

CHAPTER 2.

CAPITAL PUNISHMENT.

Sub. H. F. 28. AN ACT to Amend Sections one (1), two (2), and three (3), of Chapter 165, of the *Public Acts* of the Seventeenth General Assembly of the State of Iowa, in relation to Capital Punishment.

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

~~§ 1. Chap. 165.
17 G. A.
amended.
Sentence.~~

~~§ 2 amended.~~

~~If found guilty
jury shall name
punishment.~~

~~Under plea of
guilty court
shall designate.~~

~~§ 3 amended.
In case the sen-
tence is death.~~

Publication.

SECTION 1. That section one (1), of chapter 165, of the *public acts* of the seventeenth general assembly be and the same is hereby amended, by adding thereto the following words: " or by the court if the defendant pleads guilty."

SEC. 2. That section two of said act be and the same is hereby amended, so as to read as follows: "Upon trial of an indictment for murder the jury, if they find the defendant guilty of murder in the first degree, must designate in their verdict whether he shall be punished by death, or imprisonment for life at hard labor in the penitentiary. But if such defendant be convicted upon a plea of 'guilty,' the court shall designate whether he shall be punished by death or imprisonment for life at hard labor in the penitentiary."

SEC. 3. That section three (3) of said act be and the same is hereby amended by striking out the first twelve words thereof and substituting in lieu thereof the following: "Whenever the court or jury shall designate that a defendant shall be punished by death."

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

Approved, February 11, 1880.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Iowa State Leader*, February 12, 1880.

J. A. T. HULL, Secretary of State.