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THE IOWA PERSONAL EARNINGS EXEMPTION

Section 627.10 of the Iowa Code provides that:

> The earnings of a debtor, who is a resident of the state and the head of a family, for his personal services, or those of his family, at any time within ninety days next preceding the levy, are exempt from liability for debt.

This article is an attempt to explore the basis for determination of what constitutes exempt earnings within the meaning of the statute. Other personal property exemptions will not be analyzed.[1] Iowa has seen fit to deal with federal pensions,[2] workmen's compensation[3] and insurance proceeds[4] separately by statute and not let them fall within the vague category of earnings.

The earnings exemption statute first appeared in the Code of 1851[5] and with very little modification has appeared continuously since that date. The primary intent of the legislature seems to have been to preserve the earnings of a resident head of a family for the benefit of his family[6] and to protect these earnings from appropriation to the payment of his debts without his consent.[7] Observing this intent, the courts of many states, including Iowa, have stated that exemption statutes are to be liberally construed and, in case of doubt, a construction followed which will be favorable to the claimed exemption.[8]

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[1] See Note, 36 IOWA L. REV. 76 (1950) for a general analysis of personal property exemptions.

[2] IOWA CODE § 627.8 (1950).

[3] IOWA CODE § 627.13 (1950).

[4] IOWA CODE §§ 509.13, 511.37, 512.17, 635.8 (1950); Note, 33 IOWA L. REV. 710 (1948).

[5] IOWA CODE § 1901 (1851).

[6] See *In re* Guardianship of Bagnall, 238 Iowa 905, 938-944, 29 N.W.2d 597, 612-616 (1947); Note, 130 A.L.R. 1028 (1941).

[7] A general waiver of exemptions prior to levy seems invalid, Maguire v. Kennedy, 91 Iowa 272, 59 N.W. 36 (1894); Curtis v. O'Brien and Sears, 20 Iowa 376 (1866), but a debtor may estop himself from raising the exemption at the time of levy by inducing the creditor to garnish. Dowling & Allgood v. Wood, 125 Iowa 244, 101 N.W. 113 (1904). Wages, whether exempt or not, may be assigned effectively by compliance with Iowa Code § 539.4 (1950), requiring the acknowledged signature of the debtor and of his wife, if married. The same formality applies to assignments to secure small loans under Iowa Code § 536.17 (1950).

[8] See, *e.g.*, Johnson v. Williams, 235 Iowa 688, 691, 17 N.W.2d 405, 406 (1945); Martin v. Loula, 208 Ind. 346, 195 N.E. 881 (1935); Williams v. Sorenson, 106 Mont. 122, 75 P.2d 784 (1938); Brasher v. Carnation Co., 92 S.W.2d 573 (Tex. Civ. App. 1936).

"Earnings," according to the Iowa court, "are the fruit or reward of labor — the price of services performed."[9] This definition is not as stringent as those of some jurisdictions. Other states, in statutes similar in nature, have employed the word "wages" instead of "earnings."[10] The general interpretation of "wages" seems to be more narrow than that given "earnings," and many courts use the employer-employee relationship in determining the scope of the exemption.[11]

Most of the Iowa cases involve debtors within the category of laborers, but in *McCoy v. Cornell, Ward & Comings*[12] the court said:

> But it is claimed the statute does not include physicians or other professional men. . . . The statute makes no destinction [*sic*] between professional men, mechanics or common laborers. It extends the exemption to the *earnings of the debtor for his personal services*, or those of his family accrued within ninety days prior to the levy, whether the debtor be a physician or lawyer, a mechanic, a clerk or a common laborer.[13]

In *Ohio Casualty Ins. Co. v. Galvin*[14] the court extended the exemption to the salary of a county treasurer, thus defeating an attempt by the surety company to recover payments it had made because of failure of the treasurer to account for public funds.

