

1 **SEC. 2. Articles.** That article 1, of section 1683-c of the supple-
 2 ment to the code, 1913, be and the same is hereby amended by in-
 3 serting after the word "agriculture" in the second line of said article,
 4 the words "domestic science,".

1 **SEC. 3. Articles.** That article 2, of said section 1683-c of the
 2 supplement to the code, 1913, be and the same is hereby amended, by
 3 striking out the words, "The Farm Improvement Association of
 4County, Iowa", which appear in the first and second
 5 line of said section, and by inserting in lieu of said words a blank for
 6 the name of the corporation.

1 **SEC. 4. Schools—by-laws—bequests—experts, etc.** That sec-
 2 tion 1683-e of the supplement to the code, 1913, be and the same is
 3 hereby repealed, and the following enacted in lieu thereof:

4 Section 1683-e. Such body corporate shall have power to establish
 5 and maintain a permanent agricultural school, in which the science of
 6 agriculture, horticulture, animal industry, and domestic science shall
 7 be taught; to employ one or more teachers, experts or advisers to
 8 teach, advance and improve agriculture, horticulture, animal industry,
 9 and domestic science, in said county, under such terms, conditions
 10 and restrictions as may be deemed advisable by the board of directors;
 11 to adopt by-laws; to take by gift, purchase, devise or bequest, real or
 12 personal property; to have, and exercise all powers necessary, ap-
 13 propriate and convenient for the successful carrying out of the objects
 14 of said corporation. It shall have authority to use part or all of the
 15 sum annually received as dues from its members in payment of prizes
 16 offered in any department of work, including agricultural fairs, short
 17 courses, or farmers institutes.

Approved April 17, A. D. 1915.

CHAPTER 290.

CARE AND PROPAGATION OF FISH AND THE PROTECTION OF BIRDS AND GAME.

S. F. 447.

AN ACT to repeal the law relating to the care and propagation of fish and the protection of birds and game as the same appears in sections twenty-five hundred forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred forty-four (2544), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-two (2552), twenty-five hundred fifty-four (2554), twenty-five hundred fifty-five (2555), twenty-five hundred fifty-six (2556), twenty-five hundred fifty-nine (2559), twenty-five hundred sixty-two (2562) and twenty-five hundred sixty-two-a (2562-a), supplement to the code, 1913, and to enact a substitute therefor.

WHEREAS, it now appears that chapter one hundred fifty-three (153), acts of the thirty-third general assembly relating to the protection of fish and game did not become a law by reason of the fact that the speaker of the house of said general assembly failed to sign the enrolled bill known as House File No. 534, and

WHEREAS, said chapter one hundred fifty-three (153) of the acts of the thirty-third general assembly and the sections of the code and code supplement sought to be amended thereby were further amended by chapters two hundred three (203), two hundred four (204) and two hundred five (205) of the acts of the thirty-fifth general assembly, now, therefore, and for the purpose of giving effect to the law thus sought to be amended,

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

SECTION 1. Fishing—rules and regulations—shipment, etc.

1 That the law as it appears in section twenty-five hundred forty
2 (2540), supplement to the code, 1913, be and the same is hereby re-
3 pealed and the following enacted in lieu thereof:

4 “Between the first days of October and April fifteenth no one
5 shall take from the waters of the state any salmon or trout, nor be-
6 tween the first day of December and the fifteenth day of May any
7 bass, pike, croppies, pickerel, or catfish, or other game fish, nor shall
8 any one person take of said fish from the waters of the state in any
9 one day more than forty of any or all of said kinds of fish, of which
10 total number not more than twenty shall be bass, pike or pickerel.
11 It shall be unlawful for any person, firm or corporation to offer for
12 transportation or to transport to any place within or without this
13 state for purposes of sale, any game fish taken from the inland waters
14 of the state.

15 “Any person, firm or corporation desiring the shipment or trans-
16 portation of any game fish shall deliver to the common carrier, ex-
17 press or transportation company a statement under oath in duplicate,
18 setting forth the name of the shipper, the person to whom the pack-
19 age is shipped, the residence of both, the kind and number of fish
20 contained in such package, and that the fish contained in such pack-
21 age are not being shipped for the purpose of sale or market, and one
22 copy thereof shall be retained by the common carrier, express or
23 transportation company receiving such shipment for the period of
24 twelve months thereafter and the other copy thereof shall be attached
25 in a secure manner to such package.

