

Passed on File.
March 15, 1929.

House File No. 484.
By COMMITTEE ON FISH AND GAME.

A BILL FOR

An Act to repeal the following sections of the Code, 1927, and to enact substitutes therefor, to wit: seventeen hundred nine-A two (1709-A2), seventeen hundred fourteen (1714), seventeen hundred sixteen (1716), seventeen hundred eighteen (1718), seventeen hundred nineteen (1719), seventeen hundred twenty (1720), seventeen hundred twenty-three (1723) to seventeen hundred twenty-five (1725), inclusive, seventeen hundred twenty-seven (1727) to seventeen hundred twenty-nine (1729), inclusive, seventeen hundred thirty-one (1731) to seventeen hundred thirty-four (1734), inclusive, seventeen hundred fifty-one (1751) to seventeen hundred fifty-three (1753), inclusive, seventeen hundred fifty-six (1756), seventeen hundred fifty-eight (1758), seventeen hundred sixty (1760), seventeen hundred sixty-one (1761), seventeen hundred sixty-three (1763), seventeen hundred sixty-four (1764), seventeen hundred sixty-seven (1767), seventeen hundred sixty-seven A one (1767-A1), seventeen hundred sixty-eight (1768), seventeen hundred seventy-two (1772), seventeen hundred eighty (1780), seventeen hundred eighty-one (1781), seventeen hundred eighty-three (1783), seventeen hundred eighty-seven (1787), seventeen hundred ninety-four (1794), to amend section seventeen hundred forty-five (1745) of said Code, all said sections relating to the propagation, and protection of fish, game, wild birds and animals, to provide for a license to trap fur-bearing animals, to provide the legal method of measuring the length of fish, to prohibit the act of fishing during certain hours of the night, to prohibit the use of ferrets, in hunting, taking, killing or capturing wild animals, to prohibit the shooting or spearing of certain fur-bearing animals, to require persons to exhibit, on demand, fish and game in their possession, to define the term "gun", to prohibit the shooting of rifles on or over the public waters of the state, to declare certain public offenses relative to the protection of fish and game, and to provide penalties for such offenses.

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

- 1 Section 1. Section seventeen hundred nine A two (1709-A2),
- 2 Code, 1927, is repealed and the following is enacted in lieu

3 thereof, to wit:

4 “1709-a2. Hunting on game refuges. It shall be unlawful to
5 hunt, pursue, kill, trap or take any wild animal, bird, or game
6 on any state game refuge so established at any time of the year,
7 and no one shall carry firearms thereon, providing, however,
8 that predatory birds and animals may be killed or trapped under
9 the authority and direction of the state game warden.

10 The warden shall have the authority to specify the distance
11 from a state game refuge where shooting may be prohibited, and
12 shall have notice of same published in one newspaper in the
13 county so affected.”

1 Sec. 2. Section seventeen hundred fourteen (1714), Code,
2 1927, is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1714. Seizure of unlawful game. It shall be the duty of
5 the state game warden, his assistants and deputies, and police
6 officers of the state, to seize with or without warrant and
7 take possession of any fish, furs, birds, or animals, or mussels,
8 clams, and frogs, except for bait, which have been caught,
9 taken, or killed at a time, in a manner, or for a purpose, or
10 had in possession or under control, or offered for shipment,
11 contrary to the provisions of this chapter.”

1 Sec. 3. Section seventeen hundred sixteen (1716), Code,
2 1927, is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1716. Search warrants. Any court having jurisdiction

5 of the offense, upon receiving proof of probable cause for
6 believing that any fish, mussels, clams, frogs, birds, furs,
7 or animals caught, taken, killed, had in possession, under
8 control, or shipped, contrary to any of the provisions of this
9 chapter, or hidden or concealed in any place, shall issue a
10 search warrant and cause a search to be made in any place there-
11 for. The property so seized under such warrant shall be safe-
12 ly kept under the direction of the court so long as necessary
13 for the purpose of being used as evidence in any trial, and if
14 such trial results in a conviction the property seized shall
15 be confiscated by the state game warden, his assistants or dep-
16 uties.”

1 Sec. 4. Section seventeen hundred eighteen (1718), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1718. Licenses to hunt. No person shall hunt, pursue,
5 kill or take any wild animal, bird, or game in this state in
6 any manner, without first procuring a license.