It is difficult to determine when the exemption applies to income resulting in part from labor and in part from capital employed. The court held the $100 per picture fee of a portrait artist exempt when the cost of paint and canvas used in each painting was but $1.50, saying that the investment was nominal compared to the reward for labor performed.[15] But they refused to protect income arising from the operation of a boarding house,[16] saying:

> The object of this statute, we think, is to exempt the earnings for personal service, as contradistinguished from the income arising from a business involving other elements of gain than the mere personal services of those conducting it. . . . [If we sustain the exemption] . . . no reason can be assigned why the proprietor of a hotel, or a bank, or a mercantile establishment may not do the same. . . . In all such employments . . . the gross income may be made up very largely of the personal earnings of the proprietor. . . .[17]

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[9] Johnson v. Williams, 235 Iowa 688, 691, 17 N.W.2d 405, 406 (1945).
[10] See, *e.g.*, ILL. REV. STAT. c. 62, § 14 (1951); BURNS' IND. STAT. § 3-505 (1946).
[11] See, *e.g.*, J. Austin Dillon Co. v. Edwards Shoe Stores, 53 Ga. App. 437, 186 S.E. 470 (1936); Groves & Rosenblath v. Atkins, 160 La. 489, 107 So. 316 (1926); Johnston v. Barrills, 27 Ore. 251, 41 Pac. 656 (1895).
[12] 40 Iowa 457 (1875).
[13] *Id.* at 458-459.
[14] 222 Iowa 670, 269 N.W. 254, 108 A.L.R. 1086 (1936).
[15] Millington v. Laurer, 89 Iowa 322, 56 N.W. 533 (1893).
[16] Shelly v. Smith, 59 Iowa 453, 13 N.W. 419 (1882).
[17] *Id.* at 455-456, 13 N.W. at 420.

It seems that the Iowa court has made an unnecessarily close interpretation of the statute. New York has permitted the proprietor of a boarding house to claim the exemption.[18] Maryland[19] and Montana[20] have sustained the exemption as to both wages and reimbursed traveling expenses of debtors who operated automobiles in the course of their employment. Some part of those funds must be attributed to return on the capital invested in the automobile.

A factor which may induce a narrow construction is the "all-or-nothing" character of the exemption. The statutes of many states place a maximum upon the amount which may be claimed as exempt, though most of them are hopelessly out of proportion to the current purchasing power of the dollar.[21] Repeated attempts have been made to secure enactment of a statute permitting levy on ten percent of the debtor's otherwise exempt earnings in this state[22] but have to date met with failure.

In the discouraging light of the meager case law, it is not surprising that persons who seem actually to be entrepreneurs have successfully employed strategems which disguise them as wage-earners. A builder who normally worked as an independent subcontractor induced the general contractor to purchase the materials and pay for them, deducting the cost from the amount to be paid for the job. The court held the remaining amount due to be earnings for personal services and therefore exempt.[23] In a similar situation an insolvent farm tenant who feared that creditors would levy upon crops he raised had his sister take a lease of the farm he had been operating. He then contracted with her to use his labor and exempt farm implements to produce crops upon the land, she agreeing to pay him a stated monthly salary. The court recognized the purpose of the transaction but found it nevertheless bona fide, holding that the debtor could enjoy the exemption of the tools he used in farming and retain his wages at the same time.[24] Each of these cases involve income representing both labor and return on capital, as did the boarding house case.[25] The latter and the farmer case[26] were decided but two days apart. The only apparent distinction is that the capital equipment utilized in the

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[18] 1101 Park Ave. Corp. v. Cornell, 133 Misc. 397, 232 N.Y. Supp. 663 (N.Y. City Ct. 1929).

[19] Shriver v. Carlin & Fulton Co., 155 Md. 51, 141 Atl. 434 (1928); 58 A.L.R. 767 (1929).

[20] Williams v. Sorenson, 106 Mont. 122, 75 P.2d 784 (1938).

[21] See, *e.g.*, BURNS' IND. STAT. §3-505 (1946) exempting wages ". . . not exceeding twenty-five dollars at any time."; MINN. STAT. § 550.37(16) (1949) exempting not less than thirty-five nor more than fifty dollars of the wages due for services performed within thirty days prior to the levy.

[22] See Note, 36 IOWA L. REV. 525 (1951); H.F. 123, 55th G.A. (Iowa 1953); note 48, *infra*.

[23] Banks v. Rodenback, 54 Iowa 695, 7 N.W. 152 (1880).

[24] Patterson v. Johnson, 59 Iowa 397, 13 N.W. 416 (1882).

[25] Shelly v. Smith, 59 Iowa 453, 13 N.W. 419 (1882).