26 “Any agent of any common carrier, express or transportation com-
27 pany receiving such shipment is hereby authorized to administer to
28 such shipper the oath contemplated in the last preceding paragraph.
29 Any shipment made in violation of the provisions of this act may be
30 seized, confiscated and sold by any game warden in this state at private
31 or public sale, the proceeds thereof to be turned into the fish and
32 game protection fund, or such shipment may be by such warden
33 destroyed. Nor shall anyone fish for, or by any means catch any fish
34 in any stream which has been stocked with breeding trout one or two
35 years old, within one year from the date of the stocking thereof, if
36 notice of such fact is by the authority of the warden posted where a
37 public road crosses such stream; nor shall anyone at any time take
38 from the waters of the state any fish, except minnows for bait, unless
39 by hook and line; but any person may, between the fifteenth day of
40 May and the first day of December use not more than one trot-line
41 in streams only, and extending not more than halfway across; nor
42 shall anyone place, erect or cause to be placed or erected, any trot-
43 line, seine, net, trap, dam or other device or contrivance in the water
44 in such a manner as to hinder or obstruct the free passage of fish,

45 up, down or through the same for the purpose of catching them, ex-
 46 cept as provided in the next section; nor have, erect or use, while
 47 fishing on or through the ice, any house, shed or other protection
 48 against the weather, or have or use any stove or other means for
 49 creating artificial heat. The possession of a spear, trap, net or seine
 50 in or upon any of the public waters of the state, or upon the ice of the
 51 same, or on the shore within a limit of ten rods, or the taking or kill-
 52 ing or attempting to take or kill any fish by any means other than by
 53 rod, line, hook and bait within three hundred feet of a fishway or dam
 54 shall be unlawful, but the provisions of this section shall not prevent
 55 the taking of carp, sucker, red horse or buffalo in the daytime by use
 56 of a spear in any months except March and April.

57 "No person shall, at any time, kill, destroy, have in possession or
 58 under control, for any purpose whatever, any bass, catfish, wall-eyed
 59 pike, crappie, or trout less than six inches in length, except for the
 60 purpose of returning the same to the water from which they were
 61 taken, as soon as they are taken therefrom, with as little injury to
 62 the fish as possible."

1 **SEC. 2. Explosives—drugs—penalty.** That the law as it ap-
 2 pears in section twenty-five hundred forty-a (2540-a), supplement to
 3 the code, 1913, be and the same is hereby repealed and the following
 4 enacted in lieu thereof:

5 "It shall be unlawful for anyone to place in the waters of the state
 6 any lime, ashes, or drug of any kind or other substance, explode dyna-
 7 mite, gun cotton, giant powder or other compound or preparation or
 8 use electricity in any way with the intent to kill or so to affect any
 9 fish that it may be taken, and anyone guilty of any of said acts shall
 10 be guilty of a misdemeanor and upon conviction thereof be fined not
 11 less than fifty dollars nor more than one hundred dollars or imprisoned
 12 in the county jail not less than fifteen nor more than thirty days."

1 **SEC. 3. Violations—penalties.** That the law as it appears in
 2 section twenty-five hundred forty-four (2544), supplement to the code,
 3 1913, be and the same is hereby repealed and the following enacted
 4 in lieu thereof:

5 "Any person, firm or corporation who shall violate any of the pro-
 6 visions of section twenty-five hundred forty of the supplement to the
 7 code, 1907, as herein amended, or twenty-five hundred forty-one,
 8 twenty-five hundred forty-two or twenty-five hundred forty-three of
 9 the code, shall be guilty of a misdemeanor, and, upon conviction, shall
 10 pay a fine of not less than five nor more than fifty dollars and cost
 11 of prosecution for each offense, or be imprisoned in the county jail
 12 for not less than one day nor more than thirty days, and the taking of
 13 each fish in violation of law shall be construed to be a separate
 14 offense."

