

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

**SECTION 1. Habitual criminal—punishment.** Whoever has been twice convicted of crime, sentenced and committed to prison, in this or any other state, or by the United States, or once in this state and once at least in any other state, or by the United States, for terms of not less than three years each, shall, upon conviction of a felony committed in this state after the taking effect of this act, be deemed to be an habitual criminal, and shall be punished by imprisonment in the penitentiary for a term of not less than twenty-five years, provided that no greater punishment is otherwise provided by statute, in which case the law creating the greater punishment shall govern, and further provided, that if the person so convicted shall show, to the satisfaction of the court before whom such conviction was had, that he was released from imprisonment, upon either of said sentences, upon a pardon granted for the reason that he was innocent, such conviction and sentence shall not be considered as such under this act.

**SEC. 2. Competent and prima facie evidence.** On the trial of any cause, under the provisions of this act, a duly authenticated copy of the former judgment and commitment, from any court in which such judgment and commitment was had, for either of the said crimes formerly committed by the party indicted under this act, shall be competent and prima facie evidence of such former judgment and commitment, and may be used in evidence upon the trial of said cause.

Approved April 9, 1902.

## CHAPTER 153.

### BAIL AFTER CONVICTION OF CERTAIN CRIMES.

H. F. 401.

AN ACT to amend section five thousand and ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

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

[SECTION 1.] **Murder in the first degree or treason.** That section five thousand and ninety-six (5096) of the code be, and the same is hereby amended, by striking out of the fourth and fifth lines thereof, the words "No defendant convicted of murder, or charged with treason shall be admitted to bail.", and by inserting in lieu thereof the following: "No defendant convicted of murder in the first degree, or of the crime of treason shall be admitted to bail."

Approved April 11, 1902.

## CHAPTER 154.

### THE PROCURING OF EVIDENCE FOR THE IDENTIFICATION OF CRIMINALS.

H. F. 276.

AN ACT to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime. [Additional to chapter thirty-four (34), of title twenty-five (XXV) of the code, relating to evidence and witnesses.]

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

**SECTION 1. Photograph—measurements.** It shall be lawful for the sheriff of any county or the chief of police in any city in this state, to take or procure the taking of the photograph of any person held to answer on a charge of any felony, such person being in the custody of such officer, or to make and record any measurements of such prisoner, by the Bertillion or other system, and to exchange such photographs, or measurements, or copies of the same,