

CHAPTER 165.

APPEARANCE TERM IN ACTIONS OF MANDAMUS.

S. F. 185.

AN ACT to amend section thirty-six hundred fifty-six (3656) of the code, relating to the appearance term for certain actions.

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

SECTION 1. **Mandamus actions.** That section thirty-six hundred and fifty-six (3656) of the code be, and the same is hereby amended by inserting in line two (2) of said section between the words "for" and "divorce" the following: "mandamus or".

Approved February 23, A. D. 1907.

CHAPTER 166.

RECOVERY OF COSTS BY SUCCESSFUL PARTY.

S. F. 231.

AN ACT to amend section thirty-eight hundred and fifty-three (3853) of the code relating to the recovery of costs by the successful against the losing party.

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

SECTION 1. **Mileage costs of witnesses limited.** That section thirty-eight hundred and fifty-three (3853) of the code be amended by striking out the period following the word "party" and before the word "But" in the second line thereof and inserting a semicolon in lieu thereof and adding between said words the following; "the losing party, however, shall not be assessed with the cost of mileage of any witness for a distance of more than seventy miles from the place of trial, unless otherwise ordered by the court at the time of entering judgment."

Approved April 2, A. D. 1907.

CHAPTER 167.

EXECUTIONS.

S. F. 162.

AN ACT to amend section three thousand nine hundred fifty-five (3955) of the code, and to provide the issuance of an execution when an outstanding execution is lost or destroyed.

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

SECTION 1. **Lost or destroyed execution—duplicate issued.** Section three thousand nine hundred fifty-five (3955) of the code is hereby amended by adding thereto the following, viz.:

"When the plaintiff in judgment shall file in any court in which a judgment has been entered an affidavit made by himself, his agent or attorney, or by the officer to whom the execution was issued, that an outstanding execution has been lost or destroyed, the clerk of such court may issue a duplicate execution as of the date of the lost execution, which shall have the same force and effect as the original execution, and any levy made under the execution