1 **SEC. 4. Game protected—penalty.** That the law as it appears
 2 in section twenty-five hundred fifty-one (2551), supplement to the
 3 code, 1913, be and the same is hereby repealed and the following en-
 4 acted in lieu thereof:

5 "No person shall trap, shoot or kill any pinnated grouse or prairie
 6 chicken between the first day of December and the first day of Septem-
 7 ber next following; any woodcock, between the first day of January and

8 the tenth day of July; any ruffed grouse or pheasant, wild turkey or
9 quail, between the fifteenth day of December and the first day of
10 November; any wild duck, goose or brant, rail, plover, sandpiper and
11 marsh or beach bird, between the fifteenth day of April and the first
12 day of September; or any gray or fox squirrel or timber squirrel,
13 between the first day of January and the first day of September; pro-
14 vided that it shall be unlawful to kill any ruffed grouse or wild turkey
15 prior to January first, nineteen hundred. Shooting or killing quail
16 on the public highway shall be in violation of law. No person shall
17 kill or attempt to kill any of the birds mentioned in this section from
18 any artificial ambush of any kind or with the aid or use of any sneak
19 boat or sink box or from any sailboat, gasoline or electric launch or
20 steamboat, or any other water conveyance, except as propelled by
21 oar or paddle, or other device used for concealment in the open water,
22 nor use any artificial light, battery or other deception, contrivance or
23 device whatever, with the intent to attract or deceive any of the birds
24 mentioned in this chapter, except that decoys may be used in hunting
25 wild geese and ducks, but no person shall at any time hunt or shoot
26 from any boat, canoe, contrivance or device whatever on any of the
27 waters of this state between sunset and sunrise. Any person vio-
28 lating any of the provisions of this section shall be held guilty of a
29 misdemeanor and punished as provided for in section twenty-five hun-
30 dred fifty-six of the supplement to the code, 1907, and in addition
31 thereto for use of any ambush, sink box, sneak boat or other water
32 conveyance, prohibited by law, on the waters of this state, a fine of
33 not less than twenty-five dollars, nor more than one hundred dollars,
34 and shall stand committed to the county jail for thirty days unless
35 such fine and costs are paid."

1 **SEC. 5. Killing for traffic—eggs or nests.** That the law as it
2 appears in section twenty-five hundred fifty-two (2552), supplement
3 to the code, 1913, be and the same is hereby repealed and the follow-
4 ing enacted in lieu thereof:

5 "No person shall at any time or at any place within this state, trap,
6 shoot or kill for traffic any of the birds, animals or game named in
7 this chapter, nor shall any person shoot or kill more than twenty-five
8 in any one day, of any kind of said named animals, birds or game, nor
9 shall any one person, firm or corporation have more than twenty-
10 five of either kind of said named birds or game named in this chap-
11 ter in his or their possession at any time unless lawfully received
12 for transportation; provided, however, the limit of ducks in posses-
13 sion is hereby made fifty. Nor shall any person capture or take, or
14 attempt to catch or take, with any trap, snare or net any of the birds
15 or animals named in the preceding sections, or in any manner wil-
16 fully destroy the eggs or nest of any of the birds named in this chap-
17 ter. Any person, firm or corporation violating any of the provisions
18 of this section shall be held to be guilty of a misdemeanor and pun-
19 ished as provided for in section twenty-five hundred fifty-six (2556)
20 of the supplement to the code, 1907."

1 **SEC. 6. Possession—violation—penalty.** That the law as it ap-
2 pears in section twenty-five hundred fifty-four (2554), supplement to
3 the code, 1913, be and the same is hereby repealed and the following
4 enacted in lieu thereof:

5 "It shall be unlawful for any person, firm or corporation to buy or
6 sell, dead or alive, any of the birds, game or animals named in this
7 chapter, and it shall be unlawful to have the same in possession dur-
8 ing the period when the killing of such birds, game or animals is
9 prohibited, except during the first five days of such prohibited period;
10 and the possession by any person, firm or corporation of any of such
11 birds, game or animals during such prohibited period, except during
12 the first five days thereof, shall be presumptive evidence of the viola-
13 tion of this chapter relating to game and he or they shall be held to
14 be guilty of a misdemeanor and shall be punished as provided for in
15 section twenty-five hundred fifty-six (2556), of the supplement to the
16 code, 1907."

