

CHAPTER 174.

CRUELTY TO ANIMALS.

S. F. 123.

AN ACT to amend section forty-nine hundred and sixty-nine (4969) of the code, providing for the punishment of cruelty to animals.

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

SECTION 1. **Cruelty to animals.** That section forty-nine hundred and sixty-nine (4969) of the code, be and the same is hereby amended so as to read as follows:

"If any person torture, torment, deprive of necessary sustenance, mutilate, overdrive, overload, drive when overloaded, cruelly beat or cruelly kill any animal, or unnecessarily fail to provide the same with proper food, drink, shelter or protection from the weather, or drive or work the same when unfit for labor, or cruelly abandon the same, or carry the same or cause the same to be cruelly carried on any vehicle or otherwise or shall commit any other act or omission by which unjustifiable pain, distress, suffering or death is caused or permitted to any animal or animals whether the acts or omissions herein contemplated be committed either maliciously, willfully or negligently and if any person shall knowingly permit such act or omission or shall cause or procure the same to be done he shall be imprisoned in the county jail not exceeding thirty (30) days, or be fined not exceeding one hundred (100) dollars."

Approved April 4, A. D. 1907.

CHAPTER 175.

BUCKET SHOP AND BUCKET SHOPPING.

H. F. 226.

AN ACT defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and providing penalties for so doing. [Additional to chapter nine (9) of title twenty-four (XXIV) of the code, relating to offenses against chastity, morality and decency.]

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

SECTION 1. **Bucket shop and bucket shopping defined.** That a bucket shop, within the meaning of this act, is defined to be an office, store or other place wherein the proprietor or keeper thereof, or other person or agent, either in his or its own behalf, or as the agent or correspondent of any other person, corporation, association or co-partnership within or without the state, conducts the business of making, or offering to make, contracts, agreements, trades or transactions respecting the purchase or sale, or purchase and sale, of any stocks, grain, provisions, or other commodity, or personal property, wherein both parties thereto, or said proprietor or keeper, contemplate or intend that such contracts, agreements, trades or transactions shall be, or may be closed, adjusted or settled according to, or upon the basis of, the public market quotations of prices made on any board of trade or exchange, upon which the commodities or securities referred to in such contracts, agreements, trades or transactions are dealt in, and without a bona fide transaction on such board of trade or exchange; or wherein both parties, or such keeper or proprietor shall contemplate or intend that such contracts, agreements, trades or transactions shall be, or may be, deemed closed or terminated when the public

market quotations of prices made on such board of trade, or exchange, for the articles or securities named in such contracts, agreements, trades or transactions, shall reach a certain figure; and also any office, store, or other place where the keeper, person or agent, or proprietor thereof, either in his or its own behalf, or as an agent, as aforesaid, therein makes or offers to make, with others, contracts, trades or transactions for the purchase or sale of any such commodity, wherein the parties thereto do not contemplate the actual or bona fide receipt or delivery of such property, but do contemplate a settlement thereof based upon differences in the price at which said property is, or is claimed to be, bought and sold. The said crime shall be complete against any proprietor, person, agent, or keeper thus offering to make any such contracts, trades or transactions, whether such offer is accepted or not. It is the intention of this act to prevent, punish and prohibit, within this state, the business now engaged in and conducted in places commonly known and designated as "bucket shops", and also to include the practice now commonly known as bucket shopping by any person or persons, agent, corporations, associations or co-partnerships, who or which ostensibly carry on the business or occupation of commission merchants or brokers in grain, provisions, cotton, coffee, petroleum, stocks, bonds or other commodities whatsoever.

SEC. 2. Unlawful to keep or maintain bucket shop—penalty. It shall be unlawful, and the same is hereby made a felony, for any corporation, association, co-partnership, person, or persons, or agent to keep or cause to be kept, within this state, any such bucket shop; and any corporation, person or persons, or agents whether acting individually or as a member, or as an officer, agent or employe of any corporation, association or co-partnership, who shall keep, maintain, or assist in the keeping and maintaining of any such bucket shop within this state, shall, upon conviction thereof, be fined in a sum not to exceed one thousand dollars or be imprisoned in the penitentiary not exceeding two years; and any person or persons who shall be guilty of a second offense under this statute, in addition to the penalty above prescribed, may, upon conviction, be both fined and imprisoned in the discretion of the court, and if a corporation, it shall be liable to forfeiture of all its rights and privileges as such; and the continuance of such establishment after the first conviction shall be deemed a second offense.

SEC. 3. Accessory defined—penalty. Any corporation, association, co-partnership, person or persons or agents who shall communicate, receive, exhibit, or display in any manner, any statements of quotations of the prices of any property mentioned in section one (1) hereof, with a view to any transactions in this act prohibited, shall be deemed an accessory, and upon conviction thereof, shall be fined and punished the same as the principal, and as provided in section two (2) of this act.

SEC. 4. Statement of purchases or sales furnished on demand. It shall be the duty of every commission merchant, co-partnership, association, corporation, person or persons, or agent or broker in this state engaged in the business of buying or selling or of buying and selling stocks, grain, provisions or other commodities or personal property for any person, principal, customer or purchaser to furnish upon demand to any customer or principal for whom such commission merchant, broker, co-partnership, corporation, association, person, or persons, or agent has executed any order for the actual purchase or sale of the commodities hereinbefore mentioned, either for immediate or future delivery, a written statement containing the names of the parties from whom such property was bought, or to whom it shall have been sold, as the case may be, the time, when, the place where, and the price at which, the same was either bought or sold; and in case such commission merchant, broker, person or persons, or agent, co-partnership, corporation or association shall refuse promptly to furnish

such statement upon reasonable demand, the fact of such refusal shall be prima facie evidence that such property was not sold or bought in a legitimate manner, but was bought in violation hereof.

SEC. 5. Existing statutes not affected. Nothing herein shall be so construed as to change, modify or repeal present and existing laws relating to the subject matter hereof.

SEC. 6. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 6, 1907.

W. C. HAYWARD,
Secretary of State.

CHAPTER 176.

PURE DRUGS.

S. F. 31.

AN ACT to prevent the adulteration, misbranding and imitation of drugs; and repealing sections four thousand nine hundred and eighty-three (4983), four thousand nine hundred and eighty-five (4985), four thousand nine hundred and eighty-six (4986) and four thousand nine hundred and eighty-eight (4988) of the code, and vesting the execution and enforcement of this act in the pharmacy commissioners.

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

SECTION 1. Manufacture or sale of adulterated drugs prohibited. No person, firm or corporation, by himself, officer, servant or agent, or as the officer, servant or agent of any other person, firm or corporation, shall manufacture or introduce into the state or solicit orders for delivery, or sell, exchange, deliver, or have in his possession with the intent to sell, exchange or expose, or offer for sale or exchange, any drug which is adulterated or misbranded within the meaning of this act. Provided, that none of the penalties set forth in this act shall be imposed upon any common carrier for introducing into the state, or having in its possession, any adulterated or misbranded drugs, where the same were received by said carrier for transportation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof.

SEC. 2. Drug defined. The term "drug", as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals, or for the destruction of parasites.

SEC. 3. Adulteration defined. For the purposes of this act, a drug shall be deemed to be adulterated:

First. If, when a drug is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation: Provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle.