

fifth line thereof; and by striking out the words "county jail not more than thirty days," in the last line thereof, and inserting in lieu thereof the words "one year in the penitentiary;" and by striking out the word "hundred" in the last line and inserting the word "thousand" in lieu thereof.

Approved April 8, 1896.

CHAPTER 70.

AN ACT to amend section 3861 of the Code of 1873 as amended by S. F. 9. chapter 114 of the acts of the 21st General Assembly. [Rape.]

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

SECTION 1. That section 3861 of the Code of 1873 as amended by chapter 114 of the acts of the 21st General Assembly be amended by striking out the word "thirteen" in the second line of said section and inserting in lieu thereof the word "fifteen," and by striking out the word "thirteen" in the fourth line of said section and inserting in lieu thereof the word "fifteen."

Approved March 19, 1896.

CHAPTER 71.

AN ACT providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this state, or bordering on this state, and providing penalties for the violation thereof. S. F. 237.

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

SECTION 1. Whoever shall wilfully take, carry away, or otherwise convert to his own use, or sell or dispose of, without the consent of the owner or owners, any pile, logs, or cant suitable to be worked into plank, board, joist, shingles or other lumber, the property of another, whether the owner thereof be known or unknown, lying or being in any lake, bay, or river in or bordering on this state, or in any tributary of such lake, bay, or river, or tributary, or in or on any slough, ravine, island, bottom, or land adjoining any such lake, bay, or river, or tributary, such property being so taken, carried away, or otherwise converted or sold, or disposed of within this state, or taken possession of with intent to sell or dispose of, as aforesaid, or cuts out, mutilates, destroys, or renders illegible the marks or mark thereon, destroying the identification thereof, or in any manner wilfully injures any such logs, not his own, or places upon such logs, or pieces of timber, any mark or device other than the original mark, shall be deemed guilty of the crime of larceny, and on conviction thereof shall be punished by a fine of not less than fifty (\$50) dollars and by imprisonment in the county jail not

Protection of logs and lumber in any waters of the state.

Wilful injury of, deemed the crime of larceny.

Fine and imprisonment.

less than three months, and on a second conviction for a like crime shall be punished by a fine of not less than one hundred dollars (\$100) and by imprisonment in the state prison not more than two years.

Action to recover.

SEC. 2. Every person guilty of any of the offenses described in this section shall, when convicted thereof in a criminal prosecution or not, be liable to pay the owner or owners of such pile, log, cant, or other lumber respecting which the offense is committed, double the amount of the value of the same, to be recovered in an action therefor.

Possession of presumptive evidence of guilt.

SEC. 3. In any prosecution under this act, if any such pile, log or cant shall be found in the possession of the defendant, either with or without the mark cut out or destroyed, or partly cut out or destroyed, or partly sawed or manufactured into lumber of any kind, fence posts, fence rails, or stove wood, such possession shall be presumptive evidence of his guilt; the owner of any such pile, log, cant or other lumber, may at any time lawfully, by himself or agent, enter in a peaceable manner into or upon any mill or mill boom or raft of logs, piles, cant or other lumber, in any river or its tributaries in or bordering on this state, or on or near the banks of such lakes, bays or rivers, or their tributaries, in search of any such pile, log, cant or other lumber, which he may have lost, and any person who shall wilfully prevent or obstruct such search shall, upon conviction thereof, be liable to a penalty of not less than twenty dollars (\$20) nor more than (\$50) fifty dollars, for every such offense.

Search for property lawfully made.

Liability for prevention of.

Publication clause.

SEC. 4. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader newspapers published in Des Moines, Iowa.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, and Des Moines Leader March 24, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 72.

H. F. 248.

AN ACT to amend sections 2 and 3 of chapter 69 of the Acts of the 25th General Assembly; to fix the regular term of the additional Supreme Judge provided for in said act, and to extend the term of the present incumbent.

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

Sec. 2, ch. 69,
25 G. A.,
amended.

"1898" changed
to "1899."

SECTION 1. That section two of chapter 69 of the acts of the 25 General Assembly be and the same is hereby amended by striking out the figures "1898" in the third line thereof, and inserting in lieu thereof the figures 1899; and by striking out the figures "1897" in the fourth line