

BY COMMITTEE ON FISH AND GAME.] [SUBSTITUTE FOR HOUSE FILES NO. 41 AND 223.

A BILL

FOR AN ACT TO REPEAL SECTION 4048, TITLE 24, CHAPTER 11 OF THE CODE, AND
TO ENACT A SUBSTITUTE IN LIEU THEREOF :

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section
2 4048, title 24, Chapter 11 of the Code be repealed and the following enacted in lieu thereof :

3 SEC. 4048. If any person shoot or kill any prairie hen or chicken, between the first day of
4 December and the fifteenth day of August, of any year for the purpose of shipping the same to
5 any point within or without the State for the purpose of selling the same for profit, or if any person
6 ensnare, trap, or kill, any wood-cock between the first day of January and July, in any year ; or
7 ruffed grouse, or pheasant between the 15th day of December and the 12th day of September in
8 any year, or any wild turkey between the first day of February and the first day of September, in
9 any year, or if any person any where or at any time of the year, shoot, kill, ensnare or trap any quail,
10 except that it shall be lawful for any person to shoot quails upon any premises with the consent of
11 the owner or occupant thereof, between the first day of October and the first day of January in any
12 year ; or if any person buy, sell or ship any of the above birds of game, which have been trapped,
13 ensnared or killed contrary to the provisions of this Section, he shall be punished by a fine of \$5.00
14 for each bird of any kind of game above mentioned thus killed, trapped, ensnared, bought, sold or
15 held in possession, or if any person kill, ensnare, or entrap any wild deer, elk or fawn, between the
16 first day of January and the first day of September in any year, or if any person kill, ensnare or
17 trap any beaver, mink, otter or muskrat between the first day of April and the first day of Novem-
18 ber of any year, or if any person buy or sell any of the above animals ensnared, killed or trapped
19 contrary to the provisions of this Section he shall be punished by a fine of ten dollars for each kind
20 of animals above mentioned, thus killed, trapped, ensnared, bought, sold or held in possession ;
21 one half of such fine to be paid to the person upon whose information the same is recovered, and
22 the penalty on the game birds named in this section shall be recovered in the same way and manner
23 as the penalties are recovered on the animals named in this section. But it shall be lawful for any
24 person living in this State to ship to any person living within or without this State, prairie hens, chick-
25 ens, or other game birds described in this Act, not to exceed one dozen in any one day, provided he

26 shall first make an affidavit before some person authorized to administer oaths, that said game birds
27 are not being shipped for sale or profit, giving the name of any person to whom shipped, and his
28 post-office address, the number of birds shipped, and a true copy of such affidavit to be signed by
29 the person taking the affidavit, on which shall be endorsed the words "*a true copy of the original,*"
30 which copy shall be given to the common carrier or railroad agent, which copy shall be *prima facie*
31 evidence to the agent or carrier of its genuineness, and shall release such carrier or agent from any
32 liability in said shipment or carrying of said game, and the original affidavit shall be retained by the
33 person taking the same, and shall be used as evidence in any trial to which said affidavit belongs.
34 And it is hereby made a misdemeanor for any person to ensnare or trap any prairie chicken or
35 hen, quail or any other game birds mentioned in this act, at any season of the year or for any per-
36 son to shoot or in any manner destroy any of the above mentioned birds or animals on inclosed or
37 cultivated lands without the permission of the owner or occupant thereof, and any person violating
38 the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined
39 not exceeding \$100,00 or be imprisoned in the county jail not exceeding thirty days.