

February 20, 1967

Passed on File

*Inducing 2-21, without Recommendation 3-9
Inducing 3-31.*

By MILLS, RILEY, HILL, O'MALLEY,
RIGLER, GAUDINEER, STANLEY,
DENMAN, NEU and SHIRLEY

Passed Senate, Date 3-29-67

Passed House, Date 6-20-67

Vote: Ayes 56 Nays 0

Vote: Ayes 98 Nays 2

Approved _____

A BILL FOR

An Act to abolish terms for holding court in the district courts of the state.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section twenty-nine A point forty-six (29A.46),
2 Code 1966, is amended by striking from line eighteen (18) the
3 words "in regular term time".

1 Sec. 2. Section sixty-six point seven (66.7), Code 1966,
2 is amended by striking from line one (1) the words "the filing,";
3 all of line two (2) and that part of line three (3) preceding
4 the word "presentation".

5 Further amend said section by striking from line three (3)
6 the word "same" and inserting in lieu thereof the word "petition".

7 Further amend said section by striking from line four (4) the
8 word "judge" preceding the comma and inserting in lieu thereof
9 the word "court" and by striking from line four (4) the words "or
10 judge" and from line five (5) the word "his" and inserting in lieu
11 of the latter the word "its".

1 Sec. 3. Section sixty-six point nine (66.9), Code 1966, is
2 amended by striking from line two (2) the words "or of a judge
3 thereof".

1 Sec. 4. Section sixty-six point eighteen (66.18), Code 1966,
2 is amended by striking from line two (2) the comma after the word
3 "nature" and inserting in lieu thereof the word "and".

4 Further amend said section by striking all after the word

5 "action" in line three (3).

1 Sec. 5. Section sixty-six point nineteen (66.19), Code 1966,
2 is amended by striking from line six (6) the words "or judge
3 thereof".

1 Sec. 6. Section sixty-six point twenty-two (66.22), Code 1966,
2 is amended by striking from line four (4) thereof the words "or
3 judge".

1 Sec. 7. Section sixty-seven point three (67.3), Code 1966, is
2 amended by striking from line five (5) the words "or judge thereof".

3 Further amend said section by striking from lines six (6) and
4 seven (7) the words "or judge".

1 Sec. 8. Section seventy point five (70.5), Code 1966, is
2 amended by striking from line twenty-four (24) the words "entered
3 on the".

4 Further amend said section by striking all of lines twenty-five
5 (25) and twenty-six (26) and inserting in lieu thereof the words
6 "accorded such preference in its assignment for trial as to assure
7 its prompt disposition."

1 Sec. 9. Section eighty-two point ten (82.10), Code 1966, is
2 amended by striking from lines fifteen (15), sixteen (16) and
3 seventeen (17) the words "and the first term after the appeal is
4 perfected shall be the trial term".

1 Sec. 10. Section eighty-two point thirty-eight (82.38), Code
2 1966, is amended by striking all of lines four (4) to thirteen (13),
3 inclusive, beginning with the comma in line four (4) and ending with
4 the word "vacation" in line thirteen (13).

1 Sec. 11. Section eighty-four point twelve (84.12), Code 1966,
2 is amended by striking from subsection two (2), line seven (7) the
3 words "in term time or vacation".

1 Sec. 12. Section eighty-five point forty-five (85.45), Code
2 1966, is amended by striking from subsection three (3), line two
3 (2) the words "or a judge thereof".

1 Sec. 13. Section eighty-five point forty-six (85.46), Code
2 1966, is amended by striking from lines four (4) and five (5) the
3 words "or to any judge thereof".

Further amend said section by striking from line eleven (11) the words "or judge in term time or vacation".

Sec. 14. Section eighty-five point forty-nine (85.49), Code 1966, is amended by striking from lines eleven (11) and twelve (12) the words ", during term time or in vacation".

Sec. 15. Section eighty-five point fifty-two (85.52), Code 1966, is amended by striking from line seven (7) the words "or a judge thereof".

Further amend said section by striking from line fifteen (15) the words "or judge" and from lines seventeen (17) and eighteen (18) the words "or judge".

Sec. 16. Section eighty-six point twenty-eight (86.28), Code 1966, is repealed and the following enacted in lieu thereof:

"The appeal shall be triable at any time after the expiration of twenty days from the date of filing the transcript by the commissioner and after twenty days notice in writing by either party upon the other. Such appeal shall be accorded priority over other matters pending before the district court."

Sec. 17. Section ninety-six point fourteen (96.14), Code 1966, is amended by striking from the second paragraph of subsection seven (7) everything following the comma in line six (6) and inserting in lieu thereof the following: "you will be adjudged in default, your default entered of record, and judgment rendered against you for the relief prayed in plaintiff's petition."

Sec. 18. Section ninety-nine point six (99.6), Code 1966, is amended by striking from line three (3) the words "or judge in vacation,".

Further amend said section by striking from line ten (10) the words "or judge".

Sec. 19. Section ninety-nine point thirteen (99.13), Code 1966, is repealed.

Sec. 20. Section ninety-nine point sixteen (99.16), Code 1966, is amended by striking from line six (6) the words "more than one term of court" and substituting in lieu thereof the

4 words "beyond the first trial calendar to which assigned".

1 Sec. 21. Section ninety-nine point eighteen (99.18), Code
2 1966, is amended by striking from line six (6) the words ", or
3 in vacation of a judge thereof,".

1 Sec. 22. Section ninety-nine point nineteen (99.19), Code
2 1966, is amended by striking from line five (5) the words "or
3 judge".

1 Sec. 23. Section ninety-nine point twenty-six (99.26), Code
2 1966, is amended by striking from lines six (6) and seven (7)
3 the words "or in vacation by the judge thereof" and by striking
4 from line eleven (11) the words "or in vacation the judge,".

1 Sec. 24. Section one hundred point seventeen (100.17), Code
2 1966, is amended by striking from lines four (4) and five (5) the
3 words "and term thereof".

1 Sec. 25. Section one hundred point eighteen (100.18), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "Said appeal shall be triable in equity any time after the
4 filing of the transcript. The court may affirm, notify or revoke
5 the order from which the appeal is taken."

1 Sec. 26. Section one hundred twelve point eight (112.8), Code
2 1966, is amended by striking from lines fifteen (15), sixteen (16)
3 and seventeen (17) the words "will come on for hearing at the next
4 succeeding term of the court and designating such term." and sub-
5 stituting in lieu thereof the words "may be heard at any time after
6 the expiration of twenty days following completion of service of
7 notice."

1 Sec. 27. Section one hundred thirteen point twenty-three
2 (113.23), Code 1966, is repealed and the following enacted in lieu
3 thereof:

4 "Any person affected by an order or decision of the fence
5 viewers may appeal to the district court by filing with the clerk
6 of said court a notice of appeal within twenty days after the
7 rendition of the order or decision appealed from and filing an
8 appeal bond in an amount approved by the township clerk. The town-
9 ship clerk, after recording the original papers, shall thereupon

0 file them in the office of the clerk of the district court,
11 certifying them to be such, and the clerk shall docket them,
12 entitling the applicant or petitioner as plaintiff, and it shall
13 stand for trial as other cases."

1 Sec. 28. Section one hundred twenty-three point sixty-six
2 (123.66), Code 1966, is repealed and the following enacted in
3 lieu thereof:

4 "Any action brought hereunder shall be accorded priority over
5 other business pending before the district court."

1 Sec. 29. Section one hundred twenty-three point sixty-eight
2 (123.68), Code 1966, is amended by striking from lines three (3)
3 and four (4) the words ", or in vacation a judge thereof," and
4 striking from line nine (9) the words "or judge".

1 Sec. 30. Section one hundred twenty-three point seventy-seven
2 (123.77), Code 1966, is amended by striking from lines five (5),
3 six (6) and seven (7) the words "or in vacation by the clerk,
4 auditor and treasurer of the county," and by striking from lines
5 ten (10) and eleven (11) the words "or in vacation a judge,".

1 Sec. 31. Section one hundred twenty-three point eighty-three
2 (123.83), Code 1966, is amended by striking from line eight (8)
3 the words "judge or".

1 Sec. 32. Section one hundred twenty-four point forty (124.40),
2 Code 1966, is amended by striking from lines sixty-seven (67) and
3 sixty-eight (68) the words ", or a judge thereof in vacation".

