

Sec. 79. Duty of attorney general and county attorneys. It shall be the duty of the attorney general, when requested by the state game warden to give his opinion in writing upon any question of law arising under this chapter; and it shall be the duty of all county attorneys in this state when requested by the state game warden or any deputy, to prosecute all criminal actions brought in their respective counties for violations of the provisions of this chapter. Nothing in this chapter shall be construed as prohibiting any person from instituting legal proceedings for the enforcement of any of the provisions thereof.

Sec. 80. Informations - Jurisdictions. In all prosecutions under this chapter, any number of violations may be charged in one (1) information, but each charge shall be set out in a separate count if more than one (1) charge is included in one (1) information. Prosecutions for violations may be brought in the county in which any fish, fowl, bird, birds' nest, eggs, or plumage, or animals protected by this chapter were unlawfully caught, taken, killed, trapped, ensnared, bought, sold or shipped unlawfully, or in any county into or through which they were received, transported, or found in possession of any person.

Sec. 81. Presumptive evidence of violations. It shall be presumptive evidence of a violation of the provisions of this chapter for any person:

1. At any time to have in his possession a gun in any field, forest, or on any waters of the state, without a license, except as provided in section 14 of this chapter.

2. To fail to have a license upon his person at any time required by law, or then refuse to exhibit the same on request of any person desiring to examine it.

3. To have in his possession any fish, game, birds, birds' nests, eggs, or plumage, or animals, which have been unlawfully caught, taken, or killed.

4. To be in possession of such fish, game, birds, or animals at a time when or place where it shall be unlawful to take, catch, or kill the same, except game, birds or animals, during the first ten (10) days of the closed season.

5. To have in his possession any implements, devices, equipment, or means whatever of taking fish, birds, or animals protected by this chapter at any place where the possession or use thereof is prohibited.

Approved April 3, 1924.

CHAPTER 39

FISH AND GAME

H. F. 54-A

AN ACT to amend substitute for House File no. 54, acts of the fortieth general assembly in special session, relating to fish and game.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That Substitute for House File No. 54, acts of the Fortieth General Assembly in special session, be amended as follows:

Amend section fifty-seven (57) by striking out the last sentence thereof and inserting in lieu thereof the following: "Nothing in this section shall apply to such animals as are considered fur-bearing animals. It shall be unlawful to have any game birds or animals named in this chapter in possession during the periods when the killing thereof is prohibited, except during the first ten (10) days of the closed season for them, respectively."

Approved April 16, 1924.