

CHAPTER 4.

BOARD OF PUBLIC WORKS IN SPECIAL CHARTER CITIES.

S. F. 38. AN ACT granting additional powers to cities organized under special charters.

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

Additional powers to special charter cities.

SECTION 1. That all cities organized under special charter in this state in addition to the powers now granted, shall have the further and additional powers conferred by this act, as follows, to-wit:

Board of public works.

They shall have power to establish a board of public works which shall consist of such members as the city council may by ordinance prescribe. And the officers and members of such board of public works shall be appointed in such manner and for such length of time, and shall possess such qualifications, receive such compensation, be removable for such causes, possess such powers, perform such duties and be governed by such rules and regulations as the city council may lawfully from time to time prescribe by ordinance.

Publication clause.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and the Iowa State Register, newspapers published at Des Moines, Iowa.

Approved March 29, 1892.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, March 30, 1892.

W. M. MCFARLAND, *Secretary of State*.

CHAPTER 5.

SUPERIOR COURTS ABOLISHED.

H. F. 147. AN ACT to allow any city or town of less than eight thousand inhabitants, in which a Superior Court is now established to abolish the same in the manner prescribed by this Act.

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

Petition by one-third electors.

SECTION 1. Upon the petition of one-third of the qualified electors of any city or town of less than eight thousand inhabitants by the census of 1890, in which a superior court is now established, the mayor by and with the consent of the common council of such city or town, shall at least ten days before an

election for city officers issue a proclamation submitting to the qualified voters of said city or town, the question of abolishing the superior court. The ballots shall either be printed or written and in the following form. "For abolishing superior court" or "Against abolishing superior court."

Form of ballot.

SEC. 2. If a majority of the votes cast at said election are for abolishing said superior court, the mayor of such city or town shall immediately transmit a certificate showing such fact to the secretary of state, and said court shall be abolished to take effect upon the date of the expiration of the term of office of the judge then upon the bench of said court, and the effect of such abolishment shall be to revive and re-establish in such city or town the police court and all the powers incident thereto, in the same manner as the law prescribed for cities and towns where superior courts do not exist.

Certificate as to result of election.

Police court revived.

The judge of said superior court shall before retiring from said position turn over to the clerk of said city or town the judgment records of his court in which is entered and recorded all judgments and fines for the violations of ordinances of such city or town together with all money collected as fines for the violation of ordinances, and take the clerk's receipt therefor. All other books, records, and papers pertaining to said superior court, shall be turned over to the clerk of the district court of the county in which such city or town is situated and his duplicate receipt taken therefor, together with all money in the hands of said judge which has come into his hands as judge of said superior court, and one receipt be filed with the county auditor, and said judge shall immediately make reports to the board of supervisors and city council as to the disposition made of said books, papers, dockets, and moneys as herein provided. It shall be the duty of the clerk of the district court upon receipt of such books, dockets and records belonging to said superior court to transfer all cases pending before said superior court as shown by said record and of which the district court would have jurisdiction to the proper appearance docket of the district court, and to notify the parties or their attorneys of such transfer, and said cause will come on for hearing at the next term of the district court after such transfer without further notice. All causes pending in the superior court at the time of its abolishment of which the district court would not have jurisdiction, shall be transferred to the police court. The clerk of the district court shall make transcript and issue executions from the records of said superior court under the seal of the district court, for which he shall be entitled to charge and receive the same fees as are now allowed for like service in the district court, and all papers so issued shall have the same force and effect as if issued from the superior court during its existence.

Disposition of records.

To city clerk.

To clerk of court.

Cases transferred to court docket.

Cases transferred to police docket.

Approved March 25, 1892.