4 Further amend said section by striking from line seventy-eight
5 (78) the words "or judge".

6 Further amend said section by striking from line eighty-five
7 (85) the sentence following the words "appealed from." and insert-
8 ing in lieu thereof the following:

9 "The appeal shall be heard and determined by the district
10 court without jury and shall be accorded preference over other
11 matters pending in said court."

12 Further amend said section by striking from line ninety-three
13 (93) the words ", or judge thereof in vacation,".

4 Further amend said section by striking from line ninety-six

15 (96) the words "or judge".

1 Sec. 33. Section one hundred twenty-seven point seven (127.7),
2 Code 1966, is amended by striking from lines six (6) and seven
3 (7) the words "or a judge thereof".

4 Further amend said section by striking from line eight (8) the
5 words "or judge".

1 Sec. 34. Section one hundred twenty-eight point two (128.2),
2 Code 1966, is amended by striking from line two (2) the words
3 ", or a judge in vacation,".

4 Further amend said section by striking from lines six (6) and
5 nine (9) the words "or judge".

1 Sec. 35. Section one hundred twenty-eight point five (128.5),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Such action shall be accorded priority over other matters
4 pending in the district court."

1 Sec. 36. Section one hundred twenty-eight point eleven (128.11),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "two terms of court" and inserting in lieu thereof the
4 words "for more than one hundred and twenty days after its commence-
5 ment".

1 Sec. 37. Section one hundred twenty-eight point thirteen
2 (128.13), Code 1966, is amended by striking from lines three (3)
3 and four (4) the words ", or in vacation a judge thereof,".

1 Sec. 38. Section one hundred twenty-eight point twenty-three
2 (128.23), Code 1966, is amended by striking from lines five (5),
3 six (6) and seven (7) the words "or, in vacation, by the clerk,
4 auditor, and treasurer of the county,".

5 Further amend said section by striking from line eleven (11)
6 the words ", or, in vacation, the judge,".

1 Sec. 39. Section one hundred twenty-eight point twenty-nine
2 (128.29), Code 1966, is amended by striking from line eight (8)
3 the words "judge or".

1 Sec. 40. Section one hundred thirty point three (130.3), Code
2 1966, is amended by striking all of said section after the comma
3 in line five (5) and inserting in lieu thereof the words "before

4 service of notice hereinafter provided".

1 Sec. 41. Section one hundred thirty point four (130.4),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Notice of an application for a permit shall state the name
4 of the court and that the petition is on file in the office of
5 the clerk of said court. It shall further state the name of the
6 applicant, with the firm name, if any, under which he is doing
7 business, the purpose of the application, the particular location
8 of the place where the proposed business is to be carried on, and
9 that the petition may be heard at any time after a fixed date set
10 forth in the notice which shall be at least twenty days after the
11 first publication of notice as hereinafter provided."

1 Sec. 42. Section one hundred thirty point five (130.5), Code
2 1966, is amended by striking all of subsection one (1) after the
3 word "proceedings" in line nine (9).

1 Sec. 43. Section one hundred thirty point seven (130.7), Code
2 1966, is repealed and the following substitute is enacted in lieu
3 thereof:

4 "Such applications shall be accorded priority for disposition
5 over other business pending before the court."

1 Sec. 44. Section one hundred thirty point eight (130.8), Code
2 1966, is repealed.

1 Sec. 45. Section one hundred thirty point ten (130.10), Code
2 1966, is amended by striking from lines seven (7) and eight (8)
3 the words "by noon of the first day of the term" and inserting in
4 lieu thereof the words "on or before the day fixed in the notice".

1 Sec. 46. Section one hundred thirty point thirty-nine (130.39),
2 Code 1966, is amended by striking from line twelve (12) the words
3 ", or a judge thereof,".

4 Further amend said section by striking from line fourteen (14)
5 the words "or judge".

1 Sec. 47. Section one hundred thirty point forty-nine (130.49),
2 Code 1966, is amended by striking from line four (4) the words "a
3 court or judge" and inserting in lieu thereof the word "court".

4 Further amend said section by striking from line six (6) the
5 words "or a judge thereof,".

1 Sec. 48. Section one hundred thirty point fifty (130.50),
2 Code 1966, is amended by striking from line six (6) the words
3 "or judge".

1 Sec. 49. Section one hundred thirty point fifty-two (130.52),
2 Code 1966, is amended by striking from line eleven (11) the words
3 "or judge".

1 Sec. 50. Section one hundred thirty point fifty-three (130.53),
2 Code 1966, is amended by striking all of said section after the
3 word "court" in line three (3).

1 Sec. 51. Section one hundred thirty point fifty-seven (130.57),
2 Code 1966, is amended by striking from lines six (6) and seven (7)
3 the words "or judge thereof,".

1 Sec. 52. Section one hundred thirty-one point twenty-three
2 (131.23), Code 1966, is amended by striking from line six (6) the
3 words ", or to a judge thereof,".

1 Sec. 53. Section one hundred forty-seven point sixty-three
2 (147.63), Code 1966, is amended by striking from lines two (2) and
3 three (3) the words "or judge".

1 Sec. 54. Section one hundred forty-seven point sixty-five
2 (147.65), Code 1966, is repealed and the following enacted in lieu
3 thereof:

4 "The proceeding shall be summary in its nature and triable as
5 an equitable action."

1 Sec. 55. Section one hundred forty-seven point seventy-one
2 (147.71), Code 1966, is amended by striking from line four (4)
3 the words "or judge".

1 Sec. 56. Section two hundred eighteen point twenty-two (218.22),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "judge or".

1 Sec. 57. Section two hundred eighteen point thirty-two (218.32),
2 Code 1966, is amended by striking from line six (6) the words "or
3 any judge thereof,".

4 Further amend said section by striking from line seven (7) the
5 words "or judge".

1 Sec. 58. Section two hundred twenty-seven point twelve (227.12),

2 Code 1966, is amended by striking from line seven (7) the
3 words ", or judge thereof,".

1 Sec. 59. Section two hundred twenty-eight point three (228.3),
2 Code 1966, is amended by striking from lines two (2) and three
3 (3) the words "or judges thereof".

4 Further amend said section by striking the second sentence.

1 Sec. 60. Section two hundred twenty-nine point three (229.3),
2 Code 1966, is amended by striking from lines seven (7) and eight
3 (8) the words "or to a judge thereof,".

4 Further amend said section by striking from line eight (8) the
5 words "or judge".

6 Further amend said section by striking from line ten (10) the
7 words "or judge".

1 Sec. 61. Section two hundred fifty-two point ten (252.10),
2 Code 1966, is amended by striking from line six (6) the words "or
3 judge thereof".

4 Further amend said section by striking from line eleven (11)
5 the words "or judge".

1 Sec. 62. Section three hundred eleven point twenty-four
2 (311.24), Code 1966, is amended by striking from lines twelve (12)
3 and thirteen (13) the words "The appearance term shall be the
4 trial term."

5 Further amend said section by striking from line fourteen (14)
6 the words "of the term" and inserting in lieu thereof the words
7 "pending before the court".

1 Sec. 63. Section three hundred eleven point twenty-five
2 (311.25), Code 1966, is amended by striking from lines five (5),
3 six (6) and seven (7) the words "on or before the first day of
4 the first term of the court, after taking said appeal," and in-
5 serting in lieu thereof the words "within twenty days after per-
6 fection of said appeal,".

1 Sec. 64. Section three hundred twenty-one point five hundred
2 (321.500), Code 1966, is amended by striking all of said section
3 after the word "court" in line fifteen (15).

1 Sec. 65. Section three hundred twenty-four point sixty-eight

2 (324.68), Code 1966, is amended by striking from line twenty
3 (20) the words "or to any judge thereof,".

4 Further amend said section by striking from line twenty-one
5 (21) the words "or judge".

1 Sec. 66. Section three hundred twenty-five point twenty-two
2 (325.22), Code 1966, is amended by striking all of said section
3 after the word "court" in line six (6) and inserting in lieu
4 thereof the words "within twenty days following the taking of
5 such appeal."

1 Sec. 67. Section three hundred forty-nine point thirteen
2 (349.13), Code 1966, is repealed and the following enacted in
3 lieu thereof:

4 "Said appeal shall be triable de novo as an equitable action
5 without formal pleadings at any time after the expiration of
6 twenty days following the filing of such transcript."

1 Sec. 68. Section three hundred fifty-six point seven (356.7),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "On or before the fifteenth day of the months of January,
4 April, July and October each year, the sheriff of each county
5 must return a copy of such calendar to the district court of
6 the district within which his county is situated. If a sheriff
7 neglects or refuses to do so, he shall be punished by a fine not
8 exceeding one hundred dollars."

