

A BILL

FOR AN ACT TO LIMIT AND DEFINE THE JURISDICTION OF THE SUPREME COURT OF IOWA, AND CREATE AN APPELLATE COURT TO DEFINE ITS JURISDICTION AND TO PROVIDE FOR THE COMPENSATION OF THE JUDGES AND OFFICERS THEREOF.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. There is hereby created an appellant court for the state of Iowa, to consist of three judges, who shall be elected at the next general election after the taking effect of this act, of which one shall be elected for the term of two years, one for the term of four years and one for the term of six years, or until their successors are elected and qualified; and thereafter one such judge shall be elected every two years to hold office for the term of six years, or until his successor is elected and qualified.

Sec. 2. Said court shall have exclusive appellate jurisdiction in all civil cases where the amount in controversy does not exceed three thousand dollars, exclusive of interest and cost, except in cases where the title to real estate is directly involved, or the constitutionality of a statute, or the validity of any act or ordinance of a municipal corporation, or the construction or validity of a will, or in suits for a divorce, or in actions or special pleadings where no money judgment is demanded, other than costs, and all appeals in criminal courts less than a felony.

Sec. 3. The appellant court shall have appellate jurisdiction only in cases of chancery, and shall constitute a court for the correction of errors at law, within the limits hereinbefore defined, under such restrictions as are provided by law for the Supreme Court, and all laws, rules and regulations now provided or hereafter to be adopted for the Supreme Court shall govern the appellate court so far as applicable.

1 Sec. 4. The decision of the appellate court shall be final, and no appeal shall be taken or
2 allowed to the Supreme Court therefrom, and any appeal which may be taken to either of
3 said courts from an inferior court, which shall under the law have been taken to the other
4 court of appellate jurisdiction shall be transferred upon motion of either party of said cause,
5 or by the court on its own motion, to the proper court, and shall stand for trial as if taken in
6 the first instance to the court to which it is transferred, and all abstracts, transcripts of
7 of records, arguments, records and files of the cause belonging, shall follow such transfer,
8 but if any such cause is not so transferred, but passes to a decision in the court in which the
9 appeal was filed, such decision shall be as valid as though the same had been rendered in the
10 court to which it might properly have been appealed.

11 The decision of the Supreme Court on a question of transfer or remand shall be final.

 Sec. 5. The Clerk of the Supreme Court shall be ex officio clerk of the appellate court,
2 and there is hereby created an additional deputy of the Clerk of the Supreme Court, whose
3 salary shall be fifteen hundred dollars per annum, and the same fees shall be collected and
4 charged in the appellate court as in the Supreme Court.

 Sec. 6. The appellate court shall hold its sessions at the seat of the government, at such
2 place as the executive council may provide, and its terms and procedure shall be the same as
3 provided for the Supreme Court; and said court shall have its own seal, having engraved on
4 the face thereof the words, "Seal of Appellate Court of the State of Iowa."

 Sec. 7. The salary of the judges of the appellate court four thousand dollars per annum,
2 each, and the judge whose term next expire shall be presiding judge. Two judges of said
3 court shall constitute a quorum for the transaction of business.

 Sec. 8. The Supreme Court Reporter shall be the reporter of the appellate court, and the
2 opinions of said court shall be published separate from the opinions of the Supreme Court, and
3 only such opinions as are designated by the court shall be published, and such reports shall be
4 published under the rules and regulations governing the publications of the opinions of the
5 Supreme Court, as to compensation, manner of printing and binding and all matters relating
6 to the cost of the same, and they shall be designated as the "Iowa Appellate Court Reports,"
7 but the decisions of the Supreme Court shall be the final and authorizations exposition of the
8 law, and as precedents be binding on the appellate court.