

A BILL

FOR AN ACT RELATING TO PRACTICE IN THE SUPREME COURT OF THE STATE.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all cases
2 appealed to the supreme court of this state shall be disposed of only by a decision on the
3 merits of the questions of law or fact therein involved, and no case shall be dismissed,
4 affirmed or otherwise disposed of than on its merits where there is an appearance by both
5 parties, except by consent of parties.

SEC. 2. The supreme court may enforce any rule thereof as to time of filing transcripts,
2 abstracts or arguments by taxing costs, or the imposition of reasonable terms upon the party
3 in default giving a reasonable time and opportunity to file the necessary transcript, abstract
4 or argument.

SEC. 3. No case shall be submitted without the transcript required by section 3179 of the
2 Code of 1873, unless waived by stipulation of parties, and if no appearance is made by appel-
3 lee, the supreme court, before deciding the cause shall examine the said written transcript.

SEC. 4. This act being deemed of immediate importance, shall take effect from and after
2 its publication in the *Iowa State Register* and the *Iowa State Leader*, newspapers published at
3 Des Moines, Iowa.

J. M. PARKER, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER :

Your Committee on Judiciary, to whom was referred house file No. 213, a bill for an act relating to the practice in the supreme court of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. M. PARKER, *Chairman.*

Ordered passed on file.

J. A. HARVEY, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER :

Your Committee on Judiciary, to whom was referred house file No. 213, a bill for an act to regulate the practice in the Supreme Court, have had the same under consideration, and we, the undersigned, members of said committee, being unable to agree with the majority in their report against the passage of said bill, beg leave to report that in our judgment said bill should be passed, and they therefore recommend that said bill do pass, notwithstanding said majority report.

Feb. 13, 1880.

(Signed) J. A. HARVEY.
J. H. KING.
C. M. NAGLE.
J. M. CASEY.
C. H. MACKAY.

Ordered passed on file.