

shall be entitled to the fourth challenge and shall challenge one juror; and so on alternately until all the challenges are exhausted.

Approved April 12, 1888.

CHAPTER 40.

PROCEEDINGS IN SUPERIOR COURTS.

AN ACT to Amend Chapter 148 of the Acts of the Sixteenth General Assembly, and Chapter 24 of the Acts of the Nineteenth General Assembly, relating to Superior Courts and to Proceedings therein. S. F. 20.

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

SECTION 1. That chapter 148 of the acts of the Sixteenth General Assembly, and chapter 24 of the acts of the Nineteenth General Assembly be and the same are hereby amended as follows, to-wit: That section six (6) of the acts of the Sixteenth General Assembly be and the same is hereby repealed, and the following is enacted in lieu thereof: Chap. 24, acts 19 G. A. amended.

Sec. 6. Said court shall have jurisdiction in all civil matters concurrent with the district court as now and as may hereafter be provided by law, except in probate matters and actions for divorce, alimony and separate maintenance. It shall have exclusive original jurisdiction to try and determine all actions, civil and criminal, for the violation of city ordinances, and all jurisdiction conferred on police courts as now or as may hereafter be provided by law; and concurrent jurisdiction with justices of the peace, and writs of error and appeals may be taken from justices' courts in the township in which the court is held, and by consent of parties from any other township in the county. For the trial of criminal actions on information and complaint the court shall be open at such times under such rules as the court shall prescribe. In actions by attachment, where real property is levied on by writs of attachment, the officer levying the writ shall make entry thereof in the encumbrance book in the office of the clerk of the district court, in like manner and with like effect as of levies made in the district court. May have concurrent jurisdiction with D. C.

Sec. 2. That section seven (7) of the acts of the Sixteenth General Assembly, as amended by section four (4) of the acts of the Nineteenth General Assembly be repealed and the following is enacted in lieu thereof: Sec. 7, acts 16 G. A., as amended by 19 G. A. repealed.

Change of
venue.

Sec. 7. Changes of venue may be had from said court in all civil actions to the district court of the county, in the same manner, for like causes and with the same effect as the venue is changed from the district court as now or hereafter may be provided by law. All criminal actions, including those for the violation of the city ordinances shall be tried summarily and without a jury, saving to the defendant right of appeal to the district court, which appeals shall be taken in the same time and manner as appeals are taken from justices' courts in criminal actions.

Sec. 3. That section sixteen of chapter 143 of the acts of the Sixteenth General Assembly, as amended by section six (6) of chapter twenty-four of the acts of the Nineteenth General Assembly be amended by striking out the word "one," in the thirteenth line, and inserting in lieu thereof the word "two."

Number of
terms each
year.

Sec. 4. Said court shall hold at least eight, and not to exceed eleven terms each year, the times thereof being arranged by the judge of the court in such manner as shall least conflict with the terms of the district court of the county where said superior court is held, the terms to be fixed by the general order made of record at least ten days before the first term of that year, but no term need be held in the month of August.

Jury in civil
cases.

Sec. 5. In all civil cases where the jury shall consist of six jurors the challenges allowed to either party shall be limited to three each, but where the jury shall consist of twelve jurors the same number of challenges shall be allowed to either party as is now or may hereafter be allowed in the district court.

Approved March 23, 1888.

CHAPTER 41.

SETTLEMENT OF ESTATES.

S. F. 207.

AN ACT to Facilitate Settlement of Estates, and to Enable Administrators, Guardians, Trustees and Referees to Deposit Funds and Securities Subject to Approval of Court, and Making the Clerk and Treasurer Liable Therefor in Certain Cases.

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

Final report of
administrator.

SECTION 1. Whenever any administrator, guardian, trustee or referee shall desire to make his final report as such and who shall then have in his possession or under his control in his fiduciary capacity, any funds, moneys, or securities due, or to become due to any heir, legatee, devisee, or other person, the payment of which might then be made to such heir, legatee, devisee or other person if living or present within the county