

were kept for use, sale or deposit, or has been convicted of two or more of said crimes, and shall thereafter be convicted of any one of such crimes, committed after such second conviction, he shall be imprisoned in the penitentiary for any term not less than fifteen years, provided such former judgments shall be referred to in the indictment, stating the court, date and place of rendition.

SEC. 2. Penalty for fourth conviction of petty larceny. Any person over the age of eighteen years who has been three times convicted of larceny where the value of the property stolen did not exceed twenty dollars, upon being convicted the fourth time of said offense shall be imprisoned in the penitentiary not exceeding three years, provided such former judgments shall be referred to in the indictment, stating the court, date and place of rendition.

SEC. 3. Evidence admitted. On the trial of any of said offenses named in this act a duly authenticated copy of the record of the former judgment in any court wherein said conviction was had, for either of said crimes against the party indicted, shall be prima facie evidence of such former conviction and may be used in evidence against said party.

SEC. 4. Duties of jury and judge. Upon any trial when the indictment refers to former convictions of the defendant, the jury, if it finds the defendant guilty, and the court, if the defendant is convicted on a plea of guilty, must also find and determine specially whether the defendant had previously been convicted of either of the crimes referred to in the indictment and the number of times so convicted.

Approved March 31, 1898.

CHAPTER 110.

H. F. 265.

AN ACT to amend section four thousand eight hundred and fifty (4850) of chapter five (5), title twenty-four (XXIV) of the code, in relation to taking goods from the charge or custody of an officer.

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

SECTION 1. Word "rightfully" excluded. That section four thousand eight hundred and fifty (4850) of the code be, and the same is, hereby amended by striking out the word "rightfully" in the fourth (4th) line of said section.

Approved April 12, 1898.

CHAPTER 111.

H. F. 150.

AN ACT to prohibit illegal voting at primary elections and providing penalties therefor. [Additional to title XXIV, chapter 8, of the code, relating to offenses against the right of suffrage.]

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

SECTION 1. Illegal voting—penalty. Whenever any political party shall hold a primary election for the purpose of nominating a candidate for any public office or for the purpose of selecting delegates to any convention of such party, it shall be unlawful for any person not a qualified elector, or any qualified elector not at the time a member in good faith of such political party, to vote at such primary election. Any person violating the provisions of this section, and any person knowingly procuring, aiding, or abetting such violation, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days.

SEC. 2. Prima facie evidence. It shall be prima facie evidence of the violation of the preceding section, for any person who has participated in any primary election of one political party, to vote at a primary election held by another political party, to select candidates to be voted for at the

same election; or to select delegates to any convention of the party holding such primary election.

SEC. 3. Authority to administer oaths. Any judge of such primary election shall have power to administer oaths to, and to examine under oath, any person offering to vote at such election, touching his qualifications to participate in such primary election, and it shall be the duty of such judge of election to so examine or cause to be examined any person challenged as to his right to vote. Any person testifying falsely as to any material matter, touching his qualifications to participate in such primary election, shall be deemed guilty of perjury and punished accordingly.

SEC. 4. What excepted. Nothing in this act shall be construed to apply to conventions held under the caucus system.

SEC. 5. In effect. This act shall be in force and take effect on and after May 1st, 1898, provided, however, that it shall have first been published in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 7, 1898.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader, April 9, 1898.

G. L. DOBSON,
Secretary of State.

CHAPTER 112.

H. F. 147.

AN ACT prohibiting the adulteration of candy, and prescribing penalties for the violation of the provisions thereof. [Additional to title XXIV, chapter 10, of the code, relating to offenses against public health.]

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

SECTION 1. Manufacture—sale. That no person shall, by himself, his servant or agent, or as the servant or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer to sell any candy adulterated by the admixture of terra alba, barytes, talc, or any other mineral substance, by poisonous colors or flavors, or other ingredients, deleterious or detrimental to health.

SEC. 2. Penalty. Whoever violates any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars (\$100.00) nor less than fifty dollars (\$50.00). The candy so adulterated shall be forfeited and destroyed under the direction of the court.

Approved March 28, 1898.

CHAPTER 113.

H. F. 217.

AN ACT to repeal section five thousand and sixteen (5016) of the code, relating to dead swine, and to enact a substitute therefor.

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

SECTION 1. Not to be dealt in. That section five thousand and sixteen (5016) of the code is hereby repealed and the following enacted as a substitute therefor:

“No person shall buy, sell, deal in or give away, or offer to buy, sell or deal in any swine that have died of any disease, or that have been killed on account of any disease.”

Approved April 12, 1898.