

"For the purpose of enforcing any of the laws, rules, or regulations established for the government of said hospital or the patients therein, the superintendent thereof and all assistants and employes of the institution while employed as such are hereby clothed with the powers of peace officers so far as the management and government of such hospital and the patients therein is concerned: and such superintendent, assistants and employes, or any one thereof, shall have power to protect the property of such institution, to suppress riots, disturbances, and breaches of the peace, and to enforce all laws, rules or regulations established for the regulation and government of the hospital and the patients therein, and may upon view or information without warrant arrest any person violating any of such laws, rules or regulations and may hold any such offender to be dealt with as provided by law or the rules and regulations established for the government of such institution. This act shall not be construed to authorize any additional employes in such institutions or any increase of compensation to any employes on account thereof."

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect on and after its publication in the Register & Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 15, A. D. 1911.

I hereby certify that the foregoing act was published in the Des Moines Capital April 19, 1911, and in the Register and Leader April 20, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 100.

STALLIONS, JACKS AND REGISTERED OR PEDIGREED STOCK.

S. F. 129.

AN ACT regulating the keeping, offering for public service and sale of stallions, jacks and registered or pedigreed stock, to define the terms and conditions under which the same may be kept, offered for public service and sale, and providing penalties for the violation thereof. Also repealing sections twenty-three hundred forty-one-a (2341-a), twenty-three hundred forty-one-b (2341-b), twenty-three hundred forty-one-c (2341-c), twenty-three hundred forty-one-d (2341-d) and twenty-three hundred forty-one-e (2341-e), supplement to the code, 1907.

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

SECTION 1. **Enrollment—annual certificates of soundness—fee.** No person, firm, company or corporation shall offer for public service, sale, exchange or transfer in this state as registered any stallion or jack over two years old unless and until he shall have caused the name, age, color and pedigree of the animal to be enrolled by the secretary of the state board of agriculture and shall have procured from him a certificate of such enrollment. The secretary of the state board of agriculture shall recognize as registered only such animals as have been recorded in some stud book recognized by the department of agriculture of the state of Iowa, and the certificate of pedigree shall accompany the application for enrollment. The state of Iowa shall be paid the sum of one dollar for each annual certificate of soundness issued by the secretary of the state board of agriculture according to the methods hereinafter provided.

SEC. 2. **Oath of owner or keeper or certificate of veterinarian.** The owner or keeper of each and every stallion or jack over two years old kept for public service or for sale, exchange or transfer shall make oath before an officer

duly authorized to administer an oath that the stallion or jack is to the best of his knowledge free from hereditary, contagious or transmissible disease, or in lieu thereof a certificate signed by a duly qualified veterinarian who shall be a regular graduate of a recognized veterinarian college, certifying that such animal is free from hereditary, contagious or transmissible disease, and shall file the same with the secretary of the state board of agriculture. Any veterinarian who knowingly or wilfully makes a false report upon the disease or freedom from disease, or soundness or unsoundness of the animal brought to him for examination shall be punished by the revocation of his veterinarian certificate. The owner or keeper of each and every stallion or jack over two years old kept for public service or for sale, exchange or transfer shall between the dates of January first (1) and April first (1) of each year after their first registration make application for the renewal of the certificate in the form and manner as above described.

SEC. 3. Disqualification. The presence of any one of the following named diseases shall disqualify a stallion or jack for public service and no certificate shall be issued by the secretary of the state board of agriculture: Glanders, farcy; maladie du coit; coital exanthema; urethral gleet; mange, melanosis; blindness, cataract, bone spavin, bog spavin and periodic ophthalmia (moon blindness). Stallions or jacks possessing any of the following named unsoundnesses may receive a certificate but each certificate and every advertisement shall state in large type or writing that the stallion or jack is unsound and shall specify the unsoundness or unsoundnesses which said stallion or jack has: amaurosis; laryngeal hemiplegia (roaring or whistling); pulmonary emphysema (heaves, broken wind); ringbone; side bone; navicular disease; curb, with curby formation of hock; chorea (St. Vitas' dance, crampiness, shivering, string halt.) In cases where stallions or jacks possess any of the above named unsoundnesses in a very aggravated or serious form, the department of agriculture may upon investigation disqualify such stallion or jack from public service, if they consider him so unsound as to be unfit for breeding purposes.

