

7 offered as memoranda or records of acts, conditions or events to  
 8 prove the facts stated therein, shall be admissible as evidence if the  
 9 judge finds that they were made in the regular course of a business  
 10 at or about the time of the act, condition or event recorded, and that  
 11 the sources of information from which made and the method and cir-  
 12 cumstances of their preparation were such as to indicate their trust-  
 13 worthiness, and if the judge finds that they are not excludable as evi-  
 14 dence because of any rule of admissibility of evidence other than the  
 15 hearsay rule.

16 Evidence of the absence of a memorandum or record from the  
 17 memoranda or records of a business of an asserted act, event or  
 18 condition, shall be admissible as evidence to prove the non-occurrence  
 19 of the act or event, or the non-existence of the condition, if the judge  
 20 finds that it was in the regular course of that business to make such  
 21 memoranda of all such acts, events or conditions at the time thereof  
 22 or within a reasonable time thereafter, and to preserve them.

23 The term business, as used in this section, includes business, pro-  
 24 fession, occupation, and calling of every kind."

Approved April 19, 1961.

## CHAPTER 289

### REAL ESTATE MORTGAGES

S. F. 450

AN ACT to amend chapter six hundred twenty-eight (628), Code 1958, to permit mortgagors and mortgagees of real property of less than ten (10) acres in size to reduce the period of redemption after foreclosure sale by agreement and by waiver of deficiency judgment.

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

1 SECTION 1. Chapter six hundred twenty-eight (628), Code 1958,  
 2 is hereby amended by adding the following new section thereto:

3 "The mortgagor and the mortgagee of real property consisting of  
 4 less than ten (10) acres in size may agree and provide in the mortgage  
 5 instrument that the period of redemption after sale on foreclosure of  
 6 said mortgage as set forth in section six hundred twenty-eight point  
 7 three (628.3) be reduced to six (6) months, provided the mortgagee  
 8 waives in the foreclosure action any rights to a deficiency judgment  
 9 against the mortgagor which might arise out of the foreclosure pro-  
 10 ceedings. In such event the debtor will, in the meantime, be en-  
 11 titled to the possession of said real property; and if such redemption  
 12 period is so reduced, for the first three (3) months after sale such  
 13 right of redemption shall be exclusive to the debtor, and the time  
 14 periods in sections six hundred twenty-eight point five (628.5), six  
 15 hundred twenty-eight point fifteen (628.15), and six hundred twenty-  
 16 eight point sixteen (628.16), shall be reduced to four (4) months."

Approved April 7, 1961.