

General Assembly, it is hereby provided that whenever it shall be deemed necessary by any city to enter upon, take, appropriate, and hold any lands within or without the territorial limits of such city, for the use of public squares, parks, commons, cemeteries, hospital-grounds, or any other proper and legitimate municipal use, then such city may proceed to ascertain the damages to the owners of such lands by reason of the appropriation thereof, as aforesaid, as is now provided by law for the opening of streets, by proceeding to condemn private property, and, upon the payment of the damages assessed, the fee-simple title to any lands so condemned shall vest in the city, provided the same right of appeal shall be preserved to the owners as in proceedings to appropriate land for opening streets.

Cities may take lands for squares, parks, cemeteries, hosp't'l gr'ds, etc., after paying assessed damages

Appeal.

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register, and Des Moines Evening Statesman, newspapers published at Des Moines.

Taking effect.

Approved, April 7, 1870.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, April 13, and in *The Daily Des Moines Statesman*, April 13, 1870.

ED WRIGHT, *Secretary of State*.

CHAPTER 81.

CITIES AND TOWNS.

AN ACT Authorizing Cities and Towns to punish for the Violation of Ordinances and By-Laws. APRIL 7.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the board of trustees, city council, or other legislative power of any city or town, now or hereafter incorporated under the laws of this State, shall have power to provide by ordinance for the punishment of any person found guilty of violating any ordinance or by-law of such city or town, by fine, penalty, or forfeiture, not exceeding one hundred dollars, or by imprisonment in jail not to exceed thirty days; but such city or town using

Penalty may be \$100 fine, or 30 days in jail.

Liabilities to county for expenses in jail. any-county jail shall be liable to the county for the expenses and costs of keeping such prisoners; which may be recovered by action therefor.

Commitment when fines are not paid. SEC. 2. Whenever the fine and costs imposed for the violation of any ordinance or by-law are not paid, the person convicted may, by the officer having jurisdiction in the case, be committed until fine and costs are paid: *Provided, however,* that no imprisonment in such cases shall be for more than thirty days.

Approved, April 7, 1870.

CHAPTER 82.

PROHIBITORY LIQUOR LAW.

APRIL 8. AN ACT to Provide for the Prohibition of the Sale of Ale, Wine, and Beer in Counties, by a Vote of the People.

Rev. : ch. 64. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be unlawful for any person to sell by himself, his clerk, steward, or agent, directly or indirectly, any ale, wine, malt liquors, or beer of any kind, except as provided in section 1560 and article 2, of chapter 64 of the Revision of 1860, and acts amendatory thereto, and the keeping of ale, wine, malt liquors, or beer, of any kind, with intent on the part of the owner thereof, or any other person acting under his authority, or by his permission, to sell the same within the State contrary to the provisions of this act, is hereby prohibited, and the ale, wine, malt liquors, or beer of any kind so kept, together with the vessels in which it is contained, are declared a nuisance, and shall be forfeited and dealt with as hereinafter provided.

Unlawful to sell ale, wine, malt liquors, or beer, except, etc. Same prohibited. Liquors and vessels a nuisance.

Penalties and procedure. SEC. 2. The penalties for any violation of this act, and the mode of procedure against any person or persons for the violation of any of the provisions thereof, shall be the same in all cases as is now provided for in case of the sale of intoxicating liquors, in chapter 64 of the Revision of 1860, and the selling or keeping for sale, contrary to the provisions of this act, any of the liquors prohibited by the first section of this act, in any house or place, shall constitute said house or place a nuisance, and the building, as well as the person or persons so offending against the

House where sold a nuisance.