

dollars (\$25.00). When any mortgage is satisfied on the margin of the record of the mortgage, as herein provided, the person satisfying the same shall be identified to and his signature shall be witnessed by the county recorder or his deputy.

Approved January 30, 1924.

#### CHAPTER 106

##### CLERK OF THE SUPREME COURT

S. F. 245

AN ACT to amend, revise, and codify sections eight thousand four hundred seventy-eight ((8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court.

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

That sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. Appointment. Within ninety (90) days prior to the first secular day in January, nineteen hundred twenty-seven (1927) and every four (4) years thereafter, the judges of the supreme court shall appoint a clerk of the supreme court who shall hold office for four (4) years and until his successor has been appointed and qualified. In case a vacancy occurs, the same shall be filled by appointment for the unexpired portion of the term only.

Sec. 2. Present clerk of the supreme court. Nothing in this act shall affect the term of office of the present clerk of the supreme court.

Approved January 22, 1924.

#### CHAPTER 157

##### SUPREME COURT PROCEDURE

H. F. 246

AN ACT to amend, revise, and codify sections seventy hundred thirty-two (7032), seventy hundred thirty-five (7035), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court, and qualifications for admission to the bar.

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

That section eighty-four hundred eighty-six (8486) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Section 1. Motion for new trial. The supreme court on appeal may review and reverse any judgment or order of the municipal, superior, or district court,

although no motion for a new trial was made in such court.

That sections eighty-four hundred ninety (8490) and eighty-four hundred ninety-one (8491) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 2. Time for appealing. Appeals from the district, superior, and municipal courts may be taken to the supreme court at any time within four (4) months from the date of the entry of record of the judgment or order appealed from, and not afterwards; but, when a motion for new trial, or in arrest of judgment, or for judgment notwithstanding the verdict has been filed, such time for appeal shall be automatically extended so as to permit the same at any time within 60 days after the entry of the ruling upon such motion.

Sec. 3. Amount in controversy. No appeal shall be taken in any cause in which the amount in controversy between the parties as shown by the pleadings does not exceed one hundred dollars (\$100.00), unless the trial judge shall, during the term in which judgment or order is entered, certify that the cause is one in which the appeal should be allowed. Upon such certificate being filed the same shall be appealable regardless of the amount in controversy. Said limitation shall not affect the right of appeal in any action in which an interest in real estate is involved, nor shall the right of appeal be affected by the remission of any part of the verdict or judgment returned or rendered.

Sec. 4. Appeal by coparties. A part of several coparties may appeal, but in such case they must serve notice of such appeal upon those not joining therein, and file proof thereof with the clerk of the court from which the appeal is taken.

That section eighty-four hundred ninety-five (8495) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 5. Service. A notice of appeal shall be served and return made thereon in the same manner as an original notice in a civil action, and filed in the office of the clerk of the court in which the judgment or order appealed from was rendered or made. All other notices connected with or growing out of the appeal shall be served and the return made in like manner, and filed in the office of the clerk of the supreme court, and all notices provided for in this section become a part of the record in the case on being filed.

That sections eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497) and eighty-four hundred ninety-nine (8499) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 6. Abstract of record - time of filing - hearing. An abstract of the record shall be filed in the office of the clerk of the supreme court within thirty (30) days before the second term after the appeal was taken. If the abstract is filed fifteen (15) days before the first day of the next term of court the cause shall be placed on the calendar for that term and come on for hearing, unless otherwise ordered by the court.

Sec. 7. Docketing - assignment for each day. The clerk shall docket the causes as they are filed in his office and shall, under order of the chief justice, arrange and set a proper number for trial for each day of the term, placing together as far as practicable those from the same judicial district, and shall cause notice thereof to be published and distributed as the court may direct.

That section eighty-five hundred (8500) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 8. Dismissal or affirmance. If an abstract of the record is not filed by appellant within thirty (30) days before the second term after the appeal was taken, unless further time is given before the expiration of said time by the court or a judge thereof for good cause shown, the appellee may file an abstract of such matters of record as are necessary, or may file a copy of the final judgment or order appealed from, or other matters required, certified to by the clerk of the trial court, and cause the case to be docketed, and the appeal upon motion shall be dismissed, or the judgment or order affirmed. Denial of abstracts, additional abstracts, or transcripts may also be filed.

