

A BILL

FOR AN ACT AMENDING CHAPTER SIX. (6), TITLE ELEVEN (11), OF THE CODE OF 1873, AS AMENDED BY CHAPTER ONE HUNDRED AND FORTY-THREE OF THE ACTS OF THE TWENTIETH GENERAL ASSEMBLY, RELATING TO THE SALE OF INTOXICATING LIQUORS.

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

SECTION 1. That section 1526 of the Code be and the same is hereby repealed, and the following enacted in lieu thereof :

“Sec. 1526. Any authorized pharmacist shall be permitted to manufacture or buy and sell intoxicating liquors, not including ale and beer, for medicinal, mechanical, culinary and sacramental purposes only, provided he shall first obtain permission from the board of supervisors of the county in which such business is to be conducted, as hereinafter provided.

SEC. 2. That section 1540 of the Code, as amended by section ten, of chapter 143, of the Twentieth General Assembly, be and the same is hereby amended by inserting immediately after the word “ liquors ” in the sixth line of said section, the following : “ Or any person who shall take or receive from any person in this State any order for any intoxicating liquors, or who shall agree with any person in this State to send to him by express or otherwise, any intoxicating liquors, unless such person be a registered pharmacist, duly authorized to receive such liquors.”

SEC. 3. That section 1543 of the Code, as amended by section twelve, of chapter 143, of the acts of the Twentieth General Assembly, be and the same is hereby amended by inserting immediately after the word “ paid ” in the seventeenth line of said section, the following : “ And evidence of the general reputation of the building or place designated, shall be competent to prove the existence of such nuisance.”

SEC. 4. That section 1551 of the Code, as amended by section thirteen, of chapter 143, of the acts of the Twentieth General Assembly, be and the same is hereby amended by inserting immediately after the word “ office ” in the fifteenth line of said section, the following : “ And disqualify him from holding any office under the laws of Iowa for ten years.”

SEC. 5. That section 1553 of the Code, as amended by section fourteen, of chapter 143, of the acts of the Twentieth General Assembly, be and the same is hereby amended by adding

3 thereto the following: " And the finding of any intoxicating liquors in the possession of
4 any of said parties, companies or common carriers, or in the possession of an agent or
5 employe of either of them while in, transit, or for delivery after transit, to a party not a
6 registered pharmacist, shall be *prima facie* evidence of the guilt of such party, company,
7 common carrier, agent, or employe, as the case may be; *provided*, that any such party, com-
8 pany, or common carrier, or any agent or employe of either of them, whose duties as such
9 require him to handle any package, shall have authority to require the consignor or con-
10 signee of such package consigned to any person, or to be delivered to any person, not hold-
11 ing a permit and suspected of dealing in intoxicating liquors, to open the same for inspection
12 before receiving same for shipment or delivering same, as the case may be; *and provided*
13 *further*, that when any peace officer believes, or is reliably informed by affidavit or other-
14 wise, that any barrel, keg, or other vessel, or box, or other package, is in the possession of
15 any express company, railway company, or other common carrier, for delivery to any person
16 who is not authorized to deal in intoxicating liquors, and that the same contains intoxicat-
17 ing liquors, he shall take possession thereof and open and examine the same, and if found
18 to contain any intoxicating liquors, he shall forthwith file an information against the same,
19 as is provided by law in other cases.

SEC. 6. That section 1554 of the Code be and the same is hereby amended by adding
2 thereto the following: " And persons receiving by gift or sale to them, any intoxicating
3 liquors mentioned in this chapter, contrary to the provisions of this chapter, shall not
4 thereby be disqualified from testifying before any grand jury, magistrate or court, of and
5 concerning the fact of such sale or gift, and shall not be held to be an accomplice of such
6 seller or giver."

A BILL

FOR AN ACT TO AMEND SECTIONS 1525, 1526, 1540, 1542, 1551, 1553 AND 1554 OF THE CODE OF 1873, AS AMENDED BY THE ACTS OF THE TWENTIETH GENERAL ASSEMBLY.

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

SECTION 1. That section fifteen hundred and twenty-five of the Code of 1873, be and the same is hereby amended by striking out the four last words of said section, and adding in lieu thereof, the following: "State penitentiary not to exceed six months."

SEC. 2. That section fifteen hundred and twenty-six of the Code of 1873, be and the same is hereby amended by striking out all that part of said section ending with the word, "Confectioners" in the third line of same, and inserting in lieu thereof, the following: "Any Registered Pharmacist of the State."

SEC. 3. That section fifteen hundred and forty of the Code of 1873, be and the same is hereby amended by striking out the words "County jail" in the fourteenth line of said section, and inserting in lieu thereof, the words "State penitentiary."

SEC. 4. That section fifteen hundred and forty-two of the Code of 1873, be and the same is hereby amended by striking out of the fifteenth line of said section, the words "County jail" and inserting in lieu thereof, the words "State penitentiary."

SEC. 5. That section fifteen hundred and fifty-one of the Code of 1873, be and the same is hereby amended by adding thereto the following: "and disqualify him from holding any office under the laws of Iowa."

SEC. 6. That section fifteen hundred and fifty-three of the Code of 1873 be and the same is hereby amended by inserting after the word "calling," in the seventh line of said section the following words, or any "railway company, express company or other common carrier," and by striking out of the fifteenth line of said section the words "and for each subsequent;" and adding to said section the following: "and for each subsequent offense shall pay a fine of not less than three hundred dollars, nor more than five hundred dollars and costs of prosecution; or shall be imprisoned in the State penitentiary for not less than three months nor more than one year; and the finding of any intoxicating liquor mentioned in this chapter in the possession of said parties, companies, or common carriers, or in the possession of an agent or employe of either of them while in transit, or for delivery to a

11 party not holding a permit as in this chapter provided for, shall be conclusive evidence of
12 the guilt of such party, company, or common carrier as the case may be.

SEC. 7. That section fifteen hundred and fifty-four of the Code of 1873 be and the same
2 is hereby amended by adding thereto the following: "And persons receiving by gift or
3 sale to them, any of the intoxicating liquors mentioned in this chapter, shall not thereby be
4 disqualified from testifying before any grand jury, magistrate or court of and concerning
5 the fact of such gift or sale; and shall not be held to be an accomplice of the giver or seller
6 as the case may be.

SEC. 8. 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 Des Moines Leader,
3 newspapers published at Des Moines, Iowa.