

A BILL

FOR AN ACT TO AMEND CHAPTER 6, TITLE 11, OF THE CODE RELATING TO INTOXICATING LIQUORS, AND PROVIDING FOR THE RIGHT AND PRIVILEGE OF CITIES OF THE STATE OF IOWA HAVING A POPULATION OF 4,000 AND OVER, AS SHOWN BY THE STATE CENSUS OF 1885, TO LICENSE OR PROHIBIT THE SALE OF INTOXICATING LIQUORS THEREIN, AND TO REPEAL ALL ACTS, OR PARTS OF ACTS, CONTRAVENING THE PROVISIONS OF THIS ACT.

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

SECTION 1. That chapter 6 of title 11 and all amendments thereto of the code of Iowa of 2 1873, shall not in any manner whatever apply to cities of the State having a population of 3 two thousand (2,000) inhabitants, or a greater number of inhabitants than two thousand 4 (2,000), according to the State census of 1885, or of such cities of the State as may be acting 5 under special charters ; and all cities of the State of Iowa which may have, or hereafter 6 may acquire, a population in excess of two thousand inhabitants, to be shown by federal, 7 State or municipal census, and all cities acting under special charters, shall have the right 8 to license and regulate or to prohibit by ordinance the sale and manufacture of intoxica- 9 ting liquors within the incorporate limits of such cities, and within contiguous territory, 10 extending two miles outside and beyond said corporate limits.

SEC. 2. All cities having a population of two thousand (2,000) inhabitants, and in excess 2 thereof, as shown by the last federal, State or municipal census, which shall have been 3 taken in pursuance of federal or State law, or municipal ordinance, and all cities operating 4 under special charters, and also all cities of the State which shall hereafter acquire the 5 number of two thousand (2,000) inhabitants, to be shown by federal, State or municipal 6 census taken in pursuance of law or ordinance, subsequent to the approval of this act, are 7 hereby authorized and empowered to regulate, license or prohibit, by ordinance, the sale 8 and manufacture of intoxicating liquors within their municipal limits, and within all con- 9 tiguous and adjacent territory within two miles of the corporate limits of such cities, but 10 no license shall be issued by any such city except upon payment to such city of a license fee 11 of not less than five hundred dollars (\$500), the same to be paid at such time and in such 12 manner as said cities shall by ordinance duly order and direct.

SEC. 3. All ordinances passed under and by virtue of this act shall contain, among others, 2 the following express conditions, to-wit : No person or persons holding license under the 3 provisions of this ordinance shall sell, give, or allow any minor, intoxicated person or habit-

4 ual drunkard, to take, receive or purchase, on the licensed premises any intoxicating liquor
5 whatever.

SEC. 4. Any person who shall manufacture or sell by himself, his clerk, steward or agent,
2 directly or indirectly, any intoxicating liquor, contrary to the spirit of this act and contrary
3 to the terms or provisions of any ordinance passed under or by virtue of this act, may be
4 proceeded against and punished, either under the provisions of such ordinance, or under
5 under the provisions of chapter 6, title XI, and amendments thereto of the Code of 1873, or
6 both under said ordinance and the provisions of said chapter and the amendments thereto,
7 and shall be liable to all pains and penalties, remedies and punishments provided for in
8 said chapter. All moneys received by virtue of such license and all fines collected for the
9 violation of any of the provisions of any ordinance enacted under or by virtue of this act
10 shall be paid to the treasurer of the city enacting such ordinance, one-half of which after
11 deducting costs, shall be retained for the benefit of such city, the balance to be accounted
12 for by the treasurer of such city at the end of each quarter to the county treasurer, one-
13 half of which sum shall be converted to the general fund of such county, and one-half to
14 be used for the erection and maintenance of a home for aged and disabled soldiers and
15 sailors and their families of Iowa, at such time and place as may be hereafter determined
16 by the State Legislature.

SEC. 5. All laws and parts of laws contravening the provisions of this act in any manner
2 whatever are hereby repealed so far as the same shall conflict herewith.

SEC. 6. This act being of immediate importance it shall take effect and be in force from
2 and after its passage and publication in the Iowa State Register and Des Moines Leader,
3 newspapers printed and published at Des Moines, Iowa.