

CHAPTER 8.

STRIKING ALE, WINE AND BEER CLAUSE FROM SECTION 1555 OF CODE.

H. F. 14. AN ACT to Repeal Section 1555, Chapter 6, Title XI, of the Code, and to Enact a Substitute Therefor, Relating to Intoxicating Liquors.

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

Section 1555 repealed.

SECTION 1. That Section 1555, Chapter 6, Title XI of the Code be, and the same is hereby repealed, and the following is enacted in lieu thereof:

Substituted section.

SECTION 1555. Wherever the words intoxicating liquors occur in this chapter, the same shall be construed to mean alcohol, ale, wine, beer, spirituous, vinous and malt liquors, and all intoxicating liquors whatever: and no person shall manufacture for sale, or sell, or keep for sale, as a beverage, any intoxicating liquors whatever including ale, wine and beer. And the same provisions and penalties of law in force relating to intoxicating liquors, shall in like manner be held and construed to apply to violations of this act, and to the manufacture, sale, or keeping for sale, or keeping with intent to sell, or keeping or establishing a place for the sale of ale, wine and beer, and all other intoxicating liquors whatever.

Repealing clause.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved, March 4, 1884.

CHAPTER 9.

PRESERVATION OF FISH IN PERMANENT LAKES.

H. F. 74. AN ACT to Protect and Preserve the Fish in the Permanent Lakes and Ponds within the State of Iowa.

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

Spearing season.

SECTION 1. That no person shall take by spearing with a gaff, spear or other device any fish from any of the permanent lakes or ponds, or outlets or inlets thereto within the state of Iowa, between the first day of November and the thirty-first day of May next following.

SEC. 2. It shall be unlawful for any person, company, or corporation, knowingly to buy or sell, or offer for sale, or have in his or their possession, any fish which shall have been taken from any of the permanent lakes or ponds, or outlets or inlets thereto within this state by spearing with gaff, spear or other device between the first day of November and the thirty-first day of May next following. And any person who may draw from the water any game fish such as pike, bass, and the like when seining for minnows for bait, shall return the same without injury under the penalties of this act.

Unlawful vending.

SEC. 3. Any person found guilty of a violation of any of the provisions of this act shall upon conviction before any magistrate be fined not less than five dollars nor more than twenty dollars for the first offense, and for the second or any subsequent offense not less than twenty dollars nor more than one hundred dollars, and shall stand committed until such fine be paid.

Penalty.

SEC. 4. Prosecution for violations of this act may be brought and maintained in any county in which offense was committed or in any county where the person, company, or corporation against whom complaint is made, has or has had or has bought or sold or offered for sale any fish which were taken by spearing in violation of this act.

Place of action.

SEC. 5. In all prosecutions under this act the court before whom the same is brought, or in which it shall be prosecuted, shall appoint an attorney for the prosecution of the case, and such attorney and the person filing the information under this act shall each be entitled to a fee of five dollars for each and every conviction, which fees of such attorney and informant shall be taxed as costs in the case against the person or persons so convicted, and any fish found in the possession of any person, company or corporation in violation of the provision of this act may be seized and sold for the purpose of paying the costs in the case, but in no case under this act shall any county be liable for the fees of such attorney or informant.

Prosecutor appointed.

Fees of prosecutor and informer.

Fish seized and sold for costs.

SEC. 6. Nothing in this act shall prevent any person from taking fish of his own propagation or from waters wholly within his own land, to which there is no natural outlet through which the fish pass up or down.

Spearing on one's own land.

SEC. 7. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, and Iowa State Leader, newspapers published in Des Moines, Iowa.

Publication.

Approved, March 6, 1884.†

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Iowa State Leader* March 8, 1884.

J. A. T. HULL, *Secretary of State.*