

A BILL

FOR AN ACT TO REQUIRE SECURITY FOR COSTS IN CRIMINAL ACTIONS TRIABLE BY JUSTICES OF THE PEACE.

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

That in all prosecutions for misdemeanors triable by justices of the peace the prosecuting
2 witness shall be required to give a bond, with surety approved by the justice, in the sum of
3 fifty dollars as security for payment of the costs which may be therein taxed, which bond
4 shall be filed with the information in the action and no warrant shall issue for the arrest of
5 any person charged with such offenses unless such bond is filed and approved.

6 In case of the discharge of the defendant by the justice after trial, or by the district court
7 upon appeal, it shall be the duty of the court if he finds that the prosecution was without
8 just cause, to tax all the costs thereof to the prosecutor, and to render judgment therefor
9 against him and against the surety upon such bond, and in all cases in which there is a dis-
10 missal of the charge against the defendant all costs shall be taxed to the principal and surety
11 upon such bond and judgment rendered accordingly. The provisions of this act shall not
12 apply to prosecutions brought by peace officers, charging offenses of which they are personal-
13 ly cognizant, and any poor person who shall be unable to give the security required may be
14 authorized by the county attorney to prosecute without bond, upon making satisfactory proof
15 to county attorney of inability to procure sureties and of the merit of the cause.

16 All acts and parts of enactments in conflict herewith are hereby repealed.