

names of the sureties in the appeal or writ of error; thereupon it shall be the duty of the supreme court, to dismiss the appeal or writ of error with ten per cent. damages.

SEC. 10. Limits of jurisdiction—plaintiff may not sue out of county—proviso. The district courts shall be held at the court houses in each county; and the judges thereof shall have jurisdiction over all matters and suits at common law and in chancery, arising in each county in their respective districts; when the debt or demand shall exceed fifty dollars, and in all cases of appeal or certiorari from a justice of the peace, judge of probate, or the board of county commissioners, a plaintiff shall not sue a defendant out of the county where he resides, or where he may be found, unless the debt, contract, or cause of action, occurred in the county where the plaintiff resides, or the contract was specifically made payable or to be performed there, when it shall be lawful to sue in such county, and process may issue to the sheriff of the county where the defendant resides; and when there are several defendants living in different counties, the plaintiff may sue, either in the county where the cause of action [36] arose, or where any of the defendants reside, and shall have like process against such as reside out of the county where the action is commenced.

SEC. 11. Judges to be conservators of the peace—powers as such. The said judges of the district court, shall be conservators of the peace, and the said courts in term time, and the judges thereof in vacation, shall have authority to award throughout the Territory, returnable to the proper county, writs of injunction, ne exeat, habeas corpus, quo warranto, mandamus, and other writs and process, which may be necessary to the due execution of the powers with which they are or may be invested.

SEC. 12. Powers of courts. The said courts shall respectively have authority to hear and determine, all cases of crimes and misdemeanors of whatever kind, that may be committed within any county, and that may be brought before them, by any rules and regulations provided by law.

SEC. 13. All acts and parts of acts contravening the provisions of this act, be and the same are hereby repealed.

SEC. 14. This act to be in force from and after its passage.

Approved February 10, 1842.

CHAPTER 48.

AN ACT concerning oaths and affidavits.

Be it enacted by the Council and House of Representatives of the Territory of Iowa:

SECTION 1. What officers are empowered to administer oaths. That the following officers are hereby authorized and empowered to administer oaths and affidavits, in all cases wherein such oath or affidavit may be required by law, viz.: Justices of the peace, clerks of the district court, the clerk of the supreme court, notaries public, and judges of probate.

SEC. 2. This act to take effect and be in force from and after its passage.

Approved February 10, 1842.