[26] Patterson v. Johnson, 59 Iowa 397, 13 N.W. 416 (1882).

farmer and builder cases was itself exempt from execution,[27] while there was no showing in the boarding house case that any of the property used was exempt. If that is the explanation, it is consistent with holdings that rent from exempt homestead realty is also exempt.[28]

The small merchant would encounter more difficulty. It is hard to disguise his business as services. His stock in trade is not exempt. Fixtures used in conducting his business would not seem to come within personal property exemptions. It is true that he might incorporate his business and thus enable himself to draw most of the income of the business in the form of salary. But if he retains the ownership of the corporate shares his creditors could levy upon them. If he, while insolvent, transfers the shares or the assets to some other person the transfer may be attacked as being in fraud of creditors.[29] As a further danger, his creditors may persuade the court to "pierce the corporate veil" he erects and treat the business as a non-corporate enterprise.[30]

Another problem presented by the personal earnings exemption is the computation of the statutory "ninety days next preceding the levy." The court seems to have taken the position that the key time is that when the services are performed, and not when the wages accrue or are actually paid.[31] In *Chadwick v. Stout*[32] an employer delayed payment beyond the statutory period and then attempted to set off against the judgment for wages a judgment he had against the employee. He succeeded, the court holding that the services had been performed more than ninety days prior to the levy; the exemption had expired as to those earnings.

In any metropolitan area it is simple to so delay the action that the statutory period will be exhausted. Would a properly executed assignment of wages, of which the employer is notified within the ninety day period, serve to defeat such a scheme? The assignment, being a transfer of exempt property, seems clearly not a fraudulent conveyance,[33] and it would prevail over a garnishment of the employer by a third person creditor.[34] But if the delay is for the purpose of permitting the employer himself to set off such a claim a different problem is presented, since the employer's claim might be ". . . a defense or counterclaim which the

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[27] IOWA CODE § 627.6(18), (19) (1950).

[28] Olsen v. Lohman, 234 Iowa 580, 13 N.W.2d 332 (1944); Morgan & Hunter v. Rountree, 88 Iowa 249, 55 N.W. 65 (1893).

[29] See 1 GLENN, FRAUDULENT CONVEYANCES §§ 263-266 (Rev. ed. 1940); Iowa Code c. 555 (1950).

[30] See BALLANTINE, CORPORATIONS § 131 (1946).

[31] Johnson v. Williams, 235 Iowa 688, 17 N.W.2d 405 (1945). A retroactive wage increase was held subject to execution even though none of the amount actually accrued until shortly before the levy.

[32] 112 Iowa 167, 83 N.W. 901 (1900); *accord*, Connor v. McCormick, 117 N.W. 976 (1908).

[33] Nash v. Stevens, 96 Iowa 616, 65 N.W. 825 (1896); *cf.* Robb v. Brewer, 60 Iowa 539, 15 N.W. 420 (1883).

[34] See, *e.g.*, Steltzer v. Condon, 139 Iowa 754, 118 N.W. 39 (1908).

maker or debtor had against any assignor thereof before notice of such assignment."[35] It could be argued, of course, that until the period of exemption has expired no defense or counterclaim could arise in this situation. It seems clear, in any event, that the counterclaim asserted by the employer must arise out of a claim personal to him, since rights acquired by assignment from third persons, whether before[36] or after[37] the wages were earned, cannot be set off.

A device once employed to defeat the exemption was the assignment of a claim for collection outside of the state by garnishing the debtor's employer in some other jurisdiction. Advantage could thereby be taken of the conflict of laws rule that exemption laws are procedural and each state applies its own. *Haines v. Welker & Co.*,[38] holding that a person thus deprived of his exempt earnings could recover from his erstwhile creditor not only the wages so taken, but punitive damages as well, made the procedure less attractive.

Not surprisingly, there is dispute over the form the earnings may take and still enjoy the exemption. A husband may give his exempt earnings to his wife or family, and the property they acquire therewith will not be subject to the payment of his debts.[39] Money in the hands of the employer, the debtor, or deposited to the debtor's account in a bank enjoys the exemption.[40] In *Staton v. Vernon*[41] the debtor deposited exempt earnings in a "joint" husband-and-wife checking account. The court found that the character of the account was a matter of convenience only, to facilitate the payment of family expenses, and that no ownership was vested in the wife. Joint judgment creditors of the husband and wife could not obtain any part of the account as property of the wife.

If an actual transfer of a beneficial interest to the wife is found an even more dangerous situation is presented. There is respectable authority from other states to the effect that a creditor of one of several joint owners of a bank account may appropriate the whole account to the payment of the debt, since the debtor

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[35] IOWA CODE § 539.1 (1950).

