

A BILL

FOR AN ACT TO ESTABLISH A COUNTY COURT, AND TO DEFINE ITS POWERS,
DUTIES, LIABILITIES, AND THE PLEADING AND PRACTICE THEREIN.

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

SECTION 1. That county courts are hereby established throughout the State, in each
2 county of which there shall be elected, by the qualified voters thereof, at the general election
3 in 1886 and each fourth year thereafter, a county judge, who shall hold his office four years
4 and until his successor is elected and qualified.

SEC. 2. In case of a vacancy in any county, the Governor shall appoint a judge, who
2 shall hold his office until the next general election, and until his successor is elected and
3 qualified.

SEC. 3. The county court shall have original and exclusive jurisdiction of all matters in
2 probate, guardianship and settlement of estates, to the same extent as is now exercised by
3 the circuit court.

SEC. 4. It shall have exclusive appellate jurisdiction over all appeals from inferior tribu-
2 nals in civil matters.

SEC. 5. The county court shall have original and concurrent jurisdiction with the dis-
2 trict court in all civil cases, where the amount in controversy shall not exceed the sum of
3 one thousand dollars; *provided*, however, that nothing herein contained shall be so con-
4 strued as to confer jurisdiction in those cases which have been heretofore cognizable in a
5 court of equity, except so far only as to enable said courts to hear and determine any equi-
6 table defense, which may be set up by a defendant as a defense to plaintiff's action, or to
7 confer criminal jurisdiction on said courts.

SEC. 6. The county court shall be a court of record, and the clerk of the district court
2 shall be the clerk thereof; and the records thereof shall be kept in the same manner as
3 those of the district court.

SEC. 7. The county court shall be deemed open at all times for the transaction of any
2 business which may come before it.

SEC. 8. The court shall be held at the county seat, in such room as may be provided by
2 the board of supervisors.

SEC. 9. All sheriffs, deputy sheriffs and constables, within their respective counties, shall
2 be officers of said court.

SEC. 10. The regular terms of said court shall commence on the first Monday of every

2 month, and a panel of jurors for each term commencing on the first Mondays of January,
3 March, May, July, September and November shall be drawn and summoned in the same
4 manner as provided in the district courts; at other times litigants shall be entitled to a jury
5 trial, providing they agree to take a jury drawn from the bystanders.

SEC. 11. All the officers of said court and juries and witnesses therein, shall be entitled
2 to the same compensation as is now allowed in the district court.

SEC. 12. All the general provisions of the Code of Iowa, relating to the powers, duties,
2 and liabilities of courts of record, and the pleading and practice therein, and appeals there-
3 from, shall apply to county courts, except as the same may have been modified by this
4 chapter.

SEC. 13. The salary of the judges of said court shall be fixed by the board of supervisors
2 of their respective counties, and shall not be less than one thousand nor more than two
3 thousand dollars per year; seven hundred dollars of which shall be paid by the State and
4 the remainder by the county.