1 Sec. 69. Section three hundred fifty-six point ten (356.10),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Such inspectors shall visit and inspect such prisons twice
4 each year, and, on or before the fifteenth day of the first month
5 of the next calendar quarter, present to such court a detailed
6 report of the condition of such prisons at the time of such in-
7 spection."

1 Sec. 70. Section three hundred sixty-two point six (362.6),
2 Code 1966, is amended by striking from lines thirteen (13) and
3 fourteen (14) the words ", or judge thereof,".

4 Further amend said section by striking from lines fifteen (15)
5 and sixteen (16) the words ", or judge in vacation".

6 Further amend said section by striking from lines sixteen
7 (16) and seventeen (17) the words "or judge thereof".

1 Sec. 71. Section three hundred sixty-two point seven (362.7),
2 Code 1966, is amended by striking from lines four (4) and five
3 (5) the words ", or in vacation a judge thereof,".

1 Sec. 72. Section three hundred sixty-two point eight (362.8),
2 Code 1966, is amended by striking from lines three (3) and four
3 (4) the words ", or in vacation a judge thereof,".

4 Further amend said section by striking from line thirteen (13)
5 the words "or judge".

1 Sec. 73. Section three hundred sixty-two point thirty-two
2 (362.32), Code 1966, is amended by striking from lines three (3)
3 and four (4) of subsection three (3) the words "at the next term
4 thereof" and inserting in lieu thereof the words "within thirty
5 days following their appointment or at such later time as the
6 court may direct".

1 Sec. 74. Section three hundred sixty-five point twenty-five
2 (365.25), Code 1966, is amended by striking from line seven (7)
3 the words "or to any judge thereof".

4 Further amend said section by striking from line eight (8) the
5 words "or judge".

6 Further amend said section by striking from lines ten (10) and
7 eleven (11) the words "or judge".

1 Sec. 75. Section three hundred eighty-seven point fifteen
2 (387.15), Code 1966, is amended by striking from lines ten (10)
3 and eleven (11) the words "at the first term to which such action
4 is brought" and inserting in lieu thereof the words "within twenty
5 days after commencement of the action".

1 Sec. 76. Section three hundred ninety-one point eighty-three
2 (391.83), Code 1966, is amended by striking from lines eight (8)
3 and nine (9) the words ", or a judge thereof in vacation,".

1 Sec. 77. Section three hundred ninety-one point eighty-nine
2 (391.89), Code 1966, is amended by striking from lines two (2)
3 and three (3) of subsection three (3) the words "on or before
4 noon of the second day of the first term of said court convening"

5 and inserting in lieu thereof the words "within twenty days".

1 Sec. 78. Section four hundred nine point fifteen (409.15),
2 Code 1966, is amended by striking from said section all after
3 the word "clerk" in line fifteen (15).

4 Further amend said section by adding at the end thereof the
5 following: "Such appeal shall be triable de novo as an equitable
6 proceeding and accorded such preference in assignment as to assure
7 its prompt disposition."

1 Sec. 79. Section four hundred nine point twenty-two (409.22),
2 Code 1966, is amended by striking from said section all after the
3 comma in line eight (8) and inserting in lieu thereof the words
4 "and notice shall be published once each week for three consecutive
5 weeks in a newspaper of general circulation published within the
6 county".

1 Sec. 80. Section four hundred nine point twenty-three (409.23),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "After completion of notice, the court shall fix a time for
4 hearing the petition and notice of the day so fixed shall be given
5 by the clerk by publication in a newspaper of general circulation
6 published within the county not less than twenty days in advance of
7 the date set for hearing."

1 Sec. 81. Section four hundred thirteen point one hundred four-
2 teen (413.114), Code 1966, is amended by striking from lines four
3 (4) and five (5) the words ", or to any judge thereof in term time
4 or vacation,".

1 Sec. 82. Section four hundred thirteen point one hundred fif-
2 teen (413.115), Code 1966, is amended by striking from lines five
3 (5) and six (6) the words "or to any judge thereof in term time or
4 vacation".

1 Sec. 83. Section four hundred thirteen point one hundred six-
2 teen (413.116), Code 1966, is amended by striking from lines one
3 (1) and two (2) the words "or any judge thereof".

1 Sec. 84. Section four hundred twenty-one point twenty (421.20),
2 Code 1966, is amended by striking from lines three (3) and four (4)
3 the words "or before any judge thereof,".

1 Sec. 85. Section four hundred fifty point twenty-four
2 (450.24), Code 1966, is amended by striking from lines two (2)
3 and three (3) the words "annually, at the first term of the
4 court therein," and inserting in lieu thereof the words "on
5 or before January 15 of each year,".

6 Further amend said section by striking from line thirteen
7 (13) all after the word "court".

8 Further amend said section by striking from line fourteen
9 (14) the words "court, or judge thereof in vacation," and in-
10 sserting in lieu thereof the words "The court".

11 Further amend said section by striking from line twenty (20)
12 the words "or by a judge in vacation".

1 Sec. 86. Section four hundred fifty point twenty-eight
2 (450.28), Code 1966, is amended by striking from line thirteen
3 (13) the words "or judge".

1 Sec. 87. Section four hundred fifty point thirty (450.30),
2 Code 1966, is amended by striking from lines eight (8) and nine
3 (9) the words "if in session, or judge thereof in vacation,".

1 Sec. 88. Section four hundred fifty point forty-one (450.41),
2 Code 1966, is amended by striking from lines seven (7) and eight
3 (8) the words "or judge thereof in vacation".

1 Sec. 89. Section four hundred fifty point forty-two (450.42),
2 Code 1966, is amended by striking from line two (2) the words
3 "or judge thereof in vacation".

4 Further amend said section by striking from line nine (9) the
5 words "or judge".

1 Sec. 90. Section four hundred fifty point eighty-three
2 (450.83), Code 1966, is amended by striking from lines one (1)
3 and two (2) the words "On the first day of each regular term,"
4 and inserting in lieu thereof the words "On or before the fif-
5 teenth day of the first month of each calendar quarter".

6 Further amend said section by striking from line eight (8)
7 the word "term" and inserting in lieu thereof the words "quarterly
8 inspection".

 Further amend said section by striking from lines twenty-five

10 (25) and twenty-seven the words "or judge".

1 Sec. 91. Section four hundred fifty-five point ninety-four
2 (455.94), Code 1966, is amended by striking the comma after the
3 word "taken" in line six (6) and inserting in lieu thereof the
4 word "and".

5 Further amend said section by striking from lines eight (8),
6 nine (9) and ten (10) the words "at the next succeeding term of
7 the court and designating such term" and inserting in lieu thereof
8 the words "thirty days following perfection of the appeal with
9 allowances of additional time for good cause shown".

1 Sec. 92. Section four hundred fifty-five point ninety-six
2 (455.96), Code 1966, is amended by striking from lines one (1)
3 and two (2) the words "On or before the first day of the next
4 succeeding term of court," and inserting in lieu thereof the words
5 "Within twenty days after perfection of the appeal,".

1 Sec. 93. Section four hundred fifty-five point one hundred
2 ninety-one (455.191), Code 1966, is amended by striking from line
3 three (3) the words "or a judge thereof,".

4 Further amend said section by striking from lines four (4) and
5 five (5) the words "which may be in term time or vacation,".

1 Sec. 94. Section four hundred fifty-five point one hundred
2 ninety-two (455.192), Code 1966, is amended by striking from lines
3 two (2) and three (3) the words "or a judge thereof,".

4 Further amend said section by striking from line four (4) the
5 words "or judge".

1 Sec. 95. Section four hundred fifty-seven point twenty-six
2 (457.26), Code 1966, is hereby repealed and the following enacted
3 in lieu thereof:

4 "Within thirty days after completion of notice, the auditor
5 shall, acting jointly, prepare and certify to the clerk of the
6 district court a full and complete transcript of all proceedings
7 had in such case. The clerk of the district court shall thereupon
8 docket the case and same shall be triable in equity at any time
9 after the expiration of twenty days thereafter."

1 Sec. 96. Section four hundred sixty-one point twenty-eight

3 (461.28), Code 1966, is amended by striking from lines thirteen
4 (13) and fourteen (14) the words ", or to any judge thereof in
term time, or in vacation,".