[36] Millington v. Laurer, 89 Iowa 322, 56 N.W. 533 (1893); Note, 12 IOWA L. REV. 167 (1927); Note, 106 A.L.R. 1070 (1937).

[37] Banks v. Rodenback, 54 Iowa 695, 7 N.W. 152 (1880).

[38] 182 Iowa 322, 56 N.W. 533 (1893). Injunctions against the prosecution of such claims in the foreign court may also be obtained. Teager v. Landsley, 69 Iowa 725, 27 N.W. 739 (1886).

[39] Ehlers v. Blumer, 129 Iowa 168, 105 N.W. 406 (1905); Nash v. Stevens, 96 Iowa 616, 65 N.W. 825 (1896); Robb v. Brewer, 60 Iowa 539, 15 N.W. 420 (1883); *see In re* Opava, 235 Fed. 779, 786 (ND. Iowa 1916).

[40] *See* Staton v. Vernon, 209 Iowa 1123, 1125, 229 N.W. 763, 764 (1930).

[41] Staton v. Vernon, 209 Iowa 1123, 229 N.W. 763 (1930). The court applied a "first in-first out" rule to deposits and withdrawals to determine whether the account represented earnings of the previous ninety days.

himself might have done so.[42] While the Iowa court might not adopt this view, a forewarned debtor would be well advised to deposit his exempt wages in an account of which he is the sole owner when there is a judgment or threat of judgment against the wife. If it is thought necessary to have the wife able to draw upon the account a carefully drafted agency agreement would suffice. Such an arrangement would be acceptable to most banks if the bank is clearly exonerated from liability for an abuse of the agency agreement by the wife.

Iowa Methodist Hospital v. Long[43] presents a strange variation of the problem as to the form the earnings may take. An employee participated in a payroll deduction plan for the purchase of United States Savings Bonds. During the course of a debtors examination he disclosed his ownership of the bonds, some of which had been purchased with wages earned within ninety days prior to the examination. The court said that, while exemption statutes were to be liberally construed, there was no mention of bonds in the exemption statutes; the proceeds of the bonds could be applied to the payment of the debt. Thus earnings which would have been exempt in the debtor's pockets or in his bank account were not exempt when represented by government bonds. On policy grounds it might be argued that the purpose of the statute is to provide means for obtaining current necessaries for the family, and that purchase of savings bonds implied an admission that the funds were not needed for such expenses. The court made no excursion into policy, however, resting the holding wholly upon the ground that bonds were not named in the exemption chapter.

Still another difficulty is presented in interpreting the statute. The earnings of a debtor for his own services are exempt; *his* earnings for the services of his family are also exempt. In *Booth v. Backus*[44] a judgment creditor of both husband and wife garnished the employers of each. The husband secured the discharge of the writ against his employer because of the exemption statute. He tried but failed to have the wife's employer discharged also. The court held that a wife who earns wages outside of the home in independent employment retains the earnings as her separate property; since she was not the head of the family she could not claim the exemption and her wages are available for the satisfaction of her debts.

Earnings of unemancipated minor children present a different question. In the *Booth* case the court said, "He is entitled to the services of minor children in his family, but compensation therefor is exempted the better to assure their proper maintenance."[45]

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[42] Park Enterprises v. Trach, 233 Minn. 467, 47 N.W.2d 194 (1951); 36 MINN. L. REV. 93. See 1 GLENN, FRAUDULENT CONVEYANCES § 149a (Rev. ed. 1940).

[43] 234 Iowa 843, 12 N.W.2d 171, 150 A.L.R. 440 (1944) and note.

[44] 182 Iowa 1319, 166 N.W. 695 (1918).

[45] *Id.* at 1322, 166 N.W. at 696.

