

transportation of all persons and their property across the said river, when passable, without delay.

SEC. 2. Nothing in this act shall be so construed as to interfere with the right that any individual may have to the lands on either side of said river. Right in lands not affected.

SEC. 3. This act shall take effect and be in force from and after the first day of April next. When to take effect.

Approved January 4, 1840.

[Chap. 22.]

AN ACT regulating Grocery License.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That any person wishing to obtain a license to keep a grocery, shall apply to the board of county commissioners of the proper county, who shall issue their warrant directing the person so applying, to pay into the county treasury, a sum not exceeding one hundred nor less than twenty-five dollars, as the case may be, in the discretion of the board, and obtain the treasurer's receipt for the same, and upon the presentation of such receipt, the board shall grant to such applicant a license to keep a grocery in said county for the term of one year, by the said applicant executing a bond to the said board in the penalty of one hundred dollars, with one or more sufficient securities, conditioned that he will keep an orderly house, and that he will not permit any unlawful gaming or riotous conduct in or about his house; and upon a violation of the requisitions herein contained, the person so offending shall pay a fine of not less than ten nor more than fifty dollars, for the use of the county in which the offence was committed, to be recovered by law, as debts are recovered. County commissioners to grant license. Bond. Penalty.

SEC. 2. License granted to keep a grocery, shall not authorize the person obtaining such license to vend or sell spirituous or vinous liquors in more than one place or house at the same time. License to include only one place.

SEC. 3. A grocery shall be deemed to include any house or place where spirituous or vinous liquors are retailed by less quantities than one gallon. What a grocery.

SEC. 4. If any person shall sell or retail any spirituous or vinous liquors in less quantity or quantities than one gallon without first having obtained a license agreeably to this act, he shall, upon conviction, be liable to a fine of not less than ten nor more than fifty dollars, for the use of the county in which the offence was committed, to be recovered by law, as debts are recovered. Penalty.

tion thereof, be fined in any sum not exceeding one hundred dollars nor less than fifty dollars, for the use of the county where the offence shall have been committed, to be recovered by motion, in any court of record having cognizance thereof.

Duties of
county officers

SEC. 5. And it [is] hereby made the duty of all county officers, knowing of any violation of the foregoing regulations of this act, to make complaint thereof to the grand jury, at the next session of the district court after such violation, and of the clerk of the board of county commissioners or county treasurer to sue on the bond for any violation of its conditions: *Provided however*, That no provisions of this act shall be so construed as to interfere [with] or in any way abridge the powers and privileges granted to the cities and incorporated towns within this territory.

Not to restrict
powers of
cities.

Laws re-
pealed.

SEC. 6. All laws now in force coming within the purview of this act are hereby repealed: *Provided*, That nothing contained in this act shall affect any licenses heretofore granted under the laws of this territory.

When to take
effect.

SEC. 7. This act to take effect and be in force from and after the first day of June next.

Approved January 4, 1840.

[Chap. 23.]

AN ACT to provide for the appointment of a librarian, and for other purposes.

Appointment

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That a librarian shall be annually appointed on the nomination of the governor, by and with the advice and consent of the Council.

Bond.

SEC. 2. That said librarian shall give bond to the secretary of the territory, in the sum of five thousand dollars, for the faithful performance of his duties; and he shall take an oath impartially and faithfully to discharge the duties of librarian, which, together with a certificate thereof, shall be indorsed on said bond.

Oath

Care of
library.

SEC. 3. He shall have the custody, charge, safe keeping, management and direction of all books, papers, maps, charts, engravings, paintings, and all other things of what nature soever; properly belonging to the library, and shall take especial care that none of them be lost or injured.