

## CHAPTER 22.

## ORGANIZATION OF SUPREME COURT.

H. F. 100.

AN ACT to repeal sections one hundred ninety-three (193) and one hundred ninety-four (194) of the code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the supplement to the code, 1907, in reference to the selection of the chief justice of said court.

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

SECTION 1. **Repeal—additional judge.** Section one hundred ninety-three (193) of the code is hereby repealed and the following enacted in lieu thereof. That hereafter the supreme court of Iowa shall consist of seven judges, four of whom shall constitute a quorum to hold court, but one (1) alone thereof may adjourn from day to day or to a certain day or until the next term.

SEC. 2. **Appointment by governor—confirmed by senate—term.** The additional judge provided for in this act shall be filled by appointment by the governor after the taking effect of this act. The governor shall communicate such appointment to the senate. No nomination shall be considered by the senate until the same has been referred to a committee of five to be appointed by the president of the senate without the formality of a motion, which committee shall make its report to the senate in executive session at any time when called for by the senate. The consideration of the nomination by the senate shall not be had on the same legislative day the nomination is referred. The appointee shall be voted on and it shall require the concurrence of two-thirds of all the members elected to the senate to confirm such appointment.

The person so appointed and confirmed shall hold office until the first day of January following the general election in the year 1914 and until his successor is elected and qualified which successor shall, at the general election in the year 1914 and each six years thereafter, be elected for the full term of six years.

SEC. 3. **Repeal—organization.** Section one hundred ninety-four (194) of the code is hereby repealed and the following enacted in lieu thereof:

The court shall organize after the appointment and confirmation of the additional judge provided for by this act and may then be divided into two sections, the chief justice presiding in open court with each of said sections. The said sections so provided for in this act may hold open court separately and cases may be submitted to each section separately in accordance with the rules that shall be provided for by the supreme court. The said supreme court shall also adopt rules for the submission of any case or petition for rehearing whenever differences shall arise between members of either section or whenever the chief justice shall order or direct the submission of said question or petition for rehearing to the whole court. The supreme court shall make all rules and regulations necessary to provide for the submission of cases to the entire bench or to the separate sections herein provided for.

SEC. 4. **Chief justice—how chosen.** Section ten hundred sixty-six (1066) of the supplement to the code, 1907, is hereby amended by striking out the words "and the judge whose term of office shall soonest expire shall be chief justice and when it occurs that two judges shall be equally entitled, they shall

each hold the place of chief justice for one year and the one who is senior in age shall hold for the first of the two years to which they are equally entitled," and insert in lieu thereof the following:

"Of the judges whose terms of office first expire, the senior in time of service shall be chief justice for one year, and, if there be but two of them, the junior for one year, and so on in rotation. If two or more are equal in time of service, then the right to the position and the order in which they serve shall be determined by seniority in age. And at the last term in each year, the supreme court shall determine and enter of record, who, under these rules, shall be chief justice for the year next ensuing."

SEC. 5. **Acts in conflict repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 6. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 15 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 16, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 23.

### APPOINTMENT OF ASSISTANT ATTORNEY GENERAL.

S. F. 348.  
AN ACT to repeal section two hundred twelve (212) of the supplement to the code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

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

SECTION 1. **Repeal—assistant—salary.** That section two hundred twelve (212) of the supplement to the code, 1907, be and the same is hereby repealed, and the following enacted in lieu thereof:

"He may appoint one (1) assistant who shall be required to devote his entire time to the duties of his office and who shall receive an annual salary of twenty-five hundred dollars (\$2500)."

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*