

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

in said section and inserting in lieu thereof, the figures "1897" changed to "1898."

SEC. 2. That the term of the present incumbent, who is now filling the vacancy created by said chapter 69 of the acts of the 25th General Assembly, be and it is hereby extended until the 1st day of January, 1899, and until his successor is elected and qualified.

SEC. 3. All acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

Approved April 4, 1896.

CHAPTER 73.

A BILL for an act regulating the forfeiture of contracts for sale of real estate.

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

SECTION 1. Any contract hereafter made for the sale of real estate in the State of Iowa, and which provides for the forfeiture of vendee's rights therein upon the happening of certain conditions, shall not be forfeited or canceled unless 30 days before a declaration of forfeiture is made a written notice be served on the vendee or assignee, notice of whose rights as assignee has been conveyed to vendor, and on the party in possession of said real estate, which notice shall be served in same manner and by same parties authorized to serve original notices, and shall contain a declaration of an intention to forfeit said contract and the reason therefor.

SEC. 2. For the period of 30 days after service of said notice the vendee or those claiming under him may discharge any unpaid payment and costs of service of notice of forfeiture, or perform any condition broken; and, if said payments are made or conditions broken are performed within said period of 30 days, the right to forfeit for defaults occurring before said notice is served is terminated.

SEC. 3. The requirements contained in sections one and two shall be operative in all cases where the intention of the parties as gathered from the contract and surrounding circumstances is to sell or agree to sell an interest in real estate, any contract or agreement of the parties to the contrary notwithstanding.

Approved March 7, 1896.