

J. A. HARVEY, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER:

Your Committee on the Suppression of Intemperance, to whom was referred house file No. 70, a bill for an act for the suppression of intemperance in unincorporated towns, and townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that it be amended by striking out the word "imported" wherever it occurs in said bill before the word "wine," and that when so amended it do pass.

J. A. HARVEY, *Chairman.*

Ordered passed on file.

HOUSE FILE NO. 70.]

[BY MARTINDALE.

A BILL

FOR AN ACT FOR THE SUPPRESSION OF INTEMPERANCE IN UNINCORPORATED
TOWNS; AND TOWNSHIPS.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the qualified
2 electors of any township, in which is located any unincorporated town, may say at an elec-
3 tion called for that purpose whether or not they will prohibit the keeping, selling, or giving
4 away of ale, beer, or imported wine within the limits of such townships.

SEC. 2. That if a petition, signed by not less than five legal voters residing in such town-
2 ship, be presented to the trustees of such township, asking that an election be called for the
3 purpose of voting for or against such prohibition, it shall be the duty of such trustees to call
4 an election by giving two weeks' notice in a newspaper published in such township (if any be
5 published therein) and by posting notices in three conspicuous places in said township.

SEC. 3. The ballots to be used at such election shall read as follows: "For prohibition,"
2 "Against prohibition": and should a majority of the votes cast at such election be for prohi-
3 bition, it shall then be unlawful for any person, by himself or agent, to keep, sell, or give
4 away ale, beer, or imported wine within the limits of such township; and any violation of
5 this act shall be deemed a misdemeanor, and whoever is convicted thereof shall be punished

6 by fine not less than twenty nor more than one hundred dollars, or by imprisonment in the
7 county jail not less than ten nor more than thirty days.

SEC. 4. Should a majority of the votes cast be against prohibition the same may again be
2 voted upon at any general election thereafter, by petition and notice as above provided.

SEC. 5. Said election shall be conducted in the same manner as general elections, and re-
2 turns thereof, showing the result of the election, must be made to the auditor of the county
3 in which such township is situated, and he shall make a record of the same in the election
4 books of the county.

SEC. 6. This act, being deemed of immediate importance, shall take effect and be in force
2 from and after its publication in the *Iowa State Register* and the *Iowa State Leader*, newspa-
3 pers published in Des Moines, Iowa.

MINORITY REPORT OF COMMITTEE ON HOUSE FILE NO. 70.

MR. SPEAKER:

The minority of your Committee on the Suppression of Intemperance, to whom was referred house file No. 70, beg leave to report that having considered the same, they cannot concur with the report of the majority of the committee thereupon, but report the same back to the house with the recommendation that it do not pass, for the following reasons:

House file No. 70 we regard as improper legislation, because it provides for the conferring of powers upon townships which we believe to be unconstitutional. So long as the sale of beer and wine is permitted by state law it is unjust and demoralizing to encourage the nullification of that, or any other law, by town or townships.

Suppose this bill to become law and to be adopted, as may be possible, by every township in Iowa, we would have the singular spectacle of a state statute repealed upon the original motion of "five petitioners" in each township; repealed as effectually as if reversed by the legislature itself, or made nugatory by an adverse decision of the supreme court.

MOSES BLOOM.

ERNST MUELLER.