7 “1718-c1. License to trap. No person shall trap any
8 fur-bearing animal in this state, in any manner, without first
9 procuring a trapping license. Any person violating any of the
10 provisions of this act shall be guilty of a misdemeanor.”

1 Sec. 5. Section seventeen hundred nineteen (1719), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1719. License to fish. No male person over the age of

5 eighteen years shall fish in any state waters without first
6 procuring a fishing license.”

1 Sec. 6. Section seventeen hundred twenty (1720), Code,
2 1927, is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1720. Exceptions. No license shall be required from owners
5 or tenants of farm lands, their wives or children for hunting,
6 trapping, or fishing upon lands owned or occupied by them.”

1 Sec. 7. Section seventeen hundred twenty-three (1723),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1723. Authority of license. The license shall authorize
5 its holder to fish, trap and hunt in accordance with the pro-
6 visions of this chapter in any county of the state, but not
7 on private waters, or on inclosed or cultivated lands without
8 permission of the owner or the tenant, nor hunt, trap or shoot
9 upon any public highway or railroad right-of way.”

1 Sec. 8. Section seventeen hundred twenty-four (1724), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1724. Application for license. An applicant for a license
5 to fish, trap and hunt shall fill out an authorized application
6 blank, subscribe and swear to it before the county recorder,
7 a notary, or a justice of the peace. Such application blanks
8 shall be furnished by the county recorder to any person re-
9 questing same. The application shall then be presented to the

10 county recorder who shall issue all hunting, trapping and fish-
11 ing licenses, the issuance of which is not otherwise provided
12 for in this chapter, but no duplicate hunting, trapping or
13 fishing license may be issued.”

1 Sec. 9. Section seventeen hundred twenty-five (1725),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1725. Fees—Accounting. Before any license is issued to
5 any applicant the following license fees shall be paid to the
6 county recorder:

7 1. For nonresident or resident alien, over sixteen years
8 of age, for fishing with hook and line in any state waters,
9 three dollars.

10 2. For nonresident or resident alien, for hunting, fifteen
11 dollars.

12 3. For a resident of the state for trapping fur-bearing
13 animals with not more than ten traps, one dollar; with the
14 use of more than ten traps, ten dollars, provided that no
15 person shall at any time use more than thirty-five traps.

16 4. For nonresident or resident alien of the state for trap-
17 ping fur-bearing animals, twenty-five dollars.

18 These fees the county recorder shall pay at the end of each
19 month to the state treasurer who shall place them to the
20 credit of the fish and game protection fund.”

1 Sec. 10. Section seventeen hundred twenty-seven (1727),

2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1727. Terms of license. Each license shall be signed in
5 ink by the licensee.

6 A license issued to a resident, nonresident or resident
7 alien shall entitle such person to either fish with hook and
8 line, or to hunt, pursue, and kill wild animals, birds, or
9 game, or to trap fur-bearing animals, within the state at any
10 time when same shall be lawful. A license shall not entitle
11 the person to whom issued to fish, to trap fur-bearing
12 animals, nor to hunt, pursue, or kill wild animals, birds, or
13 game, in this state without having such license upon his per-
14 son at the time of so doing and exhibiting it for inspection
15 and permitting it, on demand, to be examined by any person.
16 All resident fishing licenses, all trapping licenses and all
17 hunting licenses shall be void on and after the first day of
18 April next succeeding the issuance thereof. All nonresident
19 or resident alien fishing licenses shall be void after the last
20 day of December of the year in which the same are issued.”

1 Sec. 11. Section seventeen hundred twenty-eight (1728),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1728. Nonresidents—Restrictions. A nonresident holding
5 a valid license may take from the state not to exceed fifteen
6 game birds or animals, provided they are so carried as to be
7 readily inspected and his license is shown on request.”

1 Sec. 12. Section seventeen hundred twenty-nine (1729), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1729. Revocation. A license in the possession of any
5 person other than to whom first issued, and, on complaint, the
6 license of any person hunting or trapping on inclosed or culti-
7 vated lands without permission of the owner or tenant shall be
8 revoked by the county recorder.”

