

## [80] CHAPTER 67.

## GROCERY LICENSE.

## AN ACT regulating grocery license.

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

**SECTION 1. Board of commissioners to grant license for selling liquors in less quantities than one gallon—execute a bond—condition of bond—proviso.** That any person wishing to obtain a license to keep a grocery or wishing to sell any spirituous or vinous liquors in any quantity less than one gallon, 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 and twenty-five, nor less than fifty 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 and fifty dollars, with one or more sufficient securities, conditioned that he will keep a good orderly house and that he will not permit any unlawful gaming or riotous conduct in or about his house, neither will he permit any habitual drunkenness, or those that are daily in the habit of becoming intoxicated to be and remain about his house, and upon a violation of the requisitions herein contained, the persons offending shall pay a fine of not less than twenty, nor more than fifty dollars for the use of the county in which the offense was committed, to be recovered by law as other debts are recovered: *provided*, that the commissioners in each and every county in this state, may, in their discretion refuse to grant license to any person.

**SEC. 2. License authorizes a person to sell in but one place.** 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 in the county in which such license was obtained.

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

**SEC. 4. Person selling liquor without license liable to fine and imprisonment.** 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, and he shall upon conviction thereof be fined in any sum not exceeding one hundred and fifty [81] nor less than fifty dollars, for the use of the county where the offense shall have been committed, to be recovered by indictment in any district court in this state having cognizance thereof, and be imprisoned in the jail of the proper county not less than ten nor more than thirty days, to be fixed by the jury trying the cause.

**SEC. 5. Township officers to make complaint to grand jury—any other person may make complaint—proviso.** And it is hereby made the duty of all county or township officers, knowing of any violations 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 any other person who may know of any violation of the foregoing act, may make complaint before the grand jury as aforesaid, and the clerk of the board of county commissioners 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 to abridge the powers and privilege granted to cities or incorporated towns within this state.

**SEC. 6. Repealing section.** All acts and parts of acts now in force upon the subject of grocery or grocery license, are hereby repealed.

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

Approved, January 13, 1849.

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## CHAPTER 68.

### FERRY.

AN ACT to authorize Chancey G. Dibble to establish and keep a ferry across the Des Moines river, at Farmington, Van Buren county, Iowa.

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

**SECTION 1. Ferry across the Des Moines—proviso.** That Chancey G. Dibble, his associates, heirs, and assigns, are hereby authorized to establish and keep a ferry across the Des Moines river, at the town of Farmington, Van Buren county, for the term of twelve years. And the said Chancey G. Dibble, his associates, heirs, and assigns, shall have the exclusive privilege to the same for one mile up said river from the point where the ferry is kept, and from said point one mile down the river: *provided*, they shall be subject to all laws now in force regulating ferries, or which may be in force during said term.

**SEC. 2. Boats propelled by steam, horse, etc.** The boat or boats necessary for the conducting of the said ferry, may be so constructed as to be propelled by steam, horse, or [82] such other power or means as the said proprietors may deem expedient.

**SEC. 3. Take effect.** This act to take effect and be in force from and after its passage, and may be altered or repealed by any future legislature.

**SEC. 4.** All acts or parts of acts in conflict with this act are hereby repealed.

**Authentication.** This bill having remained with the governor three days (Sundays excepted) the legislative assembly being in session it has become a law this 13th day of January, 1849.

JOSIAH H. BONNEY, Secretary of State.

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## CHAPTER 69.

### PITTSBURGH.

AN ACT to vacate a part of the town of Pittsburgh, in Van Buren county.

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

**SECTION 1. Part of Pittsburgh declared vacated.** That so much of the town of Pittsburgh, in Van Buren county, as is known and designated upon the recorded plat of said town, as blocks eighty-five, eighty-six, eighty-seven, one hundred and four, and one hundred and five; and also so much of Madison, Jefferson, and Seventh streets, in said town, as lie north of Chequest creek, be and the same is hereby declared vacated.

**SEC. 2.** This act to take effect from and after its passage.

Approved, January 13, 1849.