1 SEC. 7. Shipments—intrastate and interstate. That the law as
2 it appears in section twenty-five hundred fifty-five (2555), supple-
3 ment to the code, 1913, be and the same is hereby repealed and the
4 following enacted in lieu thereof:

5 "No person, company or corporation shall at any time ship, take or
6 carry out of this state any of the birds or animals named in this
7 chapter. No person, firm or corporation shall at any time ship to
8 any person, firm or corporation within this state any of the birds or
9 animals named in this chapter, except in strict compliance with the
10 following provisions: It shall be lawful for any person to ship
11 to any person within this state any game birds named, not to
12 exceed one dozen in any one day, during the period when the
13 killing of such birds is not prohibited; but before such shipment is
14 made, he shall first make an affidavit before some person authorized
15 to administer oaths that said birds have not been unlawfully killed,
16 bought, sold or had in possession, are not being shipped for sale or
17 profit, giving the name and post-office address of the person to whom
18 shipped, and the number of birds to be so shipped. A copy of such
19 affidavit, indorsed "a true copy of the original" by the person ad-
20 ministering the oath, shall be furnished by him to the affiant, who
21 shall deliver the same to the railroad agent or common carrier re-
22 ceiving such birds for transportation, and the same shall operate as
23 a release to such carrier or agent from any liability in the shipment
24 or carrying of such birds. The original affidavit shall be retained by
25 the officer taking the same, and may be used as evidence in any
26 prosecution for violation of the sections of this chapter relating to
27 game. Any person who shall ship more than one dozen of the birds
28 named in this chapter in any one day, or any person shipping any of
29 the birds named in this chapter without first complying with the pro-
30 visions of this section, or any person, firm or corporation violating
31 any of the provisions of this section at any time, shall be held to be
32 guilty of a misdemeanor and shall be punished as provided for in
33 section twenty-five hundred fifty-six (2556) of the supplement to the
34 code, 1907. Provided, however, that it shall be lawful to have in
35 possession game lawfully taken outside this state and lawfully brought
36 into this state, but the burden shall rest upon the person in possession
37 to establish the fact that such game so shipped into the state was
38 lawfully killed and lawfully shipped into this state."

1 SEC. 8. Penalty. That the law as it appears in section twenty-
2 five hundred fifty-six (2556), supplement to the code, 1913, be and
3 the same is hereby repealed and the following enacted in lieu thereof:

4 "If any person use any device, kill, trap, ensnare, buy, sell, ship, or
5 have in his possession, or ship, take or carry out of the state, or ship
6 within this state contrary to the provisions of this chapter, any of
7 the birds or animals named or referred to herein, or shall wilfully
8 destroy any eggs or nests of the birds named or referred to in the
9 preceding sections, he shall be guilty of a misdemeanor, and be pun-
10 ished by a fine of ten dollars for each bird, beaver, mink, otter, or
11 muskrat, or other animals named or referred to in this chapter, and
12 ten dollars for each nest and the eggs therein, so killed, trapped, en-
13 snared, bought, sold, shipped, had in possession, destroyed, or shipped,
14 taken, or carried out of the state, or shipped within this state con-
15 trary to law, and shall stand committed to the county jail for thirty
16 days unless such fine and costs of prosecuting are sooner paid."

1 **SEC. 9. Prosecution—attorney's fee—opinions.** That the law
2 as it appears in section twenty-five fifty-nine (2559), supplement to
3 the code, 1913, be and the same is hereby repealed and the following
4 enacted in lieu thereof:

5 "In all prosecutions under this chapter, any number of violations
6 may be included in the information, but each one shall be set out in
7 a separate count. Prosecutions for violations of any provision of this
8 chapter may be brought either in the county in which the offense
9 was committed, or in any other county where the person, company
10 or corporation complained of has had or has in his or their possession
11 any fish, birds or animals named herein and bought, sold, caught,
12 taken, killed, trapped or ensnared in violation hereof. When re-
13 quested by the fish and game warden the attorney general shall give
14 his opinion, in writing, upon all questions of law pertaining to the
15 office of such warden. Nothing in this chapter shall be construed as
16 prohibiting any person from instituting legal proceedings for the
17 enforcement of any provisions hereof."

