

A BILL

FOR AN ACT TO REPEAL CHAPTER 5, TITLE 25, OF THE CODE OF IOWA, AND CHAPTER 69 OF THE SIXTEENTH GENERAL ASSEMBLY, AND TO DEFINE WHO ARE VAGRANTS AND TO PUNISH VAGRANTS.

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

SECTION 1. That chapter 5, title 25, of the code of Iowa, and chapter 69 of the sixteenth
2 general assembly, are hereby repealed, and that the sections following be enacted in lieu
3 thereof:

SEC. 2. The following persons are vagrants: All persons who tell fortunes, or where lost
2 or stolen goods may be found; all common prostitutes and keepers of bawdy houses, or houses
3 for the resort of prostitutes; all habitual drunkards, gamesters, or other disorderly persons;
4 all persons wandering about and having no visible calling or business to maintain them-
5 selves; all persons begging in public places, or from house to house, or procuring children so
6 to do; all persons going about as collectors of alms for charitable institutions under any false
7 or fraudulent pretenses; all persons playing or betting in any street or public or open place.
8 at, or with any table or instrument of gaming, at any game or pretended game of chance.

SEC. 3. Upon complaint made on oath to any magistrate against any person as being such
2 vagrant within his local jurisdiction, as defined in the code of Iowa, he shall issue a warrant for
3 the arrest of such person.

SEC. 4. All peace officers shall arrest any vagrant whom they may find at large and not
2 in the care of some discreet person, and take him without unnecessary delay before some
3 magistrate of the county, city or town in which the arrest is made, and cause an informa-
4 tion to be filed against the person so arrested, charging him with vagrancy.

SEC. 5. The information, warrant, arrest, examination, bail and trial of the person so
2 charged with vagrancy shall, as nearly as practicable, be governed by the provisions of title
3 25 of the code of Iowa.

SEC. 6. If upon the trial before a magistrate it shall appear by the confession of such
2 person, or by competent testimony, that such person is a vagrant, and that he has not pre-
3 viously been convicted of vagrancy, or if previously convicted of vagrancy, that he is under
4 the age of eighteen years, he shall be punished by imprisonment in the county jail not ex-
5 ceeding thirty days or by fine not exceeding \$100.

SEC. 7. If it appear by the confession of the defendant or by competent testimony that
2 there is sufficient reason for believing that such person is a vagrant, and that he has pre-
3 viously been convicted of vagrancy, and that such person is over the age of eighteen years,
4 the magistrate before whom he is brought shall bind him over to the district court to answer
5 any indictment that may be found against him by the grand jury.

SEC. 8. Any person over the age of eighteen years, who has been convicted of vag-
2 rancy, and who upon indictment found by the grand jury, shall in the district court be again
3 convicted of vagrancy, shall be punished by fine not exceeding three hundred dollars or by
4 imprisonment in the county jail not exceeding one year, or by imprisonment in the peniten-
5 tiary not more than one year, in the discretion of the court. *Provided*, that the indictment
6 upon which such person is convicted has not been found within six months after a previous
7 conviction. But if the indictment upon which such person is convicted in the district court
8 was found by a grand jury within six months after a previous conviction of such person for
9 vagrancy, then such person shall be punished by imprisonment in the penitentiary not more
10 than one year.

SEC. 9. The district court or any justice of the peace in any county in which means are
2 provided in the jail of such county for employing offenders at hard labor, may, in sentencing
3 any male vagrant physically able to perform manual labor to imprisonment in the common
4 jail, order the person so sentenced to be kept at hard labor.

SEC. 10. The board of supervisors of the several counties are hereby authorized to make
2 provisions for furnishing employment to persons sentenced to imprisonment in the county
3 jail at hard labor, and for that purpose may purchase any necessary raw materials and imple-
4 ments, and the expense incurred thereby shall be audited by the board of supervisors of such
5 counties and paid out of the county treasury, and the sheriff of the county may compel such
6 persons sentenced to imprisonment in the county jail at hard labor, to perform such work as
7 shall be allotted to them.

SEC. 11. The board of supervisors of the several counties, for the purpose of carrying the
2 provisions of the foregoing sections into effect, are hereby authorized, by order entered on their
3 journals, to declare that the jail shall extend to and include the lands of the proper county,
4 and that every form and kind of labor commonly performed therein shall be performed by
5 male persons sentenced to hard labor.