1 Sec. 13. Section seventeen hundred thirty-one (1731), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1731. Closed seasons on fish. It shall be unlawful for
5 any person to take from the waters of the state:

6 1. Any game fish except black bass, crappie, bluegill, or
7 sunfish in the northern zone from December first to May four-
8 teenth, except as provided in Section 1751 when using licensed
9 nets and seines.

10 2. Any game fish except black bass, crappie, bluegill, or
11 sunfish in the southern zone from November fifteenth to May
12 first, except as provided in Section 1751 when using licensed
13 nets and seines.

14 3. Any black bass, crappie, bluegill, or sunfish in the
15 northern zone from December first to June fifteenth.

16 4. Any black bass, crappie, bluegill, or sunfish in the
17 southern zone from November fifteenth to June first.

18 All dates in this section are inclusive.”

1 Sec. 14. Section seventeen hundred thirty-two (1732), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1732. Catch limits. It shall be unlawful for any person
5 at any time to take from the waters of the state in any one
6 day more than fifteen salmon, trout, black bass, pike, crappie,
7 pickerel, catfish, perch, sunfish, bluegills, or bullheads in
8 the aggregate, of which total number not more than eight may
9 be pike or bass, except as otherwise provided in this chapter
10 when using licensed nets or seines.”

1 Sec. 15. Section seventeen hundred thirty-three (1733),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1733. Size limits. No person shall at any time kill, de-
5 stroy, have in possession or under control, for any purpose what-
6 ever, any pike less than fourteen inches, pickerel, or blue,
7 yellow or channel catfish less than twelve inches in length, any
8 bass less than twelve inches in length, except rock or silver
9 bass which shall not be less than seven inches in length, or
10 any trout or crappie less than eight inches in length, or any
11 perch less than seven inches in length, or any sunfish less than
12 four inches in length, except as otherwise
13 provided in this chapter, when using licensed nets or seines.
14 Any such fish taken shall be handled only when the hands are
15 wet and shall be immediately returned to the water with as
16 little injury to the fish as possible.”

17 “1733-c1. Measuring fish. The size of all fish referred
18 to in this chapter shall be determined by measurement from
19 the tip of the nose to the tip of the tail.”

1 Sec. 16. Section seventeen hundred thirty-four (1734), Code,
2 1927; is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1734. Tackle restrictions. No person shall at any time
5 take from the waters of the state any fish, except by the
6 mouth with hook and line, except as in this chapter otherwise
7 provided; nor shall any person use more than one pole and
8 line, which pole shall be held in the hand, with one hook
9 upon the line, in still fishing or otherwise, except when
10 trolling or casting a spoonhook.”

11 “1734-c1. Night fishing prohibited. It shall be unlawful
12 for any person to take from any waters under the jurisdiction
13 of this state any fish from 10:00 to 4:00 a. m. Any person
14 violating this section shall be guilty of a misdemeanor.”

1 Sec. 17. Section seventeen hundred forty-five (1745),
2 Code, 1927, is amended by striking out in line eight (8)
3 the word “specify” and substituting in lieu thereof the
4 following:

5 “Be let to the highest responsible bidder, who is a citi-
6 zen of the State of Iowa; bids to be made in percentages of
7 gross receipts for the sale of the fish so taken, to be
8 paid to the state. The warden may reject bids from such
9 person, firms or corporations, who in his judgment are not

10 equipped or qualified to carry out the provisions of the
11 contract. The warden may if conditions warrant proceed to take
12 said rough fish at any time of the year provided that he may do
13 so without injury to the lake or the stream or the other fish.
14 The proceeds, if any, from the sale of these fish to be credited
15 to the State Fish and Game fund. The contract shall specify:”

1 Sec. 18. Section seventeen hundred fifty-one (1751), Code,
2 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 “1751. Season and size limits when using licensed seine or
5 net. It shall be unlawful for any person to take with any
6 nets or seines, when permitted to use same in the Mississippi
7 or Missouri rivers, any game fish at any time, except that cat-
8 fish may be taken during the open season as provided in
9 section 1731, and that carp, buffalo, pickerel, sheepshead,
10 rock sturgeon and sand sturgeon may be taken at any time. Nor
11 shall any of the following fish be taken in lengths less than
12 as follows, to wit:

13 Catfish, thirteen inches; carp, fifteen inches; buffalo,
14 fifteen inches; pickerel, eighteen inches; sheepshead, ten
15 inches; and the following fish weighing less than as follows,
16 to wit: Sand sturgeon, one pound; or rock sturgeon, three
17 pounds.”

