

auditor for transfer and recorded in the deed records of the county where the action was brought and also in the other counties in the state, if any, where any of the property so partitioned is situated; and in such case the clerk shall transmit to the county recorder of each of such other counties a duplicate of such transcript, and the same shall be there so recorded and transfer so made. Such transcript shall be indexed in the recorder's office the same as conveyances of real estate with the names of the parties so entitled to such shares as grantors, and the name of the party to whom each share is allotted as grantee. The costs of making and recording such transcript shall be taxed as part of the costs in the case."

**SEC. 2. Entry of transcript.** That section two thousand, nine hundred and thirty (2930) of the code be, and the same is, hereby amended by inserting immediately after the words "real estate" in the second line of said section the words "Or transcript as provided in section four thousand two hundred and fifty-nine (4259)."

Approved April 12, 1898.

#### CHAPTER 107.

S. F. 87.

AN ACT to amend section four thousand, five hundred and thirty-eight (4538), chapter one [1], title twenty-two [XXII] of the code, relating to the filing of transcripts.

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

**SECTION 1. Time of filing.** That section four thousand, five hundred and thirty-eight of the code be and the same is hereby amended by striking out the word, "date," in the second line and inserting the word, "time," in lieu thereof.

Approved March 9, 1898.

#### CHAPTER 108.

H. F. 161.

AN ACT to amend section forty-six hundred and six (4606), chapter one (1), title twenty-three (XXIII) of the code, in relation to husband and wife as witnesses.

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

**SECTION 1. Fraudulent transfer of property excepted.** That section forty-six hundred and six (4606), chapter one (1), title twenty-three (23) of the code be amended by adding after the words "the affections of the other" in the fifth line of said section the words as follows: "Or in any civil action brought by a judgment creditor against either the husband or the wife, to set aside a conveyance of property from one to the other on the ground of want of consideration or fraud and to subject the same to the payment of his judgment."

Approved April 12, 1898.

#### CHAPTER 109.

S. F. 111.

AN ACT relating to the indictment and punishment of persons who have been convicted three or more times, and making certain evidence competent proof upon the trial thereof. [Additional to title XXIV of the code, relating to crimes and punishment.]

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

**SECTION 1. Penalty for third conviction of felony.** Whenever any person has been twice convicted of either of the crimes of burglary, robbery, forgery, counterfeiting, larceny where the value of the property stolen exceeded twenty dollars, or of breaking and entering with intent to commit a public offense any dwelling house, office, shop, store, warehouse, railroad car, boat, vessel, or building, in which goods, merchandise, or valuable things,