

CHAPTER 227.

INDICTMENTS.

H. F. 93.

AN ACT to amend the law as it appears in section five thousand two hundred eighty-nine (5289) of the code, by adding thereto a provision permitting the county attorney to amend indictments and to require that objections to indictments be waived if not made before swearing the jury on the trial of the case.

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

SECTION 1. **Corrections authorized—notice—objections.** That the law as it appears in section five thousand two hundred eighty-nine (5289) of the code be amended by adding thereto the following paragraphs, to-wit:

"7. The county attorney may, at any time before or during the trial of defendant upon indictment, amend the indictment so as to correct errors or omissions therein as to matters of form, or to correct errors in the name of any person or in the description of any person or thing, or in the allegations concerning the ownership of property that may be described in the indictment; but such amendment shall not prejudice the substantial rights of the defendant, or charge him with a different crime or different degree of crime from that charged in the original indictment returned by the grand jury.

8. A notice of the time the state will ask permission to file such amendment, together with a copy of such amendment shall be served upon the defendant or his attorney and an opportunity be given the defendant to resist the filing of such amendment. No continuance or delay in trial shall be granted because of such amendment, except upon the defendant's application, it appearing to the court that defendant should have additional time to prepare for trial because of the new allegations contained in the indictment.

9. All objections to the indictment relating to matters of substance and form which might be raised by a plea in abatement shall be deemed waived if not raised by the defendant before the jury is sworn on the trial of the case."

Approved April 15, A. D. 1909.

CHAPTER 228.

APPEALS IN CRIMINAL CASES.

S. F. 67.

AN ACT to amend section fifty-four hundred forty-eight (5448) of the code relating to the time in which an appeal may be taken from the final judgment in criminal cases.

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

SECTION 1. **When allowed.** That section fifty-four hundred forty-eight (5448) of the code be amended by striking out the words "one year" in the fourth line thereof and inserting in lieu thereof the words "six months".

SEC. 2. **Not applicable to judgments entered prior to July 4, 1909.** The provisions of this act shall not affect any case in which judgment has been entered in the district court prior to the taking effect of this act.

Approved February 5, A. D. 1909.