

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Certified report—penalty.** That section twenty-five hundred and twenty-two (2522) of the code be and the same is hereby amended by striking out all of said section after the words [word] “reports” in the ninth line thereof and by adding the words:

“Within thirty days after receiving the proper blank form from the dairy commissioner and shall certify to the correctness thereof. Whoever shall violate any provision of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days.”

Approved April 10, 1902.

## CHAPTER 103.

### RELATING TO FISH AND GAME.

S. F. 297.

AN ACT to amend sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561), of the code; and section two thousand five hundred thirty nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Seizure and destruction without warrant.** That section one (1) of chapter sixty-four (64) of the Acts of the Twenty-seventh (27th) General Assembly be, and the same is hereby amended by adding thereto the following:

“And abate and destroy any and all of the same without warrant or process and no liability shall be incurred to the owner or any other person for such seizure and destruction and said warden or his regularly constituted deputies or other peace officers as hereinbefore named shall be released from all liability to any person or persons whomsoever for any act done or committed or property seized or destroyed under or by virtue of this section.”

**SEC. 2. Catfish.** That section two (2) of said chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly be and the same is hereby amended by inserting after the word “bass” in the fourth (4th) line thereof the word “catfish”.

**SEC. 3. Repealed.** That section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly be and the same is hereby repealed.

**SEC. 4. Fishing—what permitted.** That section two thousand five hundred forty (2540) of the code be and the same is hereby amended by inserting after the word “croppies” in the fourth (4th) line thereof the words “pickereel or catfish”; and by inserting after the words “game fish” in said fourth (4th) line the words “nor shall any one person take of said fish from the waters of the state in any one day more than forty (40) of any or all of said kinds of fish”. That there be stricken from said section beginning in the sixteenth (16th) line thereof and ending in the twentieth (20th) line thereof, the following words, “nor shall any one place in the water any lime, ashes or drug of any kind or other substance, or shoot any gun, explode dynamite, gun cotton, giant powder or other compound or preparation or use electricity in any manner with the intent to kill or so to affect any fish that it may be taken”, and that there be stricken from said section beginning in the twenty-fifth (25th) line thereof the words “shall be prima facie evidence of the intent

to violate the provisions of this section against spearing and seining fish. This presumption will not exist against fishing in the excepted waters as provided in section two thousand five hundred forty-seven (2547) of this chapter", and that there be inserted in lieu thereof after the words "ten rods" in the twenty-fifth (25th) line the following "or the taking or killing of any fish by any means within three hundred (300) feet of a fishway shall be unlawful."

**SEC. 5. Explosives—drugs—penalty.** It shall be unlawful for any one to place in the waters of the state any lime, ashes or drug of any kind or other substance, explode dynamite, gun cotton, giant powder or other compound or preparation or use electricity in any way with the intent to kill or so to affect any fish that it may be taken and any one guilty of any of said acts shall, upon conviction thereof be fined not less than fifty (\$50.00) dollars or more than one hundred (\$100.00) dollars or imprisoned in the county jail not less than fifteen nor more than thirty days.

**SEC. 6. Written permits.** That section two thousand five hundred forty-six (2546) of the code be and the same is hereby amended by adding thereto the following:

"Provided further that the warden may, upon proper application in writing, made upon blanks furnished by said warden, issue to whomsoever he may see fit, written permits, upon blank forms to be furnished by said warden, suspending for a specified period specified portions of this chapter relating to fishing and authorizing the person to whom said permit is issued, to take from certain designated portions of the waters of the state, buffalo, carp, quill backs, red-horse, suckers and gar, as in said permit named, in any quantities and for all purposes, provided however that no such permit holder shall be authorized to exercise the rights granted in said permit except in the presence and under the supervision of the warden or one or more of his regularly constituted deputies, without expense to the state."

**SEC. 7. Game protected.** That section two thousand five hundred and fifty-one (2551) of the code be and the same is hereby amended by inserting after the word "brant" in the sixth (6th) line thereof the words "rail, plover, sand piper and march or beach bird". That the word "June" in the eighth (8th) line thereof be stricken out and there be inserted in lieu thereof, the word "September".

**SEC. 8. Other animals—penalty.** That section two thousand five hundred fifty-six (2556) of the code be and the same is hereby amended by inserting after the word "muskrat" in the sixth (6th) line thereof the words "or other animals named or referred to in this chapter".

**SEC. 9. Sand piper.** That section two thousand five hundred sixty-one (2561) of the code be and the same is hereby amended by striking from the fifth (5th) line thereof the words "sand piper".

**SEC. 10. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 9, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,  
Secretary of State.