1 Sec. 97. Section four hundred sixty-four point three (464.3),
2 Code 1966, is amended by striking from lines two (2) and three
3 (3) the words "judge for said court, either in session, or in
4 vacation," and inserting in lieu thereof the word "court".

1 Sec. 98. Section four hundred sixty-seven A point thirty
2 (457A.30), Code 1966, is amended by striking from lines eight
3 (8), nine (9) and ten (10) the words "at the next succeeding
4 term of the court and designating such term." and inserting in
5 lieu thereof the words "thirty days following perfection of the
6 appeal with allowances of additional time for good cause shown."

1 Sec. 99. Section four hundred sixty-seven A point thirty-one
2 (467A.31), Code 1966, is amended by striking all of lines one
3 (1) and two (2) and inserting in lieu thereof the words "Within
4 twenty days after perfection of notice,".

1 Sec. 100. Section four hundred seventy-two point nineteen
2 (472.19), Code 1966, is amended by striking from line thirteen
3 (13) the words "or a judge thereof,".

1 Sec. 101. Section four hundred seventy-two point twenty-two
2 (472.22), Code 1966, is amended by striking from lines two (2),
3 three (3) and four (4) the words "on or before the first day of
4 the term to which the appeal is taken," and inserting in lieu
5 thereof the words "within twenty days after perfection of the
6 appeal,".

7 Further amend said section by inserting after the first sen-
8 tence the words "The court may for good cause shown grant addi-
9 tional time for the filing of the petition."

1 Sec. 102. Section four hundred seventy-four point twenty
2 (474.20), Code 1966, is amended by striking from line seven (7)
3 the words "or judge thereof".

1 Sec. 103. Section four hundred seventy-four point twenty-
2 five (474.25), Code 1966, is amended by striking from lines four
3 (4), five (5) and six (6) the words "at the first term of court
4 to which said cause is brought, which shall be the trial term,"

5 and inserting in lieu thereof the words "within twenty days after
6 commencement of the action".

1 Sec. 104. Section four hundred eighty point one (480.1), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "Any railroad desiring to change or remove the line of its road,
4 after the same has been permanently located and constructed, may
5 file a petition in the district court in any county wherein the
6 change or removal is proposed to be made, naming as defendants all
7 trustees, mortgagees, and other lienholders, and all townships,
8 cities, and counties which have aided by taxation to build the
9 road, describing with reasonable accuracy that portion of its line
10 which it seeks to have changed or removed, and asking the court to
11 grant authority to make such change or removal."

1 Sec. 105. Section four hundred eighty point two (480.2), Code
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Upon filing of the petition, notices shall be served upon the
4 defendants as in other actions and upon the public by notice
5 addressed 'to all whom it may concern' published in a newspaper of
6 general circulation, printed within the county, once each week for
7 a period of ten consecutive weeks. All notices shall state the date
8 of filing of the petition, the object thereof, and that the applica-
9 tion may be heard at any time after a fixed date prescribed by the
10 notice, which shall be not less than twenty days following the date
11 of last publication. In addition, the public notice shall notify
12 all persons desiring the repayment of money or return of property,
13 as in this chapter provided, to appear and present their claims
14 therefor. The court may order any additional notice or publication
15 that it deems proper."

1 Sec. 106. Section four hundred eighty-four point eighteen
2 (484.18), Code 1966, is amended by striking the first two sentences
3 and substituting in lieu thereof the following:

4 "The appeal shall be triable in equity at any time following the
5 expiration of twenty days after filing of the transcript and shall
6 be accorded priority for disposition over all other civil causes."

1 Sec. 107. Section four hundred eighty-five point three (485.3),

Code 1966, is amended by striking from the seventh paragraph,
3 line four (4) the words "the first term" and inserting in lieu
4 thereof the words "within thirty days".

5 Further amend said section by striking from the seventh para-
6 graph, line seven (7) the words "and try the same thereat, if
7 possible." and inserting in lieu thereof the words "pending
8 before the court."

1 Sec. 108. Section four hundred eighty-five point four
2 (485.4), Code 1966, is amended by striking from line nine (9)
3 the words ", or a judge thereof,".

1 Sec. 109. Section four hundred ninety-nine point nine (499.9),
2 Code 1966, is amended by striking from line four (4) of the third
3 paragraph the words "or any judge thereof".

1 Sec. 110. Section five hundred seven point ten (507.10), Code
2 1966, is amended by striking from lines eighteen (18) and nineteen
3 (19) the words "or any judge thereof".

1 Sec. 111. Section five hundred seven point seventeen (507.17),
Code 1966, is amended by striking from line nine (9) the words
3 "or a judge thereof".

1 Sec. 112. Section five hundred eight point fourteen (508.14),
2 Code 1966, is amended by striking from lines ten (10) and eleven
3 (11) the words ", if the court is in session, if not, to any
4 judge thereof,".

5 Further amend said section by striking from lines thirteen (13)
6 and fourteen (14) the words "or judge, as the case may be,".

1 Sec. 113. Section five hundred eight point seventeen (508.17),
2 Code 1966, is amended by striking from line nine (9) the words
3 "or any judge thereof,".

4 Further amend said section by striking from line seventeen (17)
5 the words "judge of such".

1 Sec. 114. Section five hundred ten point twenty-seven (510.27),
2 Code 1966, is amended by striking from line two (2) the words "or
3 judge".

1 Sec. 115. Section five hundred twelve point one hundred one
(512.101), Code 1966, is amended by striking from line eighteen

3 (18) the words "or any judge thereof".

1 Sec. 116. Section five hundred fifteen point eighty-five
2 (515.85), Code 1966, is amended by striking from lines thirty-
3 one (31) and thirty-two (32) the words ", or if in vacation to
4 one of the judges thereof,".

5 Further amend said section by striking from line thirty-five
6 (35) the words "or judge, as the case may be,".

7 Further amend said section by striking from line thirty-eight
8 (38) the words "or his".

9 Further amend said section by striking from line forty-one (41)
10 the words "it or he" and inserting in lieu thereof the words "said
11 court".

12 Further amend said section by striking from line forty-five (45)
13 the words "or judge".

14 Further amend said section by striking from lines forty-seven
15 (47) and forty-eight (48) the words "or judge".

1 Sec. 117. Section five hundred twenty-eight point thirty-three
2 (528.33), Code 1966, is amended by striking from line four (4) the
3 words ", or a judge thereof,".

1 Sec. 118. Section five hundred twenty-eight point thirty-seven
2 (528.37), Code 1966, is amended by striking from line three (3) the
3 words "or judge thereof".

1 Sec. 119. Section five hundred twenty-eight point forty-five
2 (528.45), Code 1966, is amended by striking from line three (3) the
3 words ", or any judge thereof,".

4 Further amend said section by striking from line fourteen (14)
5 the words "or judge".

1 Sec. 120. Section five hundred twenty-eight point forty-six
2 (528.46), Code 1966, is amended by striking from lines two (2),
3 five (5) and eight (8) the words "or judge" in each instance.

1 Sec. 121. Section five hundred eighty-eight point one hundred
2 twenty (528.120), Code 1966, is amended by striking from lines
3 three (3) and four (4) the words "or a judge thereof".

1 Sec. 122. Section five hundred twenty-eight point one hundred
2 twenty-one (528.121), Code 1966, is amended by striking from line

four (4) the words "judge or".

1 Sec. 123. Section five hundred twenty-eight point one hundred
2 twenty-three (528.123), Code 1966, is amended by striking from
3 lines twelve (12) and thirteen (13) the words "or a judge there-
4 of".

1 Sec. 124. Section five hundred sixty-one point eight (561.8),
2 Code 1966, is amended by striking from line fourteen (14) the
3 words "next term of".

4 Further amend said section by adding at the end thereof the
5 words "within thirty days after their qualification as referees".

1 Sec. 125. Section five hundred sixty-six point four (566.4),
2 Code 1966, is amended by striking from line twelve (12) the words
3 "or judge".

1 Sec. 126. Section five hundred sixty-six point seven (566.7),
2 Code 1966, is amended by striking from line four (4) the words
3 "or judge".

1 Sec. 127. Section five hundred sixty-six point eight (566.8),
2 Code 1966, is amended by striking from line three (3) the words
3 "or judge".

1 Sec. 128. Section five hundred sixty-six point eleven (566.11),
2 Code 1966, is amended by striking from lines two (2) and three (3)
3 the words "or judge thereof".