That section eighty-five hundred two (8502) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 9. Certification of record. Any party may cause a certified copy of the record in the lower court or any part of the same to be filed in the office of the clerk of the supreme court for its consideration. The original transcript of evidence may be sent up, but shall be returned to the clerk of the proper county after the cause has been determined by the supreme court. Upon application to the supreme court or any judge thereof, the clerk of the court from which appeal is taken may be ordered to file such certified copy.

That section eighty-five hundred four (8504) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 10. Original papers - production. Where a view of an original paper or exhibit in the action may be important to a correct decision of the appeal, the court or any judge thereof may order the clerk of the court below to transmit the same, which he shall do in the manner provided for the transmission of certifications of the record.

That section eighty-five hundred twenty-eight (8528) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 11. Rehearing - notice. Written notice of intention to petition for a rehearing shall be served on the opposite party or his attorney and the clerk of the supreme court within thirty (30) days after the filing of the opinion, or within such time as the court may by rules prescribe.

Sec. 12. Petition for rehearing - service - time of filing. Such petition shall be printed, and, with proof of service thereof on the opposite party or his attorney, shall be filed with said clerk within sixty (60) days after the opinion is filed.

Sec. 13. Petition may constitute brief and argument. The petition may be made by the argument or a brief of authorities relied upon for rehearing. The adverse party may file a printed argument in response. If the party applying for a rehearing shall give notice of oral argument in his petition, then both parties shall be entitled to be heard orally, unless the party giving notice waives argument.

That section seventy hundred thirty-two (7032) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 14. Qualifications for admission to bar. Every applicant for such admission must be at least twenty-one years of age, of good moral character, and an inhabitant of this state, and must have actually and in good faith pursued a regular course of study of the law for at least three full years, either in the office of a member of the bar in regular practice of this state or other state, or of a judge of a court of record thereof, or in some reputable law school in the United States, or

partly in such office and partly in such law school; but, in reckoning such period of study, the school year of any such law school, consisting of not less than thirty-six weeks exclusive of vacations, shall be considered equivalent to a full year. Every such applicant for admission must also have actually and in good faith acquired a general education substantially equivalent to that involved in the completion of a high school course of study of at least four years in extent.

That section seventy hundred thirty-five (7035) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 15. Fees - how used. Every applicant for admission shall pay to the clerk of the supreme court an examination fee of five dollars, payable before the examination is commenced. Practitioners from other states seeking admission to practice in this state as provided by law shall pay an admission fee of ten (10) dollars. The fees thus paid to the clerk shall be retained by him as a special fund to be appropriated as otherwise provided; and any amount thereof remaining in his hands unappropriated on the thirtieth day of June of each year shall be turned over to the state treasury.

Approved February 1, 1924.

#### CHAPTER 158

#### CARRYING DANGEROUS WEAPONS

S. F. 247

AN ACT to amend, revise, and codify sections eighty-five hundred seventy-five (8575), eighty-five hundred seventy-eight (8578) to eighty-five hundred eighty-eight (8588), both inclusive, and eighty-five hundred ninety-two (8592) of the compiled code of Iowa, relating to the use and carrying of dangerous weapons and permits therefor.

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

That section eighty-five hundred seventy-five (8575) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Section 1. If any person shall wilfully draw or point a pistol, revolver or gun at another, he shall be guilty of a misdemeanor, and be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not more than thirty (30) days; but this section shall not apply to police officers or other persons whose duty it is to execute process or warrants, or make arrests.

That sections eighty-five hundred seventy-eight (8578) to eighty-five hundred eighty-eight (8588), both inclusive, of the compiled Code of Iowa be amended, revised, and codified to read as follows:

Sec. 2. The sheriff of any county may issue a permit, limited to the time which shall be designated therein, to carry concealed a revolver, pistol or pocket billy. It shall be the duty of said sheriff to issue a permit to go armed with a revolver, pistol or pocket billy to all peace officers and such other persons who, in the judgment of said official, should be permitted to go so armed. Banks, trust companies, mining, transportation, manufacturing and mercantile companies or establishments may obtain a general permit good for any of their employes, only while on duty, actually engaged in guarding any property or the transportation of moneys or other valuables. Permits issued to peace officers or to employes of