Despite the implication that earnings of children may be taken by creditors of the parent-debtor after the ninety day period, it seems incredible that the savings of a newspaper delivery boy, for example, would be so taken today. A possible method to avoid litigating the problem would be the actual appropriation of such earnings by the parent within the period of exemption and the making of a formal inter vivos gift of the money to the child. It seems that a debtor may dispose of his exempt property to any person;[46] *a fortiori* a gift of the child's earnings to the child would be immune from attack by creditors.[47]

NOTE. Since the writing of this article the 55th General Assembly enacted H.F. 123, providing that only "Ninety percent (90%) of" the earnings of a resident head of a family are exempt from execution. The bill was vetoed by the Governor and its supporters were unsuccessful in their attempt to override.[48] From the creditors' standpoint the amendment promised alleviation of existing abuses of the law; some variation will undoubtedly be offered to future legislatures.[49]

The principal utility of the amendment would be harassment. Under existing law wages may not be garnished until the services earning them have been performed, *i.e.*, until nothing but lapse of time is necessary to make the debt due.[50] The writ does not bind wages earned after the time of service.[51] Because of this fact, the mere existence of the right to garnish for ten percent of earnings would coerce debtors voluntarily to apply that amount to the obligation, or to execute an assignment to secure payment. If they refused, repeated garnishment would induce them to do so; in all but large payments of earnings most of the ten percent would be applied to the costs of the garnishment process and but little to reduction of the debt. In few cases would the procedure pay for itself as a collection device. In addition, repeated services are almost certain to result in discharge of the employee; few employers will long tolerate the confusion in accounting and payroll management accompanying garnishment.

Those same considerations create a potential abuse. Threat of them may coerce the employee-debtor to "voluntarily" apply more than ten percent of his wages to payment of the debt rather than lose his job. In fact, that threat is commonly used at present. A remedy exists, however, which seems adaptable to the vetoed

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[46] Holliday v. Hepler, 213 Iowa 488, 239 N.W. 66 (1931); see cases cited note 39 *supra*.

[47] See Note, 44 A.L.R. 876 (1926) collecting cases involving payment by parents to children for the services of the children in the parent's business.

[48] Des Moines Tribune, April 14, 1953, p. 1, col. 6.

[49] See text at notes 21 and 22, *supra*.

[50] See, *e.g.*, Stowe v. Breen, 230 Iowa 1215, 300 N.W. 518 (1941).

[51] Stowe v. Breen, *supra* note 50; Bump v. Augustine, 154 N.W. 782 (1915).

amendment. In *Nix v. Goodhill*[52] the court held that an action for abuse of process would lie against one who knowingly garnished exempt wages to induce the debtor to pay to avoid being fired. Seemingly the same action would lie against one who refused voluntary payment or assignment of ten percent and persisted in garnishing.

Another problem would have been presented in determining priority among several garnishing creditors. Since priority seems ordinarily to depend upon the order of service of the writ,[53] a creditor might feel compelled to rush in before the end of the pay period and garnish for a few days of work in order to serve the writ before others have an opportunity to do so. This practice would not only further complicate the employer's bookkeeping but would reach a comparatively smaller sum, leaving practically nothing for application to the debt after payment of costs.

Preferring creditors is valid both under the common law and in Iowa.[54] Would an assignment of wages to secure payment of a debt be considered a part of the ten percent available? Under the Chattel Loan Act a debtor may assign ten percent of his wages to secure payment of the loan;[55] outside of that act unlimited assignment is possible.[56] If the creditor does not get an assignment he could obtain a judgment and garnish for the non-exempt ten percent. If the debtor is unable to voluntarily apply the ten percent without being subject to garnishment by other creditors he must submit to repeated garnishment and wasteful diversion of the proceeds to the payment of costs. On the other hand, if he may voluntarily apply the non-exempt portion to the assignment creditor he may contract new — and perhaps frivolous — debts and defeat existing creditors. Under the proposed amendment there seems to be no middle ground. Permitting the garnishment of wages to be earned in the future would relieve most of the problem, however.

It might be questioned whether a purely gratuitous bona fide asignment of all future wages to a wife or some other trusted person would not defeat the garnishment. Until the services are performed there is no property which creditors can reach by processes currently available; if unearned wages are but a "mere expectancy" it might be held that disposition of them is not a

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[52] 95 Iowa 282, 63 N.W. 701 (1895).
[53] See, *e.g.*, Nash v. S. M. Braman Co., 210 Minn. 196, 297 N.W. 755 (1941).
[54] See Bates v. Maiers, 223 Iowa 183, 272 N.W. 444 (1937); Andrew v. Nabholz, 219 Iowa 75, 257 N.W. 587 (1934).
[55] IOWA CODE § 536.17 (1950).
[56] IOWA CODE § 539.4 (1950).

fraudulent conveyance despite the obvious intent of the assignor and assignee.[57]

New York authorizes garnishment of ten percent of the debtor's wages, future as well as current, if he earns in excess of a statutory minimum.[58] The garnishments rank in order of service, and costs are incurred but once.

