

619.8 Necessity to plead.

No mitigating circumstances shall be proved unless pleaded, except such as are shown by or grow out of the testimony introduced by the adverse party.

[R60, § 2929; C73, § 2682; C97, § 3593; C24, 27, 31, 35, 39, § **11173**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 619.8]