4 Further amend said section by striking from line four (4) the
5 words "or judge".

1 Sec. 129. Section five hundred ninety-eight point twelve
2 (598.12), Code 1966, is amended by striking from line two (2) the
3 words "or judge".

1 Sec. 130. Section five hundred ninety-eight point thirteen
2 (598.13), Code 1966, is amended by striking from line two (2) the
3 words "or judge".

4 Further amend said section by striking from line seven (7) the
5 words "or judge".

1 Sec. 131. Section six hundred one point eighty-nine (601.89),
Code 1966, is hereby repealed.

1 Sec. 132. Section six hundred one point ninety (601.90), Code

2 1966, is amended by striking from lines three (3), four (4) and
3 five (5) the words "by noon of the second day of the term at which
4 the appeal should properly come on for trial" and inserting in lieu
5 thereof the words "within twenty days after perfection of the
6 appeal".

7 Further amend said section by striking from line fifteen (15)
8 the words "stand for trial at that term," and inserting in lieu
9 thereof the words "be tried within ninety days thereafter,".

1 Sec. 133. Section six hundred one point ninety-six (601.96),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "If the appeal is taken from a judgment by default, defendant
4 may file within twenty days after perfection of the appeal in the
5 court to which it is taken any pleadings necessary to properly set
6 forth any defense he may have to the action. The court may, for
7 good cause shown, grant additional time for filing such pleadings.
8 The plaintiff shall reply thereto as in other cases. In such case
9 the costs of the trial before the justice shall be taxed to the
10 defendant."

1 Sec. 134. Section six hundred one point one hundred three
2 (601.103), Code 1966, is amended by striking from line two (2) the
3 words "at the first term" and inserting in lieu thereof the words
4 "at any time after twenty days following issuance of the writ".

5 Further amend said section by striking from lines five (5), six
6 (6) and seven (7) the words "before noon of the second day of the
7 term at which the case should properly come on for hearing on such
8 writ of error," and inserting in lieu thereof the following words
9 "within twenty days after issuance of the writ".

1 Sec. 135. Section six hundred four point eleven (604.11), Code
2 1966, is amended by striking the words "terms are" from line one
3 (1) and inserting in lieu thereof the words "court is".

4 Further amend said section by striking from line four (4) the
5 words "for such terms," and inserting in lieu thereof the word
6 "therefor".

1 Sec. 136. Section six hundred four point twelve (604.12), Code
2 1966, is amended by striking from line two (2) the words "terms
3 of".

1 Sec. 137. Section six hundred four point thirty-seven
2 (604.37), Code 1966, is repealed and the following enacted in
3 lieu thereof:

4 "District judges shall not sit together in the trial of
5 causes nor upon the hearings of motions for new trials. They
6 may, however, hold court in the same county at the same time."

1 Sec. 138. Section six hundred four point thirty-nine
2 (604.39), Code 1966, is repealed and the following enacted in
3 lieu thereof:

4 "Delay in the preparation and signing of the record of court
5 proceedings shall not prevent the issuance of an execution and
6 other proceedings may be had in the same manner as though the
7 record had been signed."

1 Sec. 139. Section six hundred four point forty (604.40),
2 Code 1966, is repealed.

1 Sec. 140. Section six hundred four point forty-one (604.41),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "The record of any court proceedings is under the control of
4 the court and may be amended or any entry therein expunged before
5 it has been signed by the judge or within sixty days thereafter."

1 Sec. 141. Section six hundred four point forty-three (604.43),
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Entries made and signed, unless amended or expunged as above
4 provided, may be altered only to correct an evident mistake."

1 Sec. 142. Section six hundred seven point six (607.6), Code
2 1966, is repealed and the following enacted in lieu thereof:

3 "Upon conclusion of every calendar quarter the clerk of the
4 district court shall certify to the county auditor a list of the
5 jurors with the number of days attendance to which each one is
6 entitled."

1 Sec. 143. Section six hundred nine point eighteen (609.18)
2 and six hundred nine point nineteen (609.19), Code 1966, are
3 hereby repealed and the following enacted in lieu thereof:

4 "Juries. In counties containing a city having a population
5 in excess of fifty thousand according to the latest decennial

6 census, petit jury panels shall be drawn six times annually to
7 serve for the following two months, and in other counties they
8 shall be drawn four times annually to serve for the following
9 three months. The number of jurors on a panel shall be ordered
10 by a judge of the district."

1 Sec. 144. Section six hundred nine point twenty (609.20),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "Petit jurors shall be drawn by the ex officio commission at
5 the office of the clerk of the district court. The court may by
6 order prescribe the time for such drawing. The clerk shall notify
7 the jurors thus drawn of their selection and of their obligation to
8 report for service when called."

1 Sec. 145. Section six hundred nine point twenty-two (609.22),
2 Code 1966, is amended by striking from the end thereof the words
3 "for the ensuing term of the court".

1 Sec. 146. Section six hundred nine point twenty-five (609.25),
2 Code 1966, is amended by striking from lines four (4) and five (5)
3 the words "at the time of the drawing of the petit jury panel for
4 the January term" and inserting in lieu thereof the words "on the
5 last secular Monday of December preceding the new calendar year".

1 Sec. 147. Section six hundred nine point thirty (609.30), Code
2 1966, is amended by inserting after the word "immediately" in lines
3 two (2) and three (3) the words ", upon order of the court".

4 Further amend said section by striking from line five (5) the
5 words "at ten" and the remainder of that sentence and substituting
6 in lieu thereof the words "at such times as the court may prescribe,
7 to serve as petit or grand jurors, as the case may be,".

1 Sec. 148. Section six hundred nine point thirty-two (609.32),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The twelve persons from whom the grand jury is to be impaneled
5 shall convene regularly four times a year on the first secular
6 Monday of the first month of each calendar quarter without summons,
7 or upon summons at such other additional times as the court may
8 order."

1 Sec. 149. Section six hundred nine point thirty-three
2 (609.33), Code 1966, is amended by striking from line one (1)
3 the word "summoned" and inserting in line two (2) after the
4 word "appear" the words "at any regularly scheduled meeting date
5 or when summoned".

1 Sec. 150. Section six hundred nine point thirty-five
2 (609.35), Code 1966, is amended by striking from line two (2)
3 the word "term" and inserting in lieu thereof the words "calendar
4 quarter".

1 Sec. 151. Section six hundred nine point thirty-six (609.36),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The judge presiding over any trial calendar assignment may
5 order as many additional jurors drawn therefor, or for the trial
6 of any case, as he deems necessary."

1 Sec. 152. Section six hundred nine point forty-four (609.44),
2 Code 1966, is amended by striking from lines seven (7) and eight
3 (8) the words "for any term," and inserting in lieu thereof the
4 following words "during any calendar quarter".

1 Sec. 153. Section six hundred fourteen point three (614.3),
2 Code 1966, is amended by striking from lines five (5) and six
3 (6) the words ", or a judge thereof,".

1 Sec. 154. Section six hundred sixteen point sixteen (616.16),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "Actions against municipal corporations in all counties where
5 the district court convenes in more than one place must be brought
6 in the county and at the place where court is held nearest to
7 where the cause or subject of the action originated."

1 Sec. 155. Section six hundred twenty-two point seventy
2 (622.70), Code 1966, is amended by striking from line three (3)
3 the word "term" and inserting in lieu thereof the words "court
4 session".

1 Sec. 156. Section six hundred twenty-two point eighty

2 (622.80), Code 1966, is amended by striking from line six (6) the
3 words "during the term of the court" and inserting in lieu thereof
4 the words "by the court within a reasonable time thereafter".

1 Sec. 157. Section six hundred twenty-two point eighty-four
2 (622.84), Code 1966, is amended by striking from lines eleven (11)
3 and twelve (12) the words "or a judge thereof,".

1 Sec. 158. Section six hundred twenty-two point one hundred two
2 (622.102), Code 1966, is amended by striking all of said section
3 after the word "issued" in line six (6).

1 Sec. 159. Section six hundred twenty-four point three (624.3),
2 Code 1966, is amended by striking from the last line thereof the
3 words "to the second term".

1 Sec. 160. Section six hundred twenty-four point six (624.6),
2 Code 1966, is amended by striking from line two (2) the words "at
3 the first term" and inserting in lieu thereof the words "at any
4 time after the expiration of twenty days".

1 Sec. 161. Section six hundred twenty-four point seven (624.7),
2 Code 1966, is amended by striking from lines four (4) and five
3 (5) the words "either in term time or in vacation".

