

CHAPTER 236

INDICTMENT—PEREMPTORY CHALLENGES

S. F. 34

AN ACT to authorize two or more indictable offenses to be charged in separate counts in the same indictment or trial information, and to regulate the number of peremptory challenges in such cases.

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

1 SECTION 1. An indictment may charge in separate counts:

2 1. A burglary and one or more other indictable offenses committed
3 in connection with said burglary. The term "burglary" shall em-
4 brace any violation of sections 12994 (twelve thousand nine hundred
5 ninety-four) to 13004 (thirteen thousand four), inclusive, or

6 2. A robbery and one or more other indictable offenses com-
7 mitted in connection with said robbery, or

8 3. The forgery of an instrument and the uttering and publishing
9 of said forgery when both offenses are committed by the same per-
10 son, or

11 4. A conspiracy and the offense committed in pursuance of said
12 conspiracy, if such offense be indictable, or

13 5. An attempt to commit an unlawful miscarriage of a woman, and
14 the homicide resulting from such attempt.

1 SEC. 2. Under the preceding section, separate judgments shall be
2 rendered on each count on which the accused is convicted.

1 SEC. 3. An indictment may charge in separate counts against the
2 same person:

3 1. An indictable larceny, the obtaining of the same property by
4 false pretenses, and the receiving of the same property with knowl-
5 edge that it had been obtained by means of a larceny, or

6 2. The larceny of property and the embezzlement of the same
7 property.

1 SEC. 4. Under the preceding section judgment shall not be rendered
2 against the accused on more than one count.

1 SEC. 5. Section 13836 (thirteen thousand eight hundred thirty-
2 six) of the code is amended by adding thereto the following:

3 "If the indictment charges different offenses in different counts,
4 the state and the defendant shall each have that number of peremptory
5 challenges which they would have if the highest grade of offense
6 charged in the indictment were the only charge."

1 SEC. 6. The term "trial information" shall be deemed to be an
2 information filed by the county attorney under chapter 634 (six
3 hundred thirty-four).

Approved April 7, A. D. 1927.

See chapter 237.