SEC. 4. Certificates to be posted and contained in advertisements. Any owner or keeper of a registered stallion or jack over two years old offered for public service or for sale, exchange or transfer who represents or holds such animal as registered shall keep a copy of the state registration and certificate of soundness upon the door or stall of the stable where such animal is usually kept, and where such animals are advertised each and every advertisement shall contain a copy of such certificates or the substance thereof. Where certificates of registration have heretofore been issued by the state board of agriculture an additional certificate of registration shall not be required, but application for certificate of soundness shall be made as heretofore provided. Any owner or keeper of a stallion or jack over two years old other than registered offered for public service or for sale, exchange or transfer must secure certificates of soundness from the secretary of the state board of agriculture and advertise said stallion or jack by having and posting handbills or posters not less than five by seven inches in size, and said bills or posters must have printed thereon, immediately preceding or above the name of the stallion the words "grade stallion" (or jack) in type not smaller than one inch in height, said bills or posters to be posted in a conspicuous manner at all places where the said stallion or jack is kept for public service, sale, exchange or transfer, together with a copy of the certificate of soundness issued by the secretary of the state board of agriculture, and where such animals are advertised each and every advertisement shall contain a copy of

the said certificate or the substance thereof and the words "grade stallion" (or jack).

SEC. 5. Examination upon complaint—expenses, how paid. When complaint is made to the state board of agriculture that a stallion or jack is diseased and on investigation it is by the department deemed necessary, an examination shall be made by the state veterinarian or his duly authorized deputy; the owner of such stallion or jack shall select some recognized graduate veterinarian to act with the state veterinarian and the said veterinarian shall, on receipt of a notice act jointly with the state veterinarian, and these two shall appoint a third graduate veterinarian to act with them and their decision shall be final. In case all three or any two of the experts declare the stallion or jack is eligible to receive or retain a license, then the expense of the consultation shall be paid by the state board of agriculture out of funds collected for registration fees, or if three or any two of the experts declare the stallion or jack not to be eligible in accordance with the provisions of this act, the expense incurred shall be paid by the person owning the animal and it may be collected in the same manner as in any case of appeal in civil action.

SEC. 6. Transfer of certificate—fee. If the owner of any registered animal shall sell, exchange or transfer the same, he shall file certificate, accompanying the same with a fee of fifty cents, with the secretary of the state board of agriculture, who shall, upon receipt of the original state certificate, properly transferred, and the required fee, issue a new certificate to the then new owner of the animal, and all fees provided by this act shall go into the treasury of the department of agriculture.

SEC. 7. Imported stallions or jacks. Every person, firm, company or corporation importing any stallion or jack into the state of Iowa for use or public service, sale, exchange or transfer shall first secure certificate of freedom from disease from a recognized state or federal veterinarian, certifying that said animal is free from any or all diseases referred to in section three of this act. The federal admission certificate shall be accepted for horses imported from foreign countries.

SEC. 8. Publishing false pedigrees, etc.—penalty. Any person who shall fraudulently represent any animal, horse, cattle, sheep or swine to be registered, or any person who shall post or publish or cause to be posted or published any false pedigree or certificate of soundness, or shall use any stallion or jack over two years old for public service, or sell, exchange or transfer any stallion or jack over two years old, representing such animal to be registered, without first having such animal registered, and obtaining the certificate of soundness from the state board of agriculture, as hereinbefore provided, or who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and be punished by a fine of not more than one hundred dollars, or imprisoned in the county jail not exceeding thirty days or both by fine and imprisonment.

SEC. 9. When effective—repeal—pending litigation. This act shall take effect and be in force from and after the first day of January, nineteen hundred twelve (1912), and sections twenty-three hundred forty-one-a (2341-a), twenty-three hundred forty-one-b (2341-b), twenty-three hundred forty-one-c (2341-c), twenty-three hundred forty-one-d (2341-d) and twenty-three hundred forty-one-e (2341-e) of the supplement to the code, 1907, are hereby repealed on and after the first day of January, nineteen hundred twelve (1912). Nothing in this act shall be construed so as to affect litigation arising prior to the first day of January, nineteen hundred twelve (1912).

Approved April 15, A. D. 1911.