1 Sec. 19. Section seventeen hundred fifty-two (1752),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1752. Wholesale fish market license. It shall be un-
5 lawful for any person, firm, or corporation to operate a
6 wholesale fish market, jobbing house, or other place for whole-
7 saling, marketing, peddling, or distributing fish, without
8 first procuring a license for such purpose from the state
9 game warden. The license fee shall be ten dollars per year,
10 and the license shall expire on the thirty-first day of De-
11 cember following its issuance.”

1 Sec. 20. Section seventeen hundred fifty-three (1753),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1753. Reports required. Each holder of a wholesale fish
5 market or peddlers license shall make to the state game warden,
6 within thirty days after the expiration of the license, a re-
7 port in writing, upon blanks furnished by the state game warden,
8 of all fish caught or taken from the waters under the juris-
9 diction of this state, which were handled by such licensee.
10 Failure on the part of a holder of such license to make report
11 as herein required shall prevent such license from securing
12 a subsequent wholesale fish market or peddlers license.”

1 Sec. 21. Section seventeen hundred fifty-six (1756), Code,
2 1927, is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1756. Mussel license. The state game warden shall upon
5 application issue a license to take, catch, or kill mussels.
6 On making application for such license, residents of this state

7 shall pay to the state game warden a fee of two dollars, and
8 nonresidents a fee of twenty-five dollars. All such licenses
9 shall expire on December thirty-first following their issuance
10 and shall be numbered consecutively as issued and a record
11 thereof kept in the office of the state game warden. Each
12 license shall show the name and address of the licensee and
13 the amount paid for such license, whether the licensee is a
14 resident or nonresident, and what waters of the state are
15 closed against the taking of mussels under such license.”

1 Sec. 22. Section seventeen hundred fifty-eight (1758)
2 Code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:

4 “1758. Manner of taking regulated. Any person, firm,
5 or corporation to whom a license under the provisions of
6 the preceding section has been issued:

7 1. May operate not more than one boat for each license,
8 or one rig in taking, catching, or killing mussels for com-
9 mercial purposes. Any such person, firm, or corporation may
10 use one additional boat for purposes of towing only when
11 no apparatus for taking, catching, or killing is used or
12 kept thereon.

13 2. It shall be unlawful to have in possession in the
14 waters while engaged in taking, catching, or killing mussels
15 for commercial purposes, more than four crowfoot bars, or for
16 more than two of such bars to be in the water at the same
17 time, or for any crowfoot bar to be of greater length than

18 twenty feet. A pitchfork may be used for gathering mussel
19 shells.”

1 Sec. 23. Section seventeen hundred sixty (1760), Code,
2 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 “1760. Restricted areas prescribed. The state game warden
5 may from time to time, as may be required for the conserva-
6 tion of the mussel resources of the state, prescribe by writ-
7 ten or printed order, areas in any part of the state from
8 which mussels shall not be taken for such period as may be
9 specified by the warden.”

1 Sec. 24. Section seventeen hundred sixty-one (1761), Code,
2 1927, is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1761. Publication of orders. The state game warden
5 shall cause the orders referred to in the preceding section
6 to be published once in a newspaper of general circulation
7 published within each county containing or having on its
8 boundary, waters affected by such orders. Such orders shall
9 take effect at the time fixed therein which shall not be
10 less than thirty days after the publication thereof. The
11 state game warden may extend the time at which such order shall
12 take effect.”

1 Sec. 25. Section seventeen hundred sixty-three (1763),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 "1763. Terms defined. As used in this chapter the words :

5 1. "Mussels" shall mean and embrace the pearly, fresh water
6 mussels or clams, or naiad, and the shell thereof.

7 2. "Crowfoot bar" shall mean a bar of any material bear-
8 ing a series of hooks designed to catch or adapted for catching
9 mussels by the insertion of such hooks between the shell of
10 the mussels.

11 3. "Commercial purposes" shall mean and be presumed to
12 be the taking, catching, killing, or having in possession
13 mussels, unless the contrary is proven.

14 4. "Rig" shall mean one boat equipped with not more
15 than four crowfoot bars, one boat equipped with power and
16 one barge.

