

A BILL

*with
amendment*

FOR AN ACT TO REPEAL SECTION 1548 OF CHAPTER 6, OF TITLE 11, OF THE CODE RELATING TO THE OFFENSE OF INTOXICATION, AND TO ENACT A SUBSTITUTE THEREFOR.

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

SECTION 1. That section 1548 of chapter 6, of title 11, of the Code be, and the same is hereby repealed, and the following enacted in lieu thereof :

Section 1548. If any person shall be found in a state of intoxication, such person shall be deemed guilty of a misdemeanor, and any peace officer shall, without warrant take such person in custody till an information can be filed and a warrant issued, upon which such person shall be arrested and tried, and if such person is found guilty of the offense of intoxication, the magistrate or police judge or mayor before whom such intoxicated person is tried, shall fine such person if for the first offense of intoxication in the sum of twenty-five dollars, and in default of the payment of such fine and costs, such person shall be committed to the county jail for the period of five days, provided however, such person so found guilty of the offense of intoxication shall have the right to enter a personal recognizance conditioned that such person will attend the supervisor of streets if in a city or town, or highway supervisor if in a road district whenever such supervisor shall serve such person with notice, and such person shall work three full days upon such streets or highways, under the direction of such supervisor of streets or highways, if such person shall fail to attend at such time so notified by such supervisor, then such supervisor shall notify the officer before whom such person was so found guilty, and such magistrate, police judge or mayor shall thereupon issue a warrant of commitment and deliver the same to any peace officer and such person shall be committed for the period sentenced. And provided further, if any person shall be found guilty of the second offense of intoxication, such person shall be fined in the sum of fifty dollars and costs, or be committed for the period of ten days or qualify and work on streets or highways for the period of six days or in default be committed for the term sentence for the second offense of intoxication. And provided further, if any person shall be found guilty of the offense of intoxication for the third time, then such person shall be fined the sum of one hundred dollars and costs or stand committed for the period of twenty days or qualify as in this act provided and work for the full period of twelve days upon the streets or highways, or be committed for the period sentenced, as in this act provided.

*Suppression
of Intemperance*

A BILL

FOR AN ACT TO REPEAL SECTION 1548 OF CHAPTER 6, OF TITLE 11, OF THE CODE, RELATING TO THE OFFENSE OF INTOXICATION, AND TO ENACT A SUBSTITUTE THEREFOR.

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

SECTION 1. That section 1548 of chapter 6, of title 11, of the Code be, and the same is hereby repealed, and the following enacted in lieu thereof :

Section 1548. If any person shall be found in a state of intoxication, such person shall be deemed guilty of a misdemeanor, and any peace officer shall without warrant take such person in custody till an information can be filed and a warrant issued, upon which such person shall be arrested and tried, and if such person is found guilty of the offense of intoxication, the magistrate or police judge or mayor before whom such intoxicated person is tried, shall fine such person if for the first offense of intoxication in the sum of ten dollars, and in default of the payment of such fine and costs, such person shall be committed to the county jail for the period of five days; *provided however*, such person so found guilty of the offense of intoxication shall have the right to enter a personal recognizance conditioned that such person will attend the street commissioner if in a city or town, or highway supervisor if in a road district whenever such commissioner or supervisor shall serve such person with notice, and such person shall work three full days upon such streets or highways, under the direction of such supervisor of streets or highways, if such person shall fail to attend at such time so notified by such supervisor, then such supervisor shall notify the officer before whom such person was so found guilty, and such magistrate, police judge or mayor shall thereupon issue a warrant of commitment and deliver the same to any peace officer and such person shall be committed for the period sentenced. And *provided further*, if any person shall be found guilty of the second offense of intoxication, such person shall be fined in the sum of twenty-five dollars and costs, or be committed for the period of ten days or qualify and work on streets or highways for the period of six days or in default be committed for the term of sentence for the second offense of intoxication. And *provided further*, if any person shall be found guilty of the offense of intoxication for the third time, then such person shall be fined the sum of fifty dollars and costs or stand com-

27 mitted for the period of twenty days or qualify as in this act provided and work for the
28 full period of twelve days upon the streets or highways, or be committed for the period
29 sentenced, as in this act provided. The officer before whom such person is tried and
30 convicted may remit the penalty in the first offence, but in no other, and order the pris-
31 oner's discharge upon his giving information, under oath, stating when, where and of
32 whom he purchased or received the liquor which produced the intoxication.