

poultry, eggs or grain for the purpose of sale or storage, that shall for the purpose of creating a monopoly or destroying the business of a competitor discriminate between different sections, localities, communities, cities or towns of this state by purchasing such commodity or commodities at a higher price or rate in one section, locality, community, city or town than is paid for the same commodity by said person, firm, company, association or corporation in another section, locality, community, city or town, after making due allowance for the difference, if any, in the grade or quality, and in the actual cost of transportation from the point of purchase to the point of manufacture, sale or storage, shall be deemed guilty of unfair discrimination which is hereby prohibited and declared to be unlawful but prices made to meet competition in such locality shall not be in violation of this act; and any person, firm, company, association or corporation or any officer, agent, receiver or member of any such firm, company, association or corporation found guilty of unfair discrimination as defined herein, shall be punished as provided in section five thousand twenty-eight-c (5028-c) of the supplement to the code, 1907."

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 8, A. D. 1909.

I hereby certify that the foregoing act was published in the Des Moines Capital April 10, A. D. 1909, and in the Register and Leader April 12, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 223.

CIGARETTES AND CIGARETTE PAPERS.

H. F. 278.

AN ACT to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers, the apprehension of the occupant of the place or building in or upon which the same are sold or kept and providing for the levy of a tax against said place or building. [Additional to chapter eleven (11) of title twenty-four (XXIV) of the code, relating to offenses against public policy.]

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

SECTION 1. Search warrant—how issued — seizure — destruction — prima facie evidence. If any reputable citizen of the county make oath before a magistrate, that he has probable cause to suspect, and does suspect, that any house, place or building, naming the house, building or place, as nearly as may be, and the occupant, is unlawfully used as a place in which to receive, keep, store, sell or give away cigarettes, cigarette papers or cigarette wrappers, or any paper made or prepared for the purpose of making cigarettes, or for the purpose of being filled with tobacco for smoking; or that the occupant is in any way concerned, engaged or employed in owning or keeping any such cigarettes or cigarette papers or wrappers, with intent to violate the law, or authorize or permit the same to be done, such magistrate shall issue his warrant particularly describing the place to be searched and the person or persons to be apprehended or things to be seized directed to any peace officer in the county, for the purpose of searching such house, building or place and for the seizure of such cigarettes, cigarette papers or cigarette wrappers, or any paper made for the purpose of making cigarettes, and for the apprehension of the occupant or keeper thereof; and the said cigarettes or cigarette papers and the keeper shall be brought before such magistrate to be

dealt with as provided by law. All such cigarettes or cigarette papers, so seized, and unlawfully kept, shall be destroyed and an entry thereof shall be made upon his docket. The discovery of cigarettes or cigarette papers in any public place shall be prima facie evidence of the keeper's intent to unlawfully sell or give the same as prohibited in section five thousand and six (5006) of the code.

SEC. 2. Tax assessed against property—notice. The magistrate who shall try said cause and then issue an order condemning and destroying any cigarettes or cigarette papers as provided in the preceding section, shall certify a copy of the record of such proceedings to the treasurer of the county within ten days after the order to destroy such cigarettes or cigarette papers is issued and a tax assessment of three hundred (\$300.00) dollars against the property in or upon which the cigarettes or cigarette papers or cigarette wrappers were unlawfully kept or sold, provided for in section five thousand and seven (5007) of the code, and collect the same as therein provided. Within thirty days after the receipt of the magistrate's certificate the county treasurer shall notify the keeper of such house, building or place, and the owner thereof of such assessment.

Approved March 29, A. D. 1909.

CHAPTER 224.

USE OF CIGARETTES BY MINORS.

S. F. 92.

AN ACT to prohibit the use of cigarettes by minors under twenty-one years of age, and providing penalties therefor. [Additional to chapter eleven (11) of title twenty-four (XXIV) of the code, relating to offenses against public policy.]

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

SECTION 1. Use of cigarettes by minors prohibited. It shall be unlawful for any person under the age of twenty-one years to smoke or use a cigarette or cigarettes on the premises of another, or on any public road, street, alley or park or other lands used for public purposes or in any public place of business or amusement, except when in company of his parent or guardian.

SEC. 2. Penalty—sentence suspended, when. Any person found guilty of violating the provisions of section 1 hereof shall be punished by a fine of not to exceed ten dollars (\$10.00), or imprisonment in the county jail not to exceed three days, for each offense; provided, if said minor person shall give information which may lead to the arrest of the person or persons violating any of the provisions of section five thousand six (5006) of the code, and shall give evidence as a witness in the proceedings which may be instituted against said party or parties, the court shall have power to suspend sentence against said minor person.

Approved April 13, A. D. 1909.