

discharge of his duty from collecting samples; or who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than one hundred dollars and costs of prosecution. Provided, that no one shall be convicted for violation of the provisions of section ten (10) of this act if he is able to show that the weed seeds named in section ten (10), are present in quantities not more than one in ten thousand, and that due diligence has been used to find and remove said seeds.

SEC. 19. **Appropriation—fees paid into state treasury.** There is hereby appropriated, for the purpose of enforcing the provisions of this act, a sum not exceeding three thousand (\$3000) dollars annually. Such expense shall be paid by warrant of the state auditor upon bills filed by the state food and dairy commissioner with the executive council and approved by them. All fees collected under the provisions of this act shall be paid into the state treasury.

Approved April 6, A. D. 1907.

CHAPTER 190.

LABELS ON BALLS OF BINDER TWINE.

S. F. 230.

AN ACT to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this state and providing a penalty for the violation thereof. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code, relating to cheating by false pretenses, gross frauds and conspiracy.]

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

SECTION 1. **Label required.** No binder twine shall be sold, exposed or offered for sale within this state, except the same bears upon each ball a stamp or label truly stating the name of the manufacturer or importer and the number of feet to the pound in such ball: Provided that a deficiency not exceeding five per cent in length stated on the stamp or label shall not be a violation hereof.

SEC. 2. **Penalty.** Any person, firm or corporation who violates the provisions of section one hereof shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100).

SEC. 3. **What exempt—burden of proof.** All binder twine purchased or received by wholesale or retail dealers of this state prior to September first, nineteen hundred and seven (1907), shall be exempt from the provisions of this act until November first nineteen hundred and eight; but the burden of proof that such twine was so purchased or received shall rest on said dealers.

Approved April 4, A. D. 1907.

CHAPTER 191.

NUMBER OF GUARDS IN THE STATE PENITENTIARIES.

S. F. 330.

AN ACT to amend section five thousand six hundred sixty-three (5663) of the code as it appears in the section of said number in the supplement to the code, relative to the number of guards in the state penitentiaries.

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

SECTION 1. **Guards—minimum number.** That section five thousand six hundred sixty-three (5663) of the code as it appears in the section of said number

in the supplement to the code is hereby amended by striking from the last two lines thereof the words "thirteen guards at Ft. Madison" and inserting in lieu thereof the following: "forty-five guards at Ft. Madison and forty-two guards at Anamosa".

Approved April 13, A. D. 1907.

CHAPTER 192.

INDETERMINATE SENTENCES AND REFORMATORY.

S. F. 30.

AN ACT to revise the law relating to the sentence and commitment of persons convicted of crime, and providing for a system of reform and parole and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith. [Additional to chapter two (2) of title twenty-six (XXVI) of the code, relating to penitentiaries.]

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

SECTION 1. "The reformatory." Hereafter the penitentiary at Anamosa shall be officially known and designated as "The Reformatory," and shall be the reformatory department of the state penitentiary of Iowa.

SEC. 2. Commitments. Any male person who shall be committed to the penitentiary after the 4th day of July, 1907, (except those convicted of murder, treason, sodomy or incest), and who at the time of commitment is between the ages of sixteen and thirty years, and who has never before been convicted of a felony, shall be confined in the reformatory; provided, however, that persons between the ages of sixteen and thirty years convicted of rape, robbery, or of breaking and entering a dwelling house in the night time with intent to commit a public offense therein, may, as the particular circumstances may warrant, in the discretion of the court, be committed to either the reformatory at Anamosa, or the penitentiary at Fort Madison.

SEC. 3. Insane department. The criminal insane shall continue to be confined in the insane department at Anamosa, as provided in section fifty-seven hundred and nine of the code.

SEC. 4. Transfer of prisoners for violation of rules, insubordination, etc. Any male prisoner confined in the reformatory may be transferred to the penitentiary at Fort Madison, upon order of the board of control, for violation of the rules of the reformatory or for insubordination and a like transfer may be ordered by said board whenever it shall be of the opinion that a prisoner is not a hopeful subject for reformatory treatment.

SEC. 4½. Transfer of prisoners over age limit—former convictions. If it shall appear at any time after conviction and incarceration in the reformatory that a prisoner was over thirty years of age at the time of commitment, he shall be at once transferred to the prison at Fort Madison, and he shall likewise be transferred if it shall appear that he had, prior to the last conviction, been convicted of a felony in Iowa or elsewhere.

SEC. 5. What prisoners retained in reformatory—transfer of life prisoners. The board of control may retain in the reformatory such persons as have been or are committed to the penitentiary at Anamosa for crimes committed on or prior to July 4th, 1907, except that all persons convicted of murder in the first degree and all persons sentenced to life imprisonment shall be kept and confined in the prison at Fort Madison and a transfer shall be made as soon as reasonably convenient after July 4th, 1907, from the reformatory to