

section fifteen (15) hereof to make complaint, and may file his petition in any court of competent jurisdiction or before any judge of such court in vacation upon which an injunction may issue with or without bond as may be ordered by the court or judge, restraining the further use of such hotel until the provisions of this act are fully complied with. But no injunction shall issue until after the defendant has had at least five days notice of the application therefor, fixing a time for hearing thereon. It is hereby made the duty of the county attorney in either case to prepare the necessary papers and conduct all prosecutions or litigation connected therewith.

Approved March 27, A. D. 1909.

## CHAPTER 169.

### PREVENTION OF DISEASE AMONG BEES AND INSPECTION THEREOF.

#### H. F. 408.

AN ACT to prevent disease among bees and to provide for inspection thereof. [Additional to title twelve (XII) of the code, relating to the police of the state.]

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

**SECTION 1. Inspector of bees—term—deputies.** The governor is hereby authorized to appoint a competent man as inspector of bees, who shall hold his office for a term of two years, or until his successor is appointed and qualified; and said inspector shall have the power to appoint deputies.

**SEC. 2. Powers and duties.** It shall be the duty of such inspector, when notified in writing, by at least three beekeepers of any locality, of the existence, or supposed existence, of the disease known as "foul brood" among the apiaries of such locality, to at once thoroughly examine such apiaries as are reported to be diseased, and all other apiaries in the same locality, and thus ascertain whether such disease exists. If the bees in any apiary are in such place or condition as to prevent a thorough examination by the inspector, he may order the same to be put into proper place or condition for such examination. If such order is not complied with, and the inspector has reason to believe such bees to be diseased, he may cause them to be destroyed. If upon examination the inspector is satisfied of such disease, he shall give the owner or person in charge of such apiary full instructions as to the manner of treating the same. Within reasonable time after such examination the inspector shall, without other notice, make further examination of such apiaries, and if the condition of any of them is such as in his judgment renders it necessary, he may burn, or cause to be burned, all the infected colonies of bees in any apiary, together with all the combs and hives, in order to prevent the further spread of the disease.

**SEC. 3. Annual report.** The inspector shall make a yearly report to the governor, stating the number of apiaries visited, the number of those diseased and treated and the number of colonies of bees destroyed. Such report shall also show the expenses incurred by the inspector while in the discharge of his duties under the provisions of this act.

**SEC. 4. Sale or removal of diseased colony of bees—penalty.** Any one who knowingly sells, barter or gives away, moves, or allows to be moved, a diseased colony or colonies of bees, be they queen or workers, or infected appliances or who exposes any infected honey to the bees without the consent of the inspector, shall be deemed guilty of misdemeanor and be liable on conviction before any justice of the county, to a fine of not less than twenty-five [dollars]

(\$25.00) nor more than one hundred dollars (\$100.00) or to imprisonment in the county jail not exceeding thirty days, or both fine and imprisonment.

SEC. 5. **Sales after destruction or treatment—penalty.** Any person whose bees have been destroyed or treated for "foul brood" who sells or offers for sale any bees, hives or appurtenances, after such destruction or treatment, without being authorized by the inspector to do so, or expose in his apiary or elsewhere any infected honey, or other infected thing, or conceal the fact that said disease exists, shall be deemed guilty of a misdemeanor and on conviction thereof shall be liable to a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) or imprisonment in the county jail not exceeding thirty days.

SEC. 6. **Failure to comply—resistance—penalty.** Any owner or possessor of bees who disobeys the directions of the inspector, or offers resistance, or obstructs said inspector in the performance of his duties shall be deemed guilty of a misdemeanor and upon conviction thereof before any justice of the peace of the county, shall be fined not exceeding the sum of fifty dollars (\$50.00) or by imprisonment in the county jail not exceeding thirty days.

SEC. 7. **Compensation and expenses.** Such inspector shall receive as compensation the sum of three dollars (\$3.00) per day for each day actually and necessarily employed in the discharge of the duties as herein provided, together with his expenses actually incurred while so employed, provided, that the amount to be paid on account of such expenses shall in no event exceed the sum of one thousand dollars (\$1,000) for any one year, including salary and expenses of deputies.

Approved April 12, A. D. 1909.

## CHAPTER 170.

### STATE BOARD OF EDUCATION.

S. F. 198.

AN ACT to create a state board of education for the state university, the college of agriculture and mechanic arts, and the normal school, and to prescribe its duties and to provide for the management and control of the state university, the college of agriculture and mechanic arts, and the normal school, to make appropriations therefor, and to repeal sections two thousand six hundred seventeen (2617), two thousand six hundred eighteen (2618), two thousand six hundred nineteen (2619), two thousand six hundred twenty (2620), two thousand six hundred thirty-five (2635), two thousand six hundred thirty-six (2636), two thousand six hundred forty-two (2642), two thousand six hundred forty-seven (2647), two thousand six hundred fifty-one (2651), two thousand six hundred fifty-two (2652), two thousand six hundred fifty-three (2653), two thousand six hundred sixty-eight (2668), two thousand six hundred sixty-nine (2669), two thousand six hundred seventy (2670), two thousand six hundred eighty-one (2681) of the code, and the law as it appears in sections two thousand six hundred forty-six (2646), two thousand six hundred fifty (2650), two thousand seven hundred twenty-seven-a fifty-three (2727-a53), two thousand seven hundred twenty-seven-a fifty-four (2727-a54), two thousand seven hundred twenty-seven-a fifty-five (2727-a55), two thousand seven hundred twenty-seven-a fifty-six (2727-a56), of the supplement to the code, 1907, and to repeal all acts, and parts of acts inconsistent with this act.

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

SECTION 1. **State board of education.** The state university, the college of agriculture and mechanic arts, including the agricultural experiment station, and the normal school at Cedar Falls shall be governed by a state board of education consisting of nine members and not more than five of the members shall be of the same political party. Not more than three alumni of the above institutions and but one alumnus from each institution may be members of this board at one time.