1 Sec. 162. Section six hundred twenty-four point eight (624.8),
2 Code 1966, is amended by striking from line five (5) the words
3 "or judge".

4 Further amend said section by striking from lines eleven (11),
5 twelve (12) and thirteen (13) the words "at the first term of
6 court of each year, and shall, at each succeeding term of court
7 during said year," and inserting in lieu thereof the words "on
8 or before January 15, April 15, July 15 and October 15 of each
9 year,".

10 Further amend said section by striking from line nineteen (19)
11 the words "at the commencement of each term".

1 Sec. 163. Section six hundred twenty-four point nine (624.9),
2 Code 1966, is amended by striking from lines five (5) and six (6)
3 the words "or judge".

4 Further amend said section by striking from line thirty-two
5 (32) the word ", judge,".

6 Further amend said section by striking from the last line
7 thereof the words "or judge".

1 Sec. 164. Section six hundred twenty-four point thirty-six
2 (624.36), Code 1966, is hereby repealed.

1 Sec. 165. Section six hundred twenty-six point nineteen
2 (626.19), Code 1966, is amended by striking from line twelve (12)
3 the words ", or a judge thereof,".

1 Sec. 166. Section six hundred twenty-six point twenty-eight
2 (626.28), Code 1966, is amended by striking from lines two (2)
3 and three (3) the words "next term thereafter" and inserting in
4 lieu thereof the words "clerk of court".

1 Sec. 167. Section six hundred twenty-six point thirty-one
2 (626.31), Code 1966, is amended by striking from line four (4)
3 the words "next term of" and from line nine (9) the words "next
4 term of the".

1 Sec. 168. Section six hundred twenty-six point thirty-three
2 (626.33), Code 1966, is amended by striking from line seven (7)
3 the words "or judge".

1 Sec. 169. Section six hundred twenty-six point seventy-nine
2 (626.79), Code 1966, is amended by striking from lines three (3)
3 and four (4) the words "at the same or the next term" and insert-
4 ing in lieu thereof the words "within ninety days".

1 Sec. 170. Section six hundred twenty-six point eighty-nine
2 (626.89), Code 1966, is amended by striking from line three (3)
3 the words "on the first day of the term" and inserting in lieu
4 thereof the words "within twenty days following completion of ser-
5 vice".

1 Sec. 171. Section six hundred twenty-six point ninety-six
2 (626.96), Code 1966, is amended by striking from line ten (10)
3 the words "or judge".

1 Sec. 172. Section six hundred twenty-six point one hundred
2 six (626.106), Code 1966, is amended by striking from line two
3 (2) the words "or judge".

4 Further amend said section by striking all after the word "ex-
5 ecution" in line six (6).

1 Sec. 173. Section six hundred twenty-eight point seven (628.7),
2 Code 1966, is amended by striking from line five (5) the words "or
3 any judge".

4 Further amend said section by striking from lines eight (8)
5 and nine (9) the words "or judge".

1 Sec. 174. Section six hundred twenty-eight point twenty-one
2 (628.21), Code 1966, is amended by striking from line nine (9)
3 the words "or a judge thereof".

1 Sec. 175. Section six hundred thirty point two (630.2), Code
2 1966, is amended by striking from line five (5) the words "or
3 judge".

1 Sec. 176. Section six hundred thirty point three (630.3),
2 Code 1966, is amended by striking from lines five (5) and six (6)
3 the words "or in vacation by a judge thereof".

4 Further amend said section by striking from lines seven (7)
5 and eight (8) the words "or judges".

6 Further amend said section by striking from line nine (9) the
7 words "or judge".

1 Sec. 177. Section six hundred thirty point five (630.5), Code
2 1966, is amended by striking from line two (2) the words "or
3 judge,".

1 Sec. 178. Section six hundred thirty point six (630.6), Code
2 1966, is amended by striking from line four (4) the words "or
3 judge".

1 Sec. 179. Section six hundred thirty point seven (630.7), Code
2 1966, is amended by striking from lines one (1) and two (2) the
3 words "or judge".

1 Sec. 180. Section six hundred thirty point ten (630.10), Code
2 1966, is amended by striking from line one (1) the word ", judge,".

1 Sec. 181. Section six hundred thirty-nine point thirteen
2 (639.13), Code 1966, is amended by striking from lines three (3),
3 five (5) and ten (10) the words "or judge" in each instance.

1 Sec. 182. Section six hundred thirty-nine point thirty-four
2 (639.34), Code 1966, is amended by striking from line seven (7)
3 the words "judge of any".

4 Further amend said section by striking from line ten (10) the
5 words "by such judge".

6 Further amend said section by striking from line eleven (11)
7 the words "him, or before".

1 Sec. 183. Section six hundred thirty-nine point thirty-six
2 (639.36), Code 1966, is amended by striking from line three (3)
3 the words "or judge".

1 Sec. 184. Section six hundred thirty-nine point thirty-nine
2 (639.39), Code 1966, is amended by striking from line two (2)
3 the words "or judge".

1 Sec. 185. Section six hundred thirty-nine point fifty-five
2 (639.55), Code 1966, is amended by striking all of said section
3 after the word "find" in line three (3).

1 Sec. 186. Section six hundred forty point three (640.3), Code
2 1966, is amended by striking from lines three (3) and four (4)
3 the words "or by the judge of any court".

1 Sec. 187. Section six hundred forty point four (640.4), Code
2 1966, is amended by striking from line four (4) the words "or
3 judge".

1 Sec. 188. Section six hundred forty-three point five (643.5),
2 Code 1966, is amended by striking from lines seven (7), eight (8)
3 and nine (9) the words "at the next term of the court, if in a
4 court of record, or on the day fixed in the original notice, if
5 in a justice's court," and inserting in lieu thereof the words
6 "in court on or before the day fixed in the original notice,".

1 Sec. 189. Section six hundred forty-three point eleven
2 (643.11), Code 1966, is amended by striking from line four (4)
3 the words "or judge,".

1 Sec. 190. Section six hundred forty-three point fifteen
2 (643.15), Code 1966, is amended by striking from lines two (2)
3 and three (3) the words "on or before the first day of the trial
4 term, or the return day if before a justice," and inserting in
5 lieu thereof the words "within sixty days after its issuance or
6 at an earlier time if the court shall order".

1 Sec. 191. Section six hundred forty-three point twenty-one

2 (643.21), Code 1966, is amended by striking from line six (6)
3 the words "or a judge".

1 Sec. 192. Section six hundred forty-eight point sixteen
2 (648.16), Code 1966, is hereby repealed and the following enacted
3 in lieu thereof:

4 "Such actions shall be accorded reasonable priority for assign-
5 ment to assure their prompt disposition. No continuance shall
6 be granted for the purpose of taking testimony in writing."

1 Sec. 193. Section six hundred fifty point eleven (650.11),
2 Code 1966, is amended by striking from lines six (6), seven (7)
3 and eight (8) the words "at least ten days before the first day
4 of the term next following that of" and inserting in lieu thereof
5 the words "within sixty days after".

1 Sec. 194. Section six hundred fifty point twelve (650.12),
2 Code 1966, is amended by striking from the beginning of the first
3 sentence the words "At the term of court" and inserting in lieu
4 thereof the words "Within twenty days" and by striking all of
5 line four (4) of said section.

1 Sec. 195. Section six hundred fifty-four point nine (654.9),
2 Code 1966, is amended by striking from line six (6) the words "or
3 judge thereof,".

1 Sec. 196. Section six hundred fifty-seven point six (657.6),
2 Code 1966, is amended by striking from lines fourteen (14) and
3 fifteen (15) the words "in term time or vacation,".

1 Sec. 197. Section six hundred sixty-one point eleven (661.11),
2 Code 1966, is hereby repealed.

1 Sec. 198. Section six hundred sixty-one point fourteen
2 (661.14), Code 1966, is hereby repealed and the following enacted
3 in lieu thereof:

4 "The order commanding the performance of the duty shall be
5 directed to the party and shall be returnable forthwith. No re-
6 turn except that of compliance shall be allowed; however, the
7 court may upon sufficient grounds allow reasonable time for making
8 the return."

1 Sec. 199. Section six hundred sixty-one point fifteen (661.15),

2 Code 1966, is amended by striking from line ten (10) the words "or
3 judge".

1 Sec. 200. Section six hundred sixty-one point sixteen (661.16),
2 Code 1966, is amended by striking from lines two (2) and three
3 (3) the words ", or judge in vacation,".