Even more realistic would be the establishment of a basic exemption for a single wage earner — *e.g.*, $25 per week — and adding to that a sum—*e.g.*, $10 per week—for each member of his family dependent upon him for support. A single man or woman, who now has no exemption, would receive some protection. A married man with two children could retain $55 per week exempt from liability for debt under this proposal. Any excess could be levied upon in its entirety, or upon an increasing scale as the income bracket increases if such a provision were thought desirable. Protection against fluctuating financial conditions and changes in the purchasing power of the dollar could be attained in part, at least, by tying the basic exemption to the Cost of Living Index of the United States Bureau of Labor Statistics.[59]

Adoption of some such plan protects the debtor in dire financial straits but prevents the higher salaried person from using the exemption as a shield from the payment of his just debts.

Essential to the successful operation of this or any other means of subjecting a part of earnings to debt is an amendment of the garnishment laws to permit garnishment of wages to be earned in the future.

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[57] See Lehr v. Switzer, 213 Iowa 658, 239 N.W. 564 (1931) (renunciation of a devise after a creditor had levied upon and sold the property); Saunders v. Wilson, 207 Iowa 526, 220 N.W. 344 (1925) (attempt to levy on a contingent remainder held inoperative). In Coomes v. Finegan, 233 Iowa 448, 453, 7 N.W.2d 729, 731 (1943) the court said a creditor could have no interest in a naked possibility which the devisee had released during the lifetime of decedent. See Bump v. Augustine, 154 N.W. 782 (1915).

[58] N.Y. CIV. PRAC. ACT § 684. The minimum is now $30 per week in cities of a quarter million or over and $25 per week in smaller cities.

[59] Compare this proposal with that contained in Note, 36 IOWA L. REV. 76, 88 (1950); for a practitioner's viewpoint, see Note, 36 IOWA L. REV. 525 (1950).

CIVIL REMEDIES FOR INTOXICATION

Section 129.2 of the Iowa Code of 1950, a section entitled Civil Action, creates a statutory civil liability for injuries to certain named persons "by any intoxicated person", or "in consequence of the intoxication" of any person. This liability is imposed against any person who shall, by illegally selling or giving intoxicating liquors, cause the intoxication. In full it reads as follows:

> Every wife, child, parent, guardian, employer, or other person who shall be injured in person or property or means of support by any intoxicated person, or in consequence of the intoxication, habitual or otherwise, of any person, shall have a right of action in his or her own name against any person who shall, by selling or giving to another contrary to the provisions of this title [Title VI, Alcoholic Beverages] any intoxicating liquors, cause the intoxication of such person, for all damages actually sustained, as well as exemplary damages.

In spite of its broad implications and forceful nature, this statute has been strangely idle for the past four decades. Consequently, in discussing the problems which arise under the statute, it will be necessary to do so in the light of cases decided in Iowa years ago. Where issues have not been developed in Iowa, Illinois cases will be referred to, in which jurisdiction there is a statute nearly identical to our own section 129.2.[1] Briefly stated, the problems to be discussed here are: (1) Classes of injuries, (2) Who may sue, (3) Who is liable, (4) Sales or gifts giving rise to liability, (5) When is one "intoxicated," (6) Must there be proximate cause, (7) Defenses, and (8) Judgment as lien on premises.

CLASSES OF INJURIES. Iowa and jurisdictions with similar statutes have come to classify the injuries for which there are remedies into two classes: injuries done "by any intoxicated person," and injuries resulting "in consequence of the intoxication" of any person. The most important reason for the distinction is in regard to the causal relationship requisite for a cause of action.

The expression "by any intoxicated person" is construed to mean all injuries caused by "an affirmative act of the intoxicated person,"[2] and includes acts where he disables or kills himself to the injury of his dependents;[3] or acts which do harm to third persons

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[1] ILL. REV. STAT. c. 43, § 135 (1951).
[2] See 2 IOWA L. BULL. 224, 225 (1916).
[3] *E.g.*, Lee v. Hederman, 158 Iowa 719, 138 N.W. 893 (1912) (accidental death); Bistline v. Ney Bros., 134 Iowa 172, 111 N.W. 422 (1907) (suicide); Huff v. Aultman & Schuster, 69 Iowa 71, 28 N.W. 440 (1886) (accidental death).