

Clark

A BILL

FOR AN ACT RELATING TO SALES, AND SOLICITING ORDERS FOR SALES OF INTOXICATING LIQUORS IN CERTAIN CASES, AND PROVIDING PUNISHMENT THEREFOR.

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

SECTION 1. It is hereby made unlawful for any person, persons, company or corporation, 2 having authority under the laws of this State, to buy and sell intoxicating liquors, by 3 permit or otherwise, to sell intoxicating liquors directly or indirectly, or to solicit, take or 4 accept any orders for the sale thereof, either by himself, his clerk, servant, agent or 5 employe, outside of the county in which said sale is authorized under said authority or 6 under said permit.

SEC. 2. The soliciting, taking or accepting any order for the purchase or sale of intoxicat- 2 ing liquor, where said order, if filled, is to be filled in, or said liquor, if forwarded, is to be 3 from another county than that in which said order is solicited, taken or accepted, is hereby 4 made and declared to be a sale of intoxicating liquors, within the meaning of the statutes of 5 this State, relating to the sale of intoxicating liquors, and such soliciting, taking or accept- 6 ing of any order as aforesaid, is hereby made and declared to be unlawful.

SEC. 3. If any person by himself, his clerk, servant, agent or employe, shall for himself 2 or any person else directly or indirectly, or on any pretense, or by any device, sell any 3 intoxicating liquors, or solicit, take or accept any order for the sale thereof in violation of 4 any of the provisions of this act, he shall be deemed guilty of a misdemeanor, and the courts 5 and magistrates within the county in which such sale as aforesaid is made, or said order is 6 solicited, taken or accepted, are hereby given jurisdiction of offenses under this act, and in- 7 formations, indictments, proceedings, trial and judgment for the violation of any of the pro- 8 visions of this act, shall be had, proceeded with, and enforced in accordance with the pro- 9 visions of section 1540 of the Code, as now or hereafter amended, and upon the first, second, 10 third, and subsequent convictions, respectively hereunder, the person so convicted shall be 11 punished by fine, and committed until paid, or by imprisonment, or by fine and imprison- 12 ment to the same extent, and by same punishment that is now or may hereafter be provided 13 in said section 1540 and amendments thereto for the first, second, third, and subsequent con- 14 convictions thereunder.

SEC. 4. Courts and jurors shall construe this act so as to prevent evasion, and so as to
2 cover all sales or orders as aforesaid, whether the consideration therefor be money, prop-
3 erty, labor, services rendered or to be rendered, or other valuable thing. But it is expressly
4 provided, that the provisions of this act shall not apply to purchasers by, or sales to persons
5 holding permits or authorized to buy and sell intoxicants under the laws of this State,
6 when the same are made in accordance with said permit or authority.

SEC. 5. This act being deemed of immediate importance, shall take effect from and after
2 its publication in the Iowa State Register and Des Moines Leader, newspapers published in
3 Des Moines, Iowa.