1 Sec. 201. Section six hundred seventy-five point seventeen
2 (675.17), Code 1966, is amended by striking from line two (2)
3 the word "judge" and inserting in lieu thereof the word "court".

4 Further amend said section by striking from line six (6) the
5 words "judge or the district".

6 Further amend said section by striking from line seven (7) the
7 words "to either".

8 Further amend said section by striking from line eight (8) the
9 words "or judge".

1 Sec. 202. Section six hundred seventy-nine point eleven
2 (679.11), Code 1966, is amended by striking from lines two (2)
3 and three (3) the words "at the term to which it is returned,".

4 Further amend said section by striking the comma after the
5 word "entered" in line four (4).

1 Sec. 203. Section six hundred eighty point one (680.1), Code
2 1966, is amended by striking from line nine (9) the words "or
3 judge".

4 Further amend said section by striking from line ten (10) the
5 words "or, in vacation, the judge thereof,".

1 Sec. 204. Section six hundred eighty point three (680.3),
2 Code 1966, is amended by striking from line six (6) the words
3 "or judge,".

1 Sec. 205. Section six hundred eighty point four (680.4), Code
2 1966, is amended by striking from line two (2) the words "or
3 judge".

1 Sec. 206. Section six hundred eighty point ten (680.10),
2 Code 1966, is amended by striking from lines one (1) and two (2)
3 the words "or any judge thereof".

4 Further amend said section by striking from line fifteen (15)

5 the words "or judge".

1 Sec. 207. Section six hundred eighty point eleven (680.11),
2 Code 1966, is amended by striking from each of lines two (2), six
3 (6) and nine (9) the words "or judge".

1 Sec. 208. Section six hundred eighty-one point eleven (681.11),
2 Code 1966, is amended by striking all of said section after the
3 word "notice" in line eight (8).

4 Further amend said section by adding the following:

5 "The action shall be accorded reasonable priority for assign-
6 ment to assure its prompt disposition. The court may order a
7 trial by jury but if it does not, it shall hear the proofs and
8 allegations of the parties in the case and render such judgment
9 thereon as shall be just."

1 Sec. 209. Section six hundred eighty-one point sixteen
2 (681.16), Code 1966, is amended by striking from line three (3)
3 the words "or judge".

1 Sec. 210. Section six hundred eighty-one point seventeen
2 (681.17), Code 1966, is amended by striking from line eight (8)
3 the words "or judge".

1 Sec. 211. Section six hundred eighty-one point nineteen
2 (681.19), Code 1966, is amended by striking from each of lines
3 two (2) and four (4) the words "or judge".

4 Further amend said section by striking from line five (5) the
5 words ", or at the next term,".

1 Sec. 212. Section six hundred eighty-one point twenty-four
2 (681.24), Code 1966, is amended by striking from line five (5)
3 the words "or judge".

1 Sec. 213. Section six hundred eighty-one point twenty-five
2 (681.25), Code 1966, is amended by striking all of the last line.

1 Sec. 214. Section six hundred eighty-one point twenty-nine
2 (681.29), Code 1966, is amended by striking from lines seven (7)
3 and eight (8) the words ", or any judge thereof,".

1 Sec. 215. Section six hundred eighty-one point thirty (681.30),
2 Code 1966, is amended by striking from lines three (3) and four
3 (4) the words "or judge".

5 Further amend said section by striking from line six (6) the
6 words "or judge".

1 Sec. 216. Section six hundred eighty-one point thirty-one
2 (681.31), Code 1966, is hereby repealed.

1 Sec. 217. Section six hundred eighty-two point twenty-six
2 (682.26), Code 1966, is amended by striking from line two (2)
3 the words "or judge thereof".

4 Further amend said section by striking from lines nine (9)
5 and ten (10) the words "or judge thereof".

6 Further amend said section by striking from lines fourteen
7 (14) and fifteen (15) the words "or judge thereof".

1 Sec. 218. Section six hundred eighty-two point twenty-nine
2 (682.29), Code 1966, is amended by striking from line seven (7)
3 the words ", or judge thereof,".

1 Sec. 219. Section six hundred eighty-two point thirty (682.30),
2 Code 1966, is amended by striking from line two (2) the words "or
3 judge".

4 Further amend said section by striking from line two (2) the
5 words "or his".

6 Further amend said section by striking from line five (5) the
7 words "or judge".

8 Further amend said section by striking from line nine (9) the
9 words "or judge".

1 Sec. 220. Section six hundred eighty-two point thirty-nine
2 (682.39), Code 1966, is amended by striking from line seven (7)
3 the words "or judge,".

1 Sec. 221. Section six hundred eighty-two point forty-four
2 (682.44), Code 1966, is amended by striking from line ten (10)
3 the words "a judge of".

1 Sec. 222. Section six hundred eighty-two point forty-seven
2 (682.47), Code 1966, is amended by striking from lines nine (9)
3 and ten (10) the words "or a judge thereof,".

4 Further amend said section by striking from line fifteen (15)
5 the words ", or a judge thereof,".

6 Further amend said section by striking from line seventeen (17)

7 the words "or judge".

1 Sec. 223. Section six hundred eighty-three point three (683.3),
2 Code 1966, is amended by striking from line five (5) the words
3 "or a judge thereof".

1 Sec. 224. Section six hundred ninety-six point nine (696.9),
2 Code 1966, is amended by striking from lines five (5) and six
3 (6) the words "or to a judge thereof who, in vacation or term
4 time," and inserting in lieu thereof the word "which".

1 Sec. 225. Section seven hundred fifty-seven point three
2 (757.3), Code 1966, is amended by striking from lines thirteen
3 (13) and fourteen (14) the words ", on the first day of the fol-
4 lowing term" and inserting in lieu thereof the words "on a date
5 entered on the bond which shall be not less than twenty nor more
6 than thirty days after bail is given".

1 Sec. 226. Section seven hundred fifty-seven point four
2 (757.4), Code 1966, is amended by striking from line twenty-three
3 (23) the words "first day of the next term thereof," and inserting
4 in lieu thereof the following: " _____ day of _____
5 (month) 19__ (year) (which date shall correspond with the date
6 entered upon the bond)."

1 Sec. 227. Section seven hundred fifty-eight point five (758.5),
2 Code 1966, is amended by striking from lines fourteen (14) and
3 fifteen (15) the words ", on the first day of the next term
4 thereof,".

1 Sec. 228. Section seven hundred fifty-eight point six (758.6),
2 Code 1966, is amended by striking from said section all after the
3 word "appear" in line nineteen (19) and inserting in lieu thereof
4 the words "as soon as convenient and within twenty days after
5 taking the bail, the affidavits, the order of commitment, and
6 discharge, together with the undertaking of bail, and he shall
7 file the same in his office."

1 Sec. 229. Section seven hundred sixty point five (760.5),
2 Code 1966, is amended by striking from lines seven (7) and eight
3 (8) the words "at the next term thereof".

1 Sec. 230. Section seven hundred sixty point seven (760.7),
2 Code 1966, is amended by striking from said section all after the
3 word "county" in line five (5) and inserting in lieu thereof the
4 words "within twenty days after perfection of the undertaking.
5 Subject to the provisions of sections seven hundred sixty point
6 ten (760.10) and seven hundred sixty point eleven (760.11) of the
7 Code, without notice of appeal, the case shall stand for trial in
8 the district court."

1 Sec. 231. Section seven hundred sixty point eight (760.8),
2 Code 1966, is amended by striking from lines eight (8), nine (9)
3 and ten (10) the words "extending beyond the next term of the
4 district court of the county, as hereinbefore provided," and in-
5 serting in lieu thereof the words "not exceeding ninety days".

1 Sec. 232. Section seven hundred sixty point ten (760.10),
2 Code 1966, is amended by striking from lines five (5) and six
3 (6) the words "on the first day of the next term of the district
4 court of the county," and inserting in lieu thereof the words
5 "within ninety days following the date of the undertaking,".

1 Sec. 233. Section seven hundred sixty-one point twenty-five
2 (761.25), Code 1966, is amended by striking from lines four (4),
3 five (5) and six (6) the words ", on or before its opening, on
4 the first day of the next term thereof, and".

1 Sec. 234. Section seven hundred sixty-two point thirty-six
2 (762.36), Code 1966, is amended by striking from lines ten (10),
3 eleven (11) and twelve (12) the words "shall stand for hearing
4 in said court at the term thereof commencing next after said papers
5 are filed." and substituting in lieu thereof the words "shall be
6 accorded reasonable priority in trial assignment to assure its
7 prompt disposition."

