

A BILL

FOR AN ACT TO AMEND THE LAW AS IT APPEARS IN SECTIONS TWENTY-FIVE HUNDRED AND FORTY (2540), TWENTY-FIV FORTY-a (2540-a), TWENTY-FIVE HUNDRED FORTY- ONE (2541), TWENTY-FIVE HUNDRED FIFTY-SIX (2556) OF THE SUPPLEMENT TO THE CODE 1907; AND SECTIONS TWENTY-FIVE HUNDRED FORTY-FOUR (2544), TWENTY-FIVE HUNDRED FIFTY-TWO (2552), TWENTY-FIVE HUNDRED FIFTY-FOUR (2554), TWENTY-FIVE HUNDRED FIFTY-FIVE (2555) AND TWENTY-FIVE HUNDRED SIXTY-TWO (2562) OF THE CODE, RELATING TO THE PROTECTION OF FISH AND GAME.

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

SECTION 1. That section twenty-five hundred forty (2540) of the Supplement to the Code, 1907, be amended by striking out in the sixth line the word and figures "forty" (40) and inserting in lieu thereof the word and figures "twenty-five" (25) and by inserting after the word "spear" in the twenty-second line thereof the words "trap, net." By striking out after the word "killing" in the twenty-fourth line the word "of" and inserting in lieu thereof the words "or attempting to take or kill." By inserting after the word "pike" in the twenty-seventh line the word "Crappie."

SEC. 2. That section twenty-five hundred forty-a (2540-a) of the Supplement to the Code, 1907, be amended by adding after the word "shall" in the sixth line thereof the words "be guilty of a misdemeanor and."

SEC. 3. That section twenty-five hundred forty-four (2544) of the Code be repealed and the following enacted in lieu thereof:

SEC. 2544. Penalty. Any person, firm or corporation who shall violate any of the provisions of section twenty-five hundred forty (2540) of the Supplement to the Code, 1907, or twenty-five forty-one (2541) of the Code, or twenty-five forty-two (2542) of the Code shall be guilty of a misdemeanor, and, upon conviction, shall pay a fine of not less than five nor more than fifty dollars and cost of prosecution for each offense, or be imprisoned in the county jail for not less than one day nor more than thirty days, and the taking of each fish in violation of law shall be construed to be a separate offense.

SEC. 4. That section twenty-five fifty-one (2551) of the Supplement to the Code, 1907, be

2 amended by adding after the word "plover" in the sixth line the word "jack-snipe" and after
3 the word "box" in the fourteenth line thereof, the words "or from any sail-boat gasoline or
4 electric launch or steam-boat, or any other water conveyances, except as propelled by oars or
5 paddles."

SEC. 5. That section twenty-five hundred fifty-two (2552) of the Supplement to the Code be
2 repealed and the following enacted in lieu thereof:

3 SEC. 2552. No person shall at any time or at any place within this state, trap, shoot or kill
4 for traffic any of the birds, animals or game named in this chapter nor shall any person shoot,
5 or kill more than fifteen (15) in any one day, of any kind of said named animals, birds or game,
6 nor shall any one person, firm or corporation have more than twenty-five (25) of either kind of
7 said named birds, or game named in this chapter in his or their possession at any time unless
8 lawfully received for transportation, provided, however, the limit of having ducks in posses-
9 sion is hereby made fifty (50). Nor shall any person capture or take, or attempt to catch or take,
10 with any trap, snare or net any of the birds or animals named in the preceeding sections; or in
11 any manner wilfully destroy the eggs or nest of any of the birds named in this chapter. Any
12 person, firm or corporation violating any of the provisions of this section shall be held to be guilty
13 of a misdemeanor and punished as provided for in section twenty-five fifty-six (2556) of the
14 Supplement to the Code, 1907.

SEC. 6. That section twenty-five fifty-four (2554) of the Code be repealed and the following
2 enacted in lieu thereof:

3 SECTION 2554. Selling and having in possession. It shall be unlawful for any person, firm or
4 corporation to buy or sell, dead or alive, any of the birds, game or animals named in this
5 chapter, and it shall be unlawful to have the same in possession during the period when the kill-
6 ing of such birds, game or animals is prohibited, except during the first five days of such pro-
7 hibited period; and the possession of any person, firm or corporation of any such birds, game
8 or animals during such prohibited period, except during the first five days thereof, shall be
9 presumptive evidence of the violation of this chapter relating to game, and he or they shall
10 be held to be guilty of a misdemeanor and shall be punished as provided for in section twenty-
11 five hundred fifty-six (2556) of the Supplement to the Code 1907.

SEC. 7. That section twenty-five fifty-five (2555) of the Code be amended as follows: By
2 inserting after the word "carry" in the second line of said section the words "within or"
3 and also after the word "chapter" in the fourth line strike out the word "but" and insert
4 therein the word "except." Also in the sixth line insert after the word "but" the words
5 "before such shipment is made." And strike out all after the word "game" in the eighteenth
6 line and insert in lieu thereof the following words: "Any person who shall ship more than one
7 dozen of the birds named in this chapter in any one day, or any person shipping any of the
8 birds named in this chapter without first complying with the provisions of this section, or any

9 company or corporation violating any of the provisions of this section at any time he or they
10 shall be held to be guilty of a misdemeanor and shall be punished as provided for in section
11 twenty-five hundred fifty-six (2556) of the Supplement to the Code 1907.

SEC. 8. That section twenty-five hundred fifty-six (2556) of the Supplement to the Code 1907
2 be amended by inserting after the word "carry" in the third the words "within or" and by
3 adding after the word "be" in the sixth line the words "guilty of a misdemeanor and," and
4 by adding after the word "carried" in the tenth line thereof the words "within or."

SEC. 9. That section twenty-five sixty-two (2562) of the Supplement to the Code be repealed
2 and the following enacted in lieu thereof.

3 SECTION 2562. Deputy Warden. The Fish and Game Warden may appoint such number of
4 deputies as he may deem necessary, who shall receive a compensation of two dollars and fifty
5 (\$2.50) per diem, and actual expense, for the time and money actually employed and ex-
6 pended by them in the enforcement of the provision of this act.

7 Such Deputy Warden shall act under the advice and direction of the Fish and Game War-
8 den, and perform such duties in relation to their offices as may be required of them, and submit
9 under oath, statements of their per diem and expenses as aforesaid; and shall have full power
10 and authority to serve and execute all warrants and process of law issued by any court in
11 enforcing the provisions of this act, or any other law of this state relating to the propogation,
12 preservation and protection of fish, game, and birds, in the same manner as any constable or
13 sheriff may serve and execute the same and receive the same fee therefor, and for the purpose
14 of enforcing the provisions of this act they may call to their aid any sheriff, deputy sheriff, con-
15 stable or police officer or any other person, and it shall be the duty of all sheriffs, deputy sher-
16 iffs, constables and police officers and other persons, when called upon, to enforce and aid in en-
17 forcing the provisions of this act. All deputy wardens shall have power to arrest without war-
18 rant any person or persons found in the act of violating any law enacted for the purpose of prop-
19 agation and protecting fish, game and birds. All deputy wardens shall give bonds conditioned for
20 the faithful performance of their duties, in such amounts as may be fixed by the State Execu-
21 tive Council.

SEC. 10. Acts in Conflict. All acts and parts of acts inconsistent with this act are hereby
2 repealed. (32 G. A., Ch. 137, 2.)

SEC. 11. This act, being deemed of immediate importance, shall be in full force from and
2 after its publication in the Register and Leader and Des Moines Daily Capital, newspapers pub-
3 lished at Des Moines, Iowa.