1 Sec. 26. Section seventeen hundred sixty-four (1764),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 "1764. Protection of deer. It shall be unlawful for
5 any person other than the owner or person authorized by the
6 owner, to kill, maim, trap, or in any way injure or capture
7 any deer, except when distrained by law. A violation of
8 the provisions of this section shall be punishable by a fine of
9 not less than one hundred dollars (\$100.00) or more than five
10 hundred dollars (\$500.00) or imprisonment in the county jail
11 for not less than thirty days or more than one hundred fifty
12 days, or both."

1 Sec. 27. Section seventeen hundred sixty-seven (1767),

2 Code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:

4 “1767. Closed seasons for game birds and animals. Every
5 person is prohibited from trapping, shooting, killing, or
6 taking any of the following named birds or animals during
7 the following named closed seasons:

8 1. Wild duck, goose or brant, rail, plover, sandpiper,
9 marsh or beach birds, Wilson or jacksnipe, from January
10 first to September fifteenth, both dates inclusive.

11 2. Woodcock, from December first to September thirtieth,
12 both dates inclusive.

13 3. Pinnated grouse or prairie chicken, at all times.

14 4. Ruffed grouse or pheasant or wild turkey, from De-
15 cember first to October thirty-first, both dates inclusive;
16 and at all times prior to November 1, 1932.

17 5. Mongolian, ring-neck, English, or Chinese pheasants,
18 Hungarian partridge, or other imported game birds in this
19 state, at all times, except as otherwise provided.

20 6. Gray, fox or timber squirrel, from January first to
21 August thirty-first, both dates inclusive.”

22 “1767-c1. Ferrets prohibited. No person shall at any
23 time use a ferret in hunting, taking, killing, or capturing
24 any wild animal.”

25 “1767-c2. Shooting or spearing. No person shall shoot or
26 spear any beaver, mink, otter, muskrat, opossum, skunk or
27 civit, or have in his possession any of said animals or the

28 carcasses, skins or parts thereof knowing that said animals
29 have been shot or speared.

1 Sec. 28. Section seventeen hundred sixty-seven-a one
2 (1767-a1), Code, 1927, is repealed and the following is
3 enacted in lieu thereof, to wit:

4 “1767-a1. Imported game birds—open season. The state
5 game warden, when petitioned, in writing, by at least one
6 hundred fifty farmers and land owners in the county who
7 have been damaged by Mongolian, ring-neck, English, or
8 Chinese pheasants, may authorize the killing or capture of
9 any such birds in such county for such period as he may
10 determine, providing that such open period shall not exceed
11 five days, and during such period it shall be lawful to kill
12 not to exceed three birds per day. The State Game Warden
13 or his duly authorized agent may capture alive any such
14 birds without limitation as to the number captured.”

1 Sec. 29. Section seventeen hundred sixty-eight (1768),
2 Code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:

4 “1768. Bag limits and possession. No person shall shoot
5 or kill to exceed the following numbers of game birds or
6 animals in any one day, respectively:

7 Fifteen ducks, three imported pheasants, and fifteen
8 other game birds or animals. Nor shall any one person,
9 firm or corporation have in his or its possession at any
10 one time to exceed thirty waterfowl, ten imported pheasants,

11 and fifteen of either of the other kinds of game birds or
12 animals named in this chapter, unless by a common carrier
13 for the purpose of lawfully shipping as provided in this
14 chapter.

15 Nothing in this section shall apply to such animals as
16 are considered fur-bearing animals. It shall be unlawful
17 to have any game birds or animals named in this chapter
18 in possession during the periods when the killing thereof
19 is prohibited, except during the first ten days of the closed
20 season for them, respectively.”

21 “1768-c1. Duty to exhibit game. Any person who shall
22 have in his possession any fish, game, animals, furs or
23 birds shall upon request of the state game warden, his
24 assistants or deputies exhibit the same to said officer and
25 a refusal so to do shall constitute a misdemeanor.”

1 Sec. 30. Section seventeen hundred seventy-two (1772),
2 Code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:

4 “1772. Carrying firearms in motor vehicles. No person
5 shall carry a gun or any firearm, except a pistol or re-
6 volver, in or on a motor vehicle unless the same be unloaded
7 in both barrels and magazine.”

8 “1772-c1. “Gun” defined. The word “gun” as used in
9 Chapter 86, Code, of 1927, shall include every kind of gun
10 or rifle, except a revolver or pistol.”

11 “1772-c2. Use of rifles. No person shall at any time

12 shoot any rifle on or over any of the public waters of the
13 state.”

1 Sec. 31. Section seventeen hundred eighty (1780), Code,
2 1927, is repealed and the following is enacted in lieu there-
3 of, to wit:

4 “1780. Transportation for sale prohibited. It shall be
5 unlawful for any person, firm, or corporation to offer for
6 transportation or to transport by common carrier or vehicle
7 of any kind, to any place within or without the state, for
8 the purposes of sale, any of the fish, game, animals, or
9 birds taken, caught, or killed within the state, or to ped-
10 dle any of such fish, game, animals, or birds.

11 It shall be unlawful to ship from the state any birds
12 caught, taken, or killed in the state, or to take, ship, or
13 carry from the state for any purpose any such fish, game,
14 animals, or birds unless lawfully caught, taken, or killed
15 by a nonresident licensee under the provisions of this chapter,
16 who may take or carry such birds as have been lawfully caught,
17 taken, or killed, or take, carry or ship such fish, game, or
18 animals as have been lawfully caught, taken, or killed, to
19 his place of residence as indicated on such license.”

1 Sec. 32. Section seventeen hundred eighty-one (1781),
2 Code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:

4 “1781. Transportation regulations and restrictions.
5 Any person, firm, or corporation desiring the shipment or
6 transportation of any fish or animals shall deliver to

7 the common carrier to which the shipment is offered, a
8 statement under oath, in duplicate, showing the name and ad-
9 dress of the shipper, the date and number of his license,
10 where and by what officer issued, the name and residence
11 of the consignee to whom the shipment is made, the kind
12 and number of fish or animals in the shipment, that the
13 same have not been unlawfully killed, bought, sold, or had
14 in possession, and are not being shipped for the purpose of
15 market or sale, and that such shipment does not contain a
16 greater number of fish or animals than may be lawfully shipped
17 in one day. One copy of such affidavit shall be retained
18 by the common carrier receiving such shipment, for the period
19 of twelve months thereafter, and the other copy shall be at-
20 tached in a secure manner to the package or container of such
21 fish or animals.”

1 Sec. 33. Section seventeen hundred eighty-three (1783),
2 Code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:
4 “1783. Limit of shipment. No person except as otherwise
5 provided shall ship, carry or transport in any one day, game,
6 fish, birds, or animals, except fur-bearing animals, in excess
7 of the following numbers, respectively: thirty water fowl, ten
8 imported pheasants, and fifteen of either of the other game
9 birds or animals, and forty fish, including all varieties
10 shipped, except as otherwise provided under license to fish
11 with seine or net or under permit from the state game warden.”

1 Sec. 34. Section seventeen hundred eighty-seven (1787),

2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 "1787. Entire shipment contraband. In the shipping of
5 fish, game, animals, birds, or furs, whenever a container
6 includes one or more fish, game, animals, birds or furs that
7 are contraband, the entire contents of the container shall
8 be deemed contraband, and shall be seized by the state game
9 warden, his assistants or deputies."

1 Sec. 35. Section seventeen hundred ninety-four (1794),
2 Code, 1927, is repealed and the following is enacted in lieu
3 thereof, to wit:

4 "1794. Presumptive evidence. It shall be presumptive
5 evidence of a violation of the provisions of this chapter
6 for any person:

- 7 1. To fail to have a license upon his person at any time
8 required by law, or then refuse to exhibit the same on re-
9 quest of any person desiring to examine it.
- 10 2. To have in his possession any fish, game, furs, birds,
11 birds' nests, eggs or plumage, or animals, which have been
12 unlawfully caught, taken, or killed.
- 13 3. To be in possession of such fish, game, furs, birds,
14 or animals at a time when or place where it shall be unlawful
15 to take, catch, or kill the same, except game, birds or animals,
16 during the first ten days of the closed season.
- 17 4. To have in his possession any implements, devices, equip-
18 ment, or means whatever of taking fish, birds, or animals pro-
19 tected by this chapter at any place where the possession or
20 use thereof is prohibited."