

CHAPTER 18.

ADDITIONAL CIRCUIT JUDGE IN SECOND DISTRICT.

S. F. 345. AN ACT Increasing the Number of Circuit Judges in the Second Judicial District of the State.

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

Elect in 1884. SECTION 1. That the second judicial district of this state shall at the general election in the year 1884 and every four years thereafter elect one additional circuit judge.

Term. SEC. 2. The term of office of said additional judge shall commence on the first Monday in January 1885 and continue for four years, or until his successor is elected and qualified.

Judges shall not sit together. SEC. 3. The judges of the circuit court in said circuit shall not sit together in the transaction of the same business, but may together hold the same term making an apportionment of the business of said term between them; and they may hold terms in different counties at the same time.

Fix terms of court. SEC. 4. Immediately after the election and qualification of the additional judge provided for by this act, the circuit judges and the district judge for said district shall together designate and fix by an order under their hand, the times of holding the terms of said court in each county in said district for the years 1885 and 1886, and a similar order shall be by them made every two years thereafter.

Approved, March 14, 1884.

CHAPTER 19.

SUBDIVIDING SIXTH JUDICIAL DISTRICT.

S. F. 160. AN ACT in Relation to the Sixth Judicial Circuit of the State; Subdividing the Same, Providing for the Appointment and Election of Judges of the Circuit Courts therein and Defining the Powers and Duties thereof.

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

Subdivisions. SECTION 1. That the sixth judicial district of this state is hereby divided into two circuits, which shall be known as the first and second circuits of said judicial district and shall be constituted as follows: The first circuit of the judicial district shall be composed of the counties of Poweshiek, Keokuk, Washington and Jefferson. The second circuit of the judicial

district shall be composed of the counties of Jasper, Marion and Mahaska.

SEC. 2. From and after the first day of June A. D. 1884 the circuit judge at this date presiding over the circuit as now constituted in the sixth judicial district shall be and is hereby assigned to the first circuit of said district as hereinbefore created, and during the term to which said circuit judge has been elected, and is now acting, the said judge shall have and exercise jurisdiction within said first circuit to which he is by this act assigned, with the same authority, powers and jurisdiction as though the subdivision made by this act had been made and enforced at the date of his election, and any vacancy occurring in said first circuit, shall be filled for said first circuit in the same manner as is now provided by law for filling vacancies in judicial circuits.

Jurisdiction and powers of present judge.

Vacancy.

SEC. 3. Within thirty days from the taking effect of this act the governor shall appoint a circuit judge for the second circuit by this act created, who shall within thirty days thereafter qualify as circuit judges are now required to qualify, and shall enter upon his duties as circuit judge of said second circuit on the first day of June in the year 1884. The term of office of said appointee shall expire on the first day of January in the year 1885. *Provided*, that any vacancy occurring in said second circuit previous to said first day of January, 1885 shall be filled by appointment by the governor in the manner now provided for filling vacancies in the office of circuit judge.

Judge 2d circuit, appointment and term.

Proviso.

SEC. 4. The said judge who may be appointed under section three hereof, of said second circuit of said judicial district, shall for and during the period, after he enters upon his duties and up to the first day of January 1885, hold terms of his several courts, at the times heretofore designated and assigned, and now being the times for holding the terms of the circuit court in the counties now composing said second circuit, and he is hereby authorized to hold such special terms in any county for the trial of continued causes pending in said circuit court as may be ordered by the circuit judge now acting or that may be appointed for that county, *provided* said order for a special term is made and entered at a regular term of said circuit court; and *provided further* that said special term shall be for trial of only those causes for which the last preceding regular term was the trial term, or in which both parties consent.

Duties of judge of 2d circuit.

Proviso.

SEC. 5. At the general election to be held in the year 1884 there shall be elected in the counties composing said first and second circuits as by this act created, and every fourth year thereafter a judge of the circuit court of each of said first and second circuits, who shall hold his office for the term of four years and until his successor is elected and qualified. The governor shall have the same authority to fill vacancies and the same provisions shall apply with the same force and effect

Election and terms of judges.

Vacancies.

to any vacancies occurring in said first and second circuits by this act created, as now apply to vacancies in judicial circuits.

Powers of
judges.

SEC. 6. The judges of said first and second circuits by this act created shall have and exercise within the counties constituting their said circuits all the rights powers and jurisdiction which are possessed and exercised at this date by the circuit judge within said counties and all provisions of law now applicable to the circuit court or to the judge thereof shall apply, and are hereby made to apply with the same force and effect to said court within said first and second circuits and to the judges whose appointment and election are herein provided for, except so far as the same may be inconsistent with the provisions of this act.

Records.

SEC. 7. The records and books heretofore kept for the business of the circuit court within and for said counties shall be continued and used within and for said respective counties for the same purposes and under the provisions of this act.

Repealing
clause.

SEC. 8. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Publication.

SEC. 9. 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 the Iowa State Leader, newspapers published at Des Moines Iowa, the provisions of section 33 of the code to the contrary notwithstanding.

Approved, March 14, 1884.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Iowa State Leader* March 19, 1884.

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

CHAPTER 20.

IMPROVEMENT OF STREETS IN CERTAIN CITIES.

S. F. 7.

AN ACT Granting Additional Powers to Certain Cities of the First Class, with Reference to the Improvements of Streets, Highways, Avenues or Alleys, and to Provide a System for Payment therefor.

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

Grading, pav-
ing, etc.

SECTION 1. That cities of the first class, that have been or may be so organized since January first, 1881, shall have power to open, widen, extend, grade, construct permanent side-walks, curb, pave, gravel, macadamize and gutter, or cause the same to be done in any manner they may by ordinance deem proper, any street, highway, avenue, or alley within the limits of such city, and may open, extend, widen, grade, park, pave, or otherwise as aforesaid, improve part of any such street, highway, avenue or