

A BILL

FOR AN ACT PROVIDING THE MANNER IN WHICH THE SOLDIERS' AND SAILORS' HOME SHALL BE LOCATED IN THE STATE OF IOWA.

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

SECTION 1. That, whereas, an act has passed the 21st General Assembly of the State of
2 Iowa, approved March 31st, 1886, providing for the creation and establishment in this State,
3 an institution to be known as the Iowa Soldiers' Home, and appropriating certain sums of
4 money for the purchase and preparation of ground, buildings and fixtures thereon, and fur-
5 nishing and equipping the same; and, whereas, it is necessary to locate the institution in
6 some place within this State, best suitable for the health and comfort and general surround-
7 ings of its proposed inhabitants. It is therefore provided in this act, that Gen. Phil. Sheri-
8 dan, be requested to select five army officers now in the service of the United States, who
9 shall be constituted a commission for the selection of a location of a Soldiers' Home in the
10 State of Iowa.

SEC. 2. That within five days from the passage of this act, the Secretary of State shall
2 send a written request to Gen. Sheridan, asking him to name the army officers herein pro-
3 vided for and requesting him to order the officers to report to the Secretary of State on the
4 19th day of April, A. D. 1886.

SEC. 3. That said commissioners shall visit the cities and towns that filed their bonds and
2 offered their bids in the form provided for by the Joint Military Committee of the Senate
3 and House on the March, A. D. 1886, and they shall decide upon a location for such in-
4 stitution on or before the 2d day of May, 1886.

SEC. 4. All the actual and necessary expenses of said commission shall be paid out of the
2 State Treasury upon warrants drawn by the Auditor of State, who shall audit all claims
3 and present vouchers for same to the State Treasurer; all acts inconsistent herewith are
4 hereby repealed.

SEC. 5. This act being deemed of immediate importance shall be in force and take effect
2 from and after its publication in the Des Moines Leader and the Iowa State Register news-
3 papers published at Des Moines, Iowa.

12 effect of this act, exclusively to said circuit courts or the judges thereof, with the same
13 force and effect, which theretofore the same have applied to said district courts or the judges
14 thereof. But this section shall become inoperative upon the first day of January, 1889.

SEC. 4. There is hereby conferred upon the district courts and district judges of this
2 State, all the powers and jurisdiction now exercised by the circuit courts and judges
3 thereof, in matters relating to probate of wills, appointment and supervision, control of
4 executors, administrators and trustees and any other persons required to carry said wills
5 into effect, and to the settlement of estates of deceased persons and of persons and estates
6 of minors, insane persons and others requiring guardianship, including applications for the
7 sale of real and other property belonging to said persons or estates, and to any and all
8 other matters relating to or connected with what is commonly known as the jurisdiction in
9 probate and in guardianship of said circuit courts and the judges thereof. Until January
10 1, 1889, the jurisdiction by this section conferred shall be concurrent with that obtaining
11 in said circuit courts or before the judges thereof. But from and after said January 1,
12 1889, the said powers and jurisdiction of said district court or the judges thereof, by this
13 section conferred shall be original and exclusive, except as to such matters as may be con-
14 ferred on a referee, appointed under authority of law.

SEC. 5. From and after the first day of January, 1887, the dockets and records of the
2 district and circuit courts shall be consolidated, and the record of proceedings of both of
3 said courts shall be kept in the same records, and consecutively therein, as if said proceed-
4 ings were of but one court. After said first day of January, 1887, there shall be kept by
5 the clerk of said courts within his county, for both courts, the same appearance docket,
6 judgment docket, fee book, sale book, incumbrance book, appearance docket and index of
7 liens, and the cases appearing thereon shall be kept in the volumes that have been or here-
8 after may be procured for the district court. *Provided, however,* that as to any actions or
9 proceedings instituted in said circuit court before said January 1, 1887, the records and
10 dockets of said circuit court may be used for continuing the entries therein as to said cases,
11 *except* that the record of proceedings of the court shall not be continued or entered in the
12 volumes used therefor by said circuit court, but said record of proceedings of said court
13 shall be entered, after the said first day of January, 1887, in said district court records. And
14 *provided further,* that whenever after the taking effect of this act and before said first day
15 of January, 1887, any of the volumes, records or dockets of said circuit court shall become
16 filled and necessitate the procuring of new volumes or records, it shall be the duty of said
17 clerk to use for the causes and actions pending in such circuit court, such of the records,
18 dockets and volumes provided for the use of the district court as may be proper for like
19 purposes in cases pending in said district court. But this section shall not be construed to
20 require the procuring of other or different probate or guardian records, but the probate