

CHAPTER 109

EXEMPTION FROM EXECUTION

S. F. 57

AN ACT to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families; to provide for the selection of such exempt property; to provide for exemptions heretofore set off; to provide for preservation of right to parties under chapter 177, acts of the Forty-fifth General Assembly; to provide for suspension of conflicting acts; and to provide that if any part of this act is held unconstitutional it shall not affect the remaining parts.

WHEREAS, the Forty-fifth General Assembly enacted chapter one hundred seventy-seven (177), providing for an increase in the amount of statutory exemptions from execution for residents who are heads of families, and

WHEREAS, at the time of the enacting of said chapter the governor of the state of Iowa had declared that an emergency existed, and the General Assembly had determined that such an emergency did exist, which was general throughout the state, and

WHEREAS, the governor of the state of Iowa in his inaugural address to the Forty-sixth General Assembly stated in substance that said emergency still exists, and that the need of the people of Iowa for the provisions of chapter one hundred seventy-seven (177), acts of the Forty-fifth General Assembly, still exist, and that the period thereof should be extended, and

WHEREAS, the Forty-sixth General Assembly has determined that such an emergency exists at this time, and that the needs still exist for continuing the provisions of the above described act of the general assembly, therefore,

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

1 SECTION 1. The Forty-sixth General Assembly hereby declares and
2 determines that the emergency which existed when chapter one hun-
3 dred seventy-seven (177), of the acts of the Forty-fifth General As-
4 sembly was enacted does continue to exist, and that such emergency
5 at this time is general throughout the state of Iowa, and that the safety
6 and future welfare of the state as a whole is endangered thereby. The
7 General Assembly acting under the power reserved by the people of
8 Iowa does hereby enact the following:

1 "SEC. 2. A debtor who is a resident of this state and the head of a
2 family who has not had an exemption under chapter one hundred sev-
3 enty-seven (177), acts of the Forty-fifth General Assembly, may, in
4 addition to the exemptions provided in section eleven thousand seven
5 hundred sixty (11760), code, 1931, select and have set off to him live-
6 stock, farm products, farm utensils or machinery, household goods, or
7 other property owned by him, in the aggregate value not to exceed the
8 sum of \$500.00, and hold said property exempt from general execution
9 until March 1, 1937.

1 "SEC. 3. Such debtor may include, as a part of the exemption pro-
2 vided in section two (2) of this act, household goods of his own selection,
3 of value not to exceed \$100.00, whether said property may or may not
4 have been pledged for debt.

1 "SEC. 4. Such debtor may hold as exempt from general execution,
2 until March 1, 1937, all property that has been set off to him under

3 the provisions of chapter one hundred seventy-seven (177), acts of the
4 Forty-fifth General Assembly.

1 "SEC. 5. Whenever the debtor claims the additional exemptions pro-
2 vided for in this act, the officer or person having the execution or writ
3 of attachment or other process for service shall select one appraiser, the
4 debtor shall select another and these two appraisers shall select a third.
5 These appraisers shall fix the value of the property claimed by the
6 debtor to be exempted under provisions of this act.

1 "SEC. 6. The provisions of this act shall not apply to executions or
2 attachments that were levied on or before the sixteenth day of March,
3 1933, upon any property provided for in chapter one hundred seventy-
4 seven (177) of the acts of the Forty-fifth General Assembly of Iowa,
5 nor shall it affect the remedies for existing obligations as against prop-
6 erty then in existenece, except household goods not to exceed one hun-
7 dred (100) dollars in value, as provided in section three (3) of this act.

1 "SEC. 7. All acts, and parts of acts, in conflict with the provisions of
2 this act are suspended during the period this act is in effect.

1 "SEC. 8. If any portion of this act is held to be unconstitutional or
2 invalid, such decision shall not affect the validity of the remaining por-
3 tions of this act."

1 SEC. 9. This act being deemed of immediate importance shall be-
2 come effective from and after its publication in the Adams County Free
3 Press, a newspaper published in Corning, Adams County, Iowa, and in
4 the Bedford Times-Press, a newspaper published in Bedford, Taylor
5 County, Iowa.

Senate File 57. Approved February 7, 1935.

I hereby certify that the foregoing act was published in the Adams County Free
Press and the Bedford Times-Press, February 14, 1935.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 110

EXTENSION OF REDEMPTION PERIOD

H. F. 84

AN EMERGENCY ACT relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; declaring that the emergency still exists; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents and for suspension of all acts or parts of acts in conflict with this act.

WHEREAS, the Forty-fifth General Assembly enacted chapter one hundred seventy-nine (179), providing for the extension of the redemption period in any action for the foreclosure of a real estate mortgage or a deed of trust upon the conditions provided for in said act, and

WHEREAS, that at the time of the enacting of said chapter the governor of the state of Iowa had declared that an emergency existed, and the Gen-