

## 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:

"An indictment cannot be found without the concurrence of five grand jurors. Every indictment must be indorsed "A true bill" and the indorsement signed by the foreman of the grand jury."  
Approved April 7, 1898.

## CHAPTER 116.

S. F. 200.

AN ACT to provide for the use of the deputy warden a house, heat, and light. [Amendatory to title XXVI, chapter 2, of the code, pertaining to penitentiaries.]  
*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Residence for deputy—house rent.** From and after the completion of the warden's house at the penitentiary at Anamosa, the deputy warden shall be entitled to occupy the building now used as the warden's residence, which shall be furnished with heat and lights. Until the new residence for the warden is completed the deputy warden is hereby allowed the sum of ten dollars, (\$10.00), per month as house rent.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall be in force from and after its publication in the Des Moines Leader and Iowa State Register, newspapers published at Des Moines, Iowa.

Approved April 9, 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 117.

H. F. 319.

AN ACT to amend section fifty-six hundred and sixty-three (5663) of the code, relating to the duties of guards at the penitentiaries.  
*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Assignment of duties.** That section fifty-six hundred and sixty-three (5663) of the code be, and the same is hereby amended by adding after the word "Anamosa" in the ninth line of said section the following words, "And the warden under the direction of the board of control shall assign said guards to any duty that may be necessary to properly conduct the business of said penitentiaries."

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall be in effect upon and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines.

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 118.

S. F. 201.

AN ACT to create a state board of control, and to provide for the management and control of the Soldiers' Home, the charitable, reformatory, and penal institutions of the state, and to provide for supervisory powers over the state educational institutions, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor. [Amendatory of titles XIII, XIV and XXVI, of the code, pertaining to public institutions.]

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

SECTION 1. **Nomination—term of office—confirmation—salaries—removal—vacancies.** The governor shall, prior to the adjournment of the twenty seventh general assembly, nominate and, with the consent of two-thirds of the members of the senate in executive session, appoint three