

CHAPTER 113.

GAME LAW.

AN ACT to Protect Game.

APRIL 7.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be unlawful for any person, except on his own premises and for his own exclusive use, to kill, ensnare, or trap any wild deer, elk or fawn, prairie hen or chicken, between the first day of January and the first day of August in each year; and every year; any wood-cock between the first day of January and July in each year; any quail, ruffed grouse, or pheasant, between the fifteenth day of December and the twelfth day of September; or any wild turkey between the first of February and the first of September: *Provided,* That, except on his own premises, it shall be further unlawful for any person to net, ensnare, or trap any of said game except in the month of December: *And provided further,* That except on his own premises it shall be unlawful for any person to ensnare, net, or trap any quail at any time of the year prior to the first of December, 1872.

Unlawful to kill or trap deer & prairie chick'ns from January 1 to August 1; quail, &c. from December 15 to Sept. 13; turkey from February 1 to September 1. *Proviso:* prohibiting trapping game except in Dec. *Proviso:* quail not to be trapped before Dec., 1872.

SEC. 2. It shall be unlawful for any person to buy or sell any of the above mentioned animals or birds which shall have been trapped, ensnared, or killed between the days above mentioned. The having in possession any of the above animals or birds recently killed by any person or persons between said dates, shall be deemed and taken as *prima facie* evidence that the same was trapped, ensnared, or killed by the persons having the possession of the same in violation of this act.

Unlawful to buy or sell game in prohibited times.

Possession of same *prima facie* evidence of guilt.

SEC. 3. That any railroad, express company, or other common carrier in this State, or any of their agents or servants, having any of the above birds or animals in their possession, for transportation or other purpose, during the periods above limited and prohibited, shall be punished by fine of not less than \$100 or more than \$300, or by imprisonment in the county jail 30 days, or by both such fine and imprisonment.

Common carriers having game in possession unlawfully, punished—fine \$100-300; imprisonment 30 days.

SEC. 4. Any person violating any of the provisions of this act, shall forfeit or pay a fine of fifteen dollars for each deer, fawn, or elk snared, entrapped, killed, bought, sold, or held in possession, and five dollars for any bird of game above mentioned thus killed, trapped,

Violation of act punished—fine, \$15 for deer, \$5 for bird.

Where prosecuted.

Trespassers violating this act to be fined \$3-\$50.

Proviso:

suit barred.

Who may bring prosecution;

where.

Fines paid to school fund.

Repealing clause.

ensnared, bought, sold, or held in possession; and such person may be prosecuted either in the county in which the offense was committed or where said person has in his possession any of such animals or birds thus killed, ensnared, or trapped, bought, or sold in violation of law.

SEC. 5. Any person who shall go upon the premises of any other person or corporation, whether inclosed or not, and shall be found hunting, trapping, or ensnaring any of the above named birds or animals, in violation of the provisions of this act, shall be deemed guilty of trespass, and may be prosecuted by any person in possession of said premises before any justice of the peace of the county, or other court of competent jurisdiction, and fined in any sum not less than three dollars nor more than fifty dollars, to be paid to the school fund of the county for the use and benefit of the schools of said county: *Provided, however,* That a judgment against a person for a violation of this act under the first, second, and third sections of the same shall be a bar to any suit under the fourth section of this act for the same offense.

SEC. 6. A prosecution may be brought by any person in the name of the State of Iowa against any person or persons violating the first, second, and third sections of this act, before any justice of the peace of the county in which such violation of this act is alleged to have taken place, or before any court of competent jurisdiction thereof, and any sum or sums so recovered shall be paid to the school fund for the benefit of the common schools of said county.

SEC. 7. All acts and parts of acts contrary to the provisions of this act be and the same are hereby repealed.

Approved April 7, 1868.

CHAPTER 114.

LEGALIZING ACTS OF D. D. MIRACLE.

APRIL 7. AN ACT to Legalize the Acts of D. D. Miracle, a Notary Public in and for Hamilton County, Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the official acts of D. D.