

the original papers and a transcript of all his docket entries in the case to the next nearest Justice in the Township, unless said Justice be a party to the action, or is related to either party by consanguinity or affinity within the 4th degree, or where he has been Attorney for either party in the action or proceeding, and in such case the Justice before whom such action or proceeding is commenced shall transmit all the original papers, together with a transcript of all his docket entries, to the next nearest Justice in the County, against whom none of the above objections exist, who shall proceed to try the case, unless a Jury trial be demanded, but no more than one change of venue in the same case shall be allowed. No more than one change shall be allowed.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 17, 1862.

CHAPTER 34.

DRIVING AWAY STOCK.

AN ACT to prevent the unlawful driving away of Cattle and other stock by drovers and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any drover or other person or persons, engaged in driving horses, cattle, mules, hogs or sheep or any other stock through any part of the State of Iowa, and shall drive off, or shall knowingly and willingly suffer or permit to be driven off from the premises of any citizen of said State, or from the range in which the stock of any such citizen usually run, to any distance exceeding five miles from such premises or range, any horses, mules, neat cattle, hogs or sheep or any other stock belonging to such citizen, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days. Drovers prohibited from driving off Stock.

Penalty.

SEC. 2. Any Justice of the Peace in any county through which such stock shall pass or in which it may be found, shall have jurisdiction of the offense: *Provided,* That a conviction before one Justice shall be a bar to any other prosecution for the same offense. Suit may be commenced before Justice of the Peace.

Civil action
may be had
against per-
sons driving
off Stock.

SEC. 3. The owner of said stock may in addition to the provisions of the preceding sections of this Act, commence civil action against the person or persons so driving off the stock, and if it is proved to have been maliciously or knowingly driven off, shall recover treble damages therefor.

SEC. 4. Any Justice of the Peace in any county where personal service can be had, shall have jurisdiction of the case, the same as though the defendant resided in said county.

SEC. 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 17th, 1862.

CHAPTER 35.

DISEASED SHEEP.

AN ACT to prevent the importation, running at large, and sale of diseased sheep.

Penalty for
importing or
driving into
this State dis-
eased Sheep.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall not be lawful for the owner of sheep, or any person having the same in charge, knowingly to import or drive into this State, sheep having any contagious disease, and any person so offending shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than fifty dollars nor more than one hundred dollars.

Penalty for
turning out or
forselling dis-
eased Sheep.

SEC. 2. That any person being the owner of sheep, or having the same in charge, who shall turn out, or suffer any sheep having any contagious disease, knowing the same to be so diseased, to run at large upon any common, highway, or uninclosed lands, or who shall sell or dispose of any sheep, knowing the same to be so diseased, shall be deemed guilty of a misdemeanor, and shall be punished by a fine in any sum not less than fifty dollars, nor more than one hundred dollars.

Fines go into
School Fund.

SEC. 3. All fines recovered under the provisions of this Act shall be paid into the County Treasury, for the use of the Common School Fund.

Damages
may be recov-
ered.

SEC. 4. Nothing in this Act shall be so construed as to prevent the recovery of damages in civil actions against any person or persons, who shall import or drive such diseased sheep into this State, or who shall allow