

CHAPTER 158.

ACTIONS ON JUDGMENTS IN COURTS OF RECORD.

H. F. 38.

AN ACT to amend section three thousand four hundred thirty-nine (3439) of the supplement to the code, 1907, relating to the time when actions may be brought on judgments in courts of record.

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

SECTION 1. Actions on judgments. That section thirty-four hundred and thirty-nine (3439) of the supplement to the code, 1907, be and the same is hereby amended by striking out all of said section beginning with the word "no" in the first line down to and including the word "party" in the fourth line, and by inserting in lieu thereof the following: "No action shall be brought upon any judgment against a defendant therein, rendered in any court of record of this state, within fifteen years after the rendition thereof, without leave of the court, or a judge thereof, for good cause shown, and, if the adverse party is a resident of this state, upon reasonable notice of the application therefor to him."

SEC. 2. In effect. This act being deemed of immediate importance shall take effect from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved March 17, A. D. 1911.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital March 18, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 159.

RECOVERY OF INTEREST IN REAL ESTATE WHEN SPOUSE FAILED TO JOIN IN CONVEYANCE.

H. F. 6.

AN ACT to repeal section three thousand four hundred forty-seven-b (3447-b) of the supplement to the code, 1907, and to enact a substitute therefor relative to the recovery of interest in real estate when spouse failed to join in conveyance.

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

SECTION 1. Repeal—action for recovery of interest—when and by whom brought. That section three thousand four hundred forty-seven-b (3447-b) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof.

"In all cases where the holder of the legal or equitable title or estate to real estate situated within this state, prior to the first day of January, 1890, conveyed said real estate or any interest therein by deed, mortgage, or other instrument which has been recorded, and the spouse failed to join therein, such spouse or the heirs at law, personal representatives, devisees, grantees, or assignees of such spouse shall be barred from recovery unless suit is brought therefor within one year after the taking effect of this act. But in case the right to such distributive share has not accrued by the death of the spouse making such instrument, then the one not joining is hereby authorized to file in the recorder's office of the county where the

land is situated, a notice with affidavit, setting forth affiants claim, together with the facts upon which such claim rests, and the residence of such claimants; and if such notice is not filed within two years from the taking effect of this act, such claim shall be barred forever. Any action contemplated in this section may include land situated in different counties, by giving notice thereof as provided by section three thousand five hundred forty-four (3544) of the code. Provided, that the repeal of said section shall not affect any act done, any right accruing or which has accrued or been established, nor any suit or proceeding had or commenced in any civil cause before the time when such repeal takes effect; but the proceedings in such cases shall be conformed to the provisions of said repealed section as far as consistent."

Approved March 17, A. D. 1911.

CHAPTER 160.

RECOVERY OF INTEREST IN REAL ESTATE WHEN SPOUSE FAILED TO JOIN IN CONVEYANCE.

H. F. 543.

AN ACT to amend house file number six(6) of the thirty-fourth general assembly relating to the recovery of interest in real estate when spouse failed to join in conveyance.

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

SECTION 1. **Not restricted to recorded instruments.** That section one (1) of house file number 6 of the thirty-fourth (34th) general assembly of Iowa, as the same appears in the record of enrolled bills be amended by striking out the words "which has been recorded" in the seventh (7th) line thereof.

Approved May 2, A. D. 1911.

CHAPTER 161.

FORECLOSURE OF REAL ESTATE MORTGAGES.

S. F. 253.

AN ACT to repeal section three thousand four hundred forty-seven-c (3447-c) of the supplement to the code, 1907, and enacting a substitute therefor relating to the foreclosure of real estate mortgages and fixing the time within which certain actions for the foreclosure of mortgages may be brought.

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

SECTION 1. **Repeal—limitation of action to foreclose or enforce real estate mortgage or contract.** That section three thousand four hundred forty-seven-c (3447-c) of the supplement to the code, 1907, is hereby repealed and the following enacted in lieu thereof:

"No action shall be maintained to foreclose or enforce any real estate mortgage, bond for deed, trust deed or contract for the sale or conveyance of real estate, after twenty (20) years from the date thereof, as shown by the record of such instrument, unless the record of such instrument shows that less than ten (10) years have elapsed since the date of maturity of the indebtedness or part thereof, secured thereby, or since the right of action