

4. Affinity or consanguinity, within the ninth degree, to the person alleged to be injured by the offense charged, or on whose preliminary information, or at whose instance, the prosecution was instituted, or to the defendant, to be computed according to the rule of the civil law.

5. Standing in the relation of guardian and ward, attorney and client, master and servant, or landlord and tenant, or being a member of the family of the defendant, or of the person alleged to be injured by the offense charged, or on whose preliminary information, or at whose instance, the prosecution was instituted, or in his employ on wages.

6. Being a party adverse to the defendant in a civil action, or having been the prosecutor against or accused by him in a criminal prosecution.

7. Having served on the grand jury which found the indictment, or on a coroner's jury which inquired into the death of a person whose death is the subject of the indictment.

8. Having served on a trial jury which has tried another defendant for the offense charged in the indictment.

9. Having been on a jury formerly sworn to try the same indictment and whose verdict was set aside, or which was discharged without a verdict after the cause was submitted to it.

10. Having served as a juror, in a civil action brought against the defendant, for the act charged as an offense.

11. Having formed or expressed such an opinion as to the guilt or innocence of the prisoner as would prevent him from rendering a true verdict upon the evidence submitted on the trial.

12. Because of his being bail for any defendant in the indictment.

13. Because he is defendant in a similar indictment, or complainant or private prosecutor against the defendant or any other person indicted for a similar offense.

14. Because he is, or within a year preceding has been, engaged or interested in carrying on any business, calling or employment, the carrying on of which is a violation of law, where the defendant is indicted for a like offense.

15. Because he has been a witness, either for or against the defendant, on the preliminary trial or before the grand jury.

16. Having requested, directly or indirectly, that his name be returned as a juror for the regular biennial period.

17. Having served in the district court as a grand or petit juror during the last preceding calendar year.

Approved April 1, 1924.

CHAPTER 171

CLERK OF THE DISTRICT COURT

S. F. 267

AN ACT to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court, and to enact a substitute in lieu thereof.

Be It Enacted by the General Assembly of the State of Iowa:

That paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled Code of Iowa are hereby repealed and the following enacted in lieu thereof.

"23. For receiving and filing a declaration of intention and issuing a duplicate thereof, one dollar (\$1.00). For making, filing, and docketing the petition of an alien for admission as a citizen of the United States and for the final hearing thereon, two dollars (\$2.00); and for entering the final order and the issuance of the certificate of citizenship thereunder, if granted, two dollars (\$2.00).

"24. In addition to the fees required in the last preceding paragraph the petitioner shall upon the filing of his petition to become a citizen of the United States, deposit with the clerk money sufficient to cover the expenses of subpoenaing and paying the legal fees of witnesses for whom he may request a subpoena, and upon the final discharge of such witnesses they shall receive, if they demand the same from the clerk, the customary and usual witness fees from the moneys aforesaid, and the residue, if any, except such as may be necessary to pay the cost of serving subpoenas, shall be returned by the clerk to the petitioner."

Approved January 22, 1924.

CHAPTER 172

STATUTE OF FRAUDS

H. F. 268

AN ACT to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds.

Enacted by the General Assembly of the State of Iowa:

That sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. Statute of frauds. Except when otherwise specially provided, no evidence of the following enumerated contracts is competent, unless it be in writing and signed by the party charged or by his authorized agent:

1. Those made in consideration of marriage.
2. Those wherein one person promises to answer for the debt, default, or miscarriage of another, including promises by executors to pay the debt of the decedent from their own estate.
3. Those for the creation or transfer of any interest in lands, except leases for a term not exceeding one (1) year.
4. Those that are not to be performed within one (1) year from the making thereof.

Sec. 2. Exception. The provisions of the third subdivision of the preceding section do not apply where the purchase money, or any portion thereof, has been received by the vendor, or when the vendee, with the actual or implied consent of the vendor, has taken and held possession of the premises under and by virtue of the contract, or when there is any other circumstance which, by the law heretofore in force, would have taken the case out of the statute of frauds.

Approved January 26, 1924.