1 Sec. 235. Section seven hundred sixty-two point forty-four
2 (762.44), Code 1966, is amended by striking from lines twenty-one
3 (21) and twenty-two (22) the words ", at the term thereof to which
4 the appeal is returnable," and inserting in lieu thereof the words
5 "on the _____ day of _____ (month) 19__ (year) (which date

6 shall be not more than twenty days after perfection of the under-
7 taking)."

1 Sec. 236. Section seven hundred sixty-two point forty-seven
2 (762.47), Code 1966, is amended by striking from line seven (7)
3 the words "at the term at which it is returnable,".

4 Further amend said section by striking from lines eight (8),
5 nine (9) and ten (10) the words "at least ten days before the
6 first day of such term of the district court of the county," and
7 inserting in lieu thereof the words "within twenty days after per-
8 fection of the appeal and undertaking,".

1 Sec. 237. Section seven hundred sixty-three point four (763.4),
2 Code 1966, is amended by striking from line twenty-one (21) the
3 words "at the next term thereof" and inserting in lieu thereof
4 the words "on the _____ day of _____ (month), 19__ (year)
5 (which date shall not be more than twenty days after perfection
6 of the undertaking),".

1 Sec. 238. Section seven hundred sixty-eight point one (768.1),
2 Code 1966, is amended by striking from lines three (3), four (4)
3 and five (5) of subsection two (2) the words "at the next term
4 after the surrender, or, if during term time, at the same term,
5 and".

1 Sec. 239. Section seven hundred sixty-eight point three (768.3),
2 Code 1966, is amended by striking from lines eight (8), nine (9)
3 and ten (10) the words "at the next term after the surrender, or,
4 if during the term at the same term,".

1 Sec. 240. Section seven hundred sixty-nine point two (769.2),
2 Code 1966, is amended by striking from line four (4) the words
3 ", either in term time or in vacation,".

1 Sec. 241. Section seven hundred sixty-nine point nine (769.9),
2 Code 1966, is amended by striking from lines three (3) and four
3 (4) the words "or any judge thereof".

1 Sec. 242. Section seven hundred sixty-nine point fourteen
2 (769.14), Code 1966, is hereby repealed and the following enacted
3 in lieu thereof:

4 "Upon the filing of such information the clerk shall issue a
5 warrant for the arrest of the accused, and the court, or in the
6 absence of a judge thereof, the clerk, shall fix the bail, if bail
7 is allowable; the action of the clerk being reviewable by the
8 court."

1 Sec. 243. Sections seven hundred sixty-nine point twenty-four
2 (769.24) through seven hundred sixty-nine point thirty (769.30),
3 inclusive, Code 1966, are hereby repealed.

1 Sec. 244. Section seven hundred seventy point one (770.1),
2 Code 1966, is amended by striking from lines one (1), two (2)
3 and three (3) the words "At the term of court at which grand
4 jurors are required to appear" and inserting in lieu thereof the
5 following: "On the first secular Monday of the first month of
6 each calendar quarter at which grand jurors are required to appear
7 or at such alternative times as may be prescribed by the court,".

8 Further amend said section by striking from lines six (6) and
9 seven (7) the words "on the second day of each term of court,".

10 Further amend said section by striking from line eight (8) the
11 words "or judge".

12 Further amend said section by striking from line twelve (12)
13 the word "term" and inserting in lieu thereof the words "calendar
14 quarter".

15 Further amend said section by striking from lines fourteen
16 (14) and fifteen (15) the words "said second day of the court"
17 and inserting in lieu thereof the words "the day designated for
18 their appearance".

1 Sec. 245. Section seven hundred seventy point two (770.2),
2 Code 1966, is amended by striking from line eight (8) the words
3 "for the term".

1 Sec. 246. Section seven hundred seventy point eleven (770.11),
2 Code 1966, is amended by striking from line three (3) the words
3 "or judge".

1 Sec. 247. Section seven hundred seventy-one point twenty-one
2 (771.21), Code 1966, is amended by striking from lines thirteen

3 (13) and fourteen (14) the words "term of court" and inserting in
4 lieu thereof the words "current jury session".

1 Sec. 248. Section seven hundred seventy-four point four (774.4),
2 Code 1966, is amended by striking from line seventeen (17) all
3 after the word "indictment" and all of lines eighteen (18), nine-
4 teen (19) and twenty (20).

1 Sec. 249. Section seven hundred seventy-seven point twelve
2 (777.12), Code 1966, is amended by striking from lines nine (9),
3 ten (10) and eleven (11) the words "The plea may be entered in
4 vacation at the usual place of holding court in any county of
5 the judicial district."

1 Sec. 250. Section seven hundred eighty point twenty-six (780.26),
2 Code 1966, is amended by striking from lines two (2) and three
3 (3) the words "at or before the next term," and inserting in lieu
4 thereof the words "within ninety days after such order of suspen-
5 sion,".

1 Sec. 251. Section seven hundred eighty-one point two (781.2),
2 Code 1966, is amended by striking from line three (3) the words
3 "or judge thereof".

1 Sec. 252. Section seven hundred eighty-one point fourteen
2 (781.14), Code 1966, is amended by striking from line thirteen
3 (13) the words "a judge of".

4 Further amend said section by striking from lines fifteen (15)
5 and sixteen (16) the words ", which may be during a session of
6 court or in vacation,".

7 Further amend said section by striking from line nineteen (19)
8 the word "judge" and inserting in lieu thereof the word "court".

1 Sec. 253. Section seven hundred eighty-four point four (784.4),
2 Code 1966, is amended by striking from line six (6) the words "at
3 the same or another term of the court" and inserting in lieu thereof
4 the words "at a later trial assignment".

1 Sec. 254. Section seven hundred eighty-five point nine (785.9),
2 Code 1966, is amended by striking from lines seven (7) and eight
3 (8) the words "the same or another term" and inserting in lieu

4 thereof the words "a subsequent trial assignment".

1 Sec. 255. Section seven hundred eighty-eight point two (788.2),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The motion may be made at any time before or within ninety
5 days after judgment."

1 Sec. 256. Section seven hundred eighty-nine point four (789.4),
2 Code 1966, is amended by striking from lines twenty-two (22),
3 twenty-three (23) and twenty-four (24) all after the word "judg-
4 ment".

1 Sec. 257. Section seven hundred eighty-nine point ten (789.10),
2 Code 1966, is hereby repealed.

1 Sec. 258. Section seven hundred ninety-five point one (795.1),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "When a person is held to answer for a public offense, if an
5 indictment be not found against him within thirty days, the court
6 must order the prosecution to be dismissed, unless good cause to
7 the contrary be shown. An accused not admitted to bail and un-
8 represented by legal counsel shall not be deemed to have waived
9 the privilege of dismissal or be held to make demand or request
10 to enforce a guarantee of speedy trial, and the court on its own
11 motion shall carry out the provisions of this section as to dis-
12 missal."

1 Sec. 259. Section seven hundred ninety-five point two (795.2),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "If a defendant indicted for a public offense, whose trial
5 has not been postponed upon his application, be not brought to
6 trial within sixty days after the indictment is found, the court
7 must order it to be dismissed, unless good cause to the contrary
8 be shown. An accused not admitted to bail and unrepresented by
9 legal counsel, shall not be deemed to have waived his privilege
10 of dismissal to be held to make demand or request to enforce a
11 guarantee of speedy trial, and the court on its own motion shall

12 carry out the provisions of this section as to dismissal."

1 Sec. 260. Section seven hundred ninety-five point three (795.3),
2 Code 1966, is amended by striking from line five (5) the words
3 "from term to term,".

4 Further amend said section by striking from lines ten (10) and
5 eleven (11) the words "beyond the following three terms of the
6 court" and inserting in lieu thereof the words "for more than
7 ninety days beyond the date within which the trial would other-
8 wise be required".

1 Sec. 261. Section six hundred four point fourteen (604.14),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The district court of each judicial district shall be in
5 continuous session in all of the several counties comprising
6 said district."

1 Sec. 262. Sections six hundred four point fifteen (604.15)
2 through six hundred four point thirty-six (604.36), inclusive,
3 Code 1966, are hereby repealed.

1 Amend Senate File 288 by striking from line four (4)
2 of Section twenty five (25) the word, "notify" and by in-
3 serting in lieu thereof the word, "modify".

✓ Filed and adopted
March 29, 1967

By GAUDINEER