGISTRATION OF BIRTHS AND DEATHS.

H. F. 88.

AN ACT to require and regulate the registration of births and deaths in the state of Iowa, and to repeal section two thousand five hundred sixty-six (2566) and two thousand five hundred sixty-seven (2567) of the code, and to repeal chapter one hundred (100) laws of the Thirtieth (30) General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

SECTION. 1. State registrar of vital statistics. That for the complete and proper registration of births and deaths for legal, sanitary and statistical purposes, the secretary of the state board of health is hereby constituted state registrar of vital statistics, and it shall be his duty to promulgate and enforce all necessary rules and regulations that may be required to carry out the purpose of this act.

SEC. 2. Certificates of death. The undertaker or the person in charge of the funeral of any person dying in Iowa, shall cause a certificate of death to be filled out, with all the personal particulars contained in the standard blanks adopted by the U. S. census bureau, and with a statement of cause of death by attending physician, or in his absence, by the health officer or coroner and shall file it with the state registrar on or before the 5th day of each month for the month preceding and no sexton or superintendent of a cemetery shall permit interment, and no railroad or other transportation company shall permit shipment of the body unaccompanied by such certificate of death.

SEC. 3 State registrar to furnish blanks. The state registrar shall furnish blank certificates of death to physicians and undertakers, and all proper forms and instructions for the effectual execution of the law.

SEC. 4. Certified transcripts of certificates of death. It shall be the duty of the state registrar to furnish to the clerk of the district court of each county on or before the first day of February of each year, certified transcripts of the certificates of death filed with him from the respective counties as well as similar transcripts of deaths to the U. S. census bureau at Washington, and to arrange by counties, bind and deposit in the state historical building at Des Moines the original certificates; and transcripts sent each county shall be bound at the expense of said county, and preserved for reference by the clerk of the district court.

SEC. 5. Assessor to report births. It shall be the duty of all assessors at the time of making assessment to obtain and report to the clerk of the district court upon blanks adopted by the state registrar and furnished by the county auditor, such registration of births as occur within their respective districts for the year ending Dec. 31st, immediately preceding.

SEC. 6. Record of marriages and divorces, and births. The clerk of the court in each county shall keep a book in which shall be recorded all marriages and divorces occurring within the county, together with such data respecting the same as shall be required by the state registrar and shall report to said state registrar on or before the first day of August in each year, such data respecting such marriages and divorces for the year ending June