1 **SEC. 10. Deputy wardens—compensation—expense—bonds.** That
2 the law as it appears in section twenty-five hundred sixty-two (2562),
3 supplement to the code, 1913, be and the same is hereby repealed and
4 the following enacted in lieu thereof:

5 "The fish and game warden may appoint three assistant fish and
6 game wardens who shall receive a salary of twelve hundred dollars
7 per year, and such number of deputies as he may deem necessary,
8 who shall receive a compensation of two dollars and fifty cents per
9 diem and actual expenses, for the time and money actually employed
10 and expended by them in the enforcement of the provisions of this
11 act. Such deputy wardens shall act under the advice and direction
12 of the fish and game warden, and perform such duties in relation to
13 their offices as may be required of them and submit, under oath,
14 itemized statements of their per diem and expenses as aforesaid; and
15 shall have full power and authority to serve and execute all warrants
16 and process of law issued by any court in enforcing the provisions
17 of this act, or any other law of this state relating to the propagation,
18 preservation and protection of fish, game and birds, in the same man-
19 ner as any constable or sheriff may serve and execute the same and
20 receive the same fee therefor, and for the purpose of enforcing the
21 provisions of this act they may call to their aid any sheriff, deputy
22 sheriff, constable or police officer or any other person, and it shall be
23 the duty of all sheriffs, deputy sheriffs, constables and police officers

24 and other persons when called upon to enforce and aid in enforcing
 25 the provisions of this act. All deputy wardens shall have power to
 26 arrest without warrant any person or persons found in the act of
 27 violating any law enacted for the purpose of propagation and pro-
 28 tection of fish, game and birds. All deputy wardens shall give bonds
 29 conditioned for the faithful performance of their duties, in such
 30 amounts as may be fixed by the state executive council."

1 SEC. 11. **Repeal.** That sections 2544, 2554, 2555, 2562, and 2559
 2 of the code and the law as it appears in sections 2540, 2540-a, 2551,
 3 2552, and 2556 of the supplement to the code, 1907, and section 1 of
 4 chapter 203 and chapters 204 and 205 of the acts of the 35th general
 5 assembly and the law as it appears in section 2562-a, supplement to
 6 the code, 1913, be and the same are hereby repealed, the foregoing is
 7 enacted in lieu thereof.

1 SEC. 12. **Publication clause.** This act, being deemed of im-
 2 mediate importance, shall take effect and be in force from and after
 3 its publication in the Register and Leader and the Des Moines News,
 4 newspapers published in Des Moines, Iowa.

Approved April 17, A. D. 1915.

I hereby certify that the foregoing act was published in the Des Moines News May 8,
 1915 and in the Register and Leader May 6, 1915.

W. S. ALLEN, *Secretary of State.*

CHAPTER 291.

EXAMINATION OF APPLICANTS FOR TEACHERS' CERTIFICATES.

S. F. 563.

AN ACT to amend the law as it appears in section two thousand seven hundred and
 thirty-four-c (2734-c), supplement to the code, 1913, providing for an examination for
 teachers' certificates at the close of summer schools approved for twelve weeks of
 normal training.

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

1 SECTION 1. **Examinations.** That section 2734-c be and the same
 2 is hereby amended by adding the following:
 3 "On the last Friday of August and the Wednesday and Thursday
 4 preceding, the county superintendent of each county shall conduct an
 5 additional examination to which only such persons as file certificates
 6 of attendance during the summer immediately preceding at a summer
 7 school approved for the twelve weeks of normal training provided for
 8 in section 2734-p, supplement to the code 1913, shall be admitted.
 9 This examination shall be under the same regulations as to prep-
 10 aration of questions, grading of papers, granting of certificates as
 11 the four examinations provided for in the first part of this section."

Approved April 17, A. D. 1915.