

CHAPTER 114.

H. F. 233.

AN ACT to amend sections five thousand two hundred and forty (5240) and five thousand two hundred and forty-six (5246) of the code, relating to the drawing and empaneling of the grand jury, and challenges thereto, and providing for the summoning of additional grand jurors in case of challenges to the panel, or to individual jurors, being allowed, and to repeal section three hundred and forty (340) of the code.

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

SECTION 1. How drawn. That section five thousand two hundred and forty (5240) of the code be, and the same is hereby amended, by adding at the end thereof the following, to-wit:

"If, for any reason, the number of grand jurors required is not secured from the twelve persons so constituting such panel, the clerk shall draw from the grand jury list, provided for by section three hundred and thirty-eight of the code such number of names as the court may direct, and from the persons whose names are so drawn the panel of the grand jury for the term shall be filled, and the court shall issue a venire to secure their attendance."

SEC. 2. Challenges—panel, how filled. Section five thousand two hundred and forty-six of the code, be and the same is hereby amended, by adding thereto the following, to-wit:

"If a challenge to the panel is allowed, or if by reason of challenges to individual grand jurors being allowed, or if for any cause at any time, the grand jury is reduced to a less number than seven, a new grand jury shall be empaneled to inquire into the charge against the defendant in whose behalf the challenge to the panel has been allowed, or the panel of the jury so reduced below the number required by law shall be filled as the case may be. If a challenge is allowed to the panel the names of jurors required to empanel a new jury shall be drawn from the grand jury list. If such grand jury has been reduced to a less number than seven by reason of challenges to individual jurors being allowed, or from any other cause, the additional jurors required to fill the panel shall be summoned, first, from such of the twelve jurors originally summoned which were not drawn on the grand jury as first empaneled, or excused, and if they are exhausted, the additional number required shall be drawn from the grand jury list and the court shall, when necessary issue a venire to secure the attendance of such additional jurors. The persons so summoned shall serve only in the case, or cases in which, by reason of challenges, or other causes, the regular panel is set aside or is insufficient in number to find an indictment."

SEC. 3. Repealed. That section three hundred and forty of the code be, and the same is, hereby repealed.

SEC. 4. In effect. This act, being deemed of immediate importance, shall be in force and effect on and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 7, 1898.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader, April 13, 1898.

G. L. DOBSON,
Secretary of State.

CHAPTER 115.

S. F. 256.

AN ACT to repeal section five thousand two hundred and seventy-four (5274) of the code, in relation to indictments, and enact a substitute in lieu thereof.

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

SECTION 1. How found—indorsement. That section five thousand two hundred and seventy-four (5274) of the code be, and the same is hereby repealed and the following enacted in lieu thereof: