

CHAPTER 544

PLEADINGS

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544.043 Defamation by radio, defense	544.21 Incorporation; pleading and proof
544.15 Subscription and verification	544.22 Partnerships; proof as to members

544.01 [Superseded, Rules of Civil Procedure, Rules 7.01, 86.01 and 86.02]
544.02 [Superseded, Rules of Civil Procedure, Rules 8.01, 10.01, 86.01 and 86.02]
544.03 [Superseded, Rules of Civil Procedure, Rules 7.01, 12.02, 12.08, 86.01 and 86.02]
544.04 [Superseded, Rules of Civil Procedure, Rules 8.01, 8.02, 12.02, 86.01 and 86.02]

544.043 DEFAMATION BY RADIO, DEFENSE. The owner, licensee or operator of a visual or sound radio broadcasting station or network of stations, or any agent or employee of any such owner, licensee, or operator, is not liable for damages for any defamatory statement published or uttered in or as a part of a visual or sound radio broadcast, by any one other than such owner, licensee, or operator, or agent or employee thereof, if such owner, licensee, operator, or such agent or employee, shows that he has exercised due care to prevent the publication or utterance of the statement in that broadcast. Provided, however, the exercise of due care shall be construed to include a bona fide compliance with any federal law or the regulation of any federal regulatory agency.

The provisions of this section shall not affect any action or proceeding now pending or which shall be commenced within six months after the passage thereof, in any of the courts of the state.

[1951 c 532 s 1; 1953 c 680 s 1, 2; 1957 c 739 s 1]

544.05 [Superseded, Rules of Civil Procedure, Rules 8.05, 13.01, 13.02, 13.05, 20.01, 86.01 and 86.02]

544.06 [Superseded, Rules of Civil Procedure, Rules 7.01, 8.05, 10.02, 12.02, 86.01 and 86.02]

544.07 [Superseded, Rules of Civil Procedure, Rules 55.01, 86.01 and 86.02]
544.08 [Superseded, Rules of Civil Procedure, Rules 7.01, 12.02, 86.01 and 86.02]
544.09 [Superseded, Rules of Civil Procedure, Rules 7.01, 86.01 and 86.02]
544.10 [Superseded, Rules of Civil Procedure, Rules 12.06, 86.01 and 86.02]
544.11 [Superseded, Rules of Civil Procedure, Rules 15.04, 86.01 and 86.02]
544.12 [Superseded, Rules of Civil Procedure, Rules 22, 86.01 and 86.02]
544.13 [Superseded, Rules of Civil Procedure, Rules 24.01, 24.03, 86.01 and 86.02]
544.14 [Superseded, Rules of Civil Procedure, Rules 67.02, 86.01 and 86.02]

544.15 SUBSCRIPTION AND VERIFICATION. Every pleading in a court of record shall be subscribed by the party or his attorney, and may be verified in the manner following:

(1) By the affidavit of the party, or of one or more of the parties pleading together, that the affiant knows the contents of the pleading, that the averments thereof are true of his own knowledge, save as to such as are therein stated on information and belief, and that as to those he believes them to be true;

(2) If the party be a corporation, the affidavit may be made by any officer thereof having knowledge of the facts sworn to; if the state, or any officer thereof acting in its behalf, by the attorney general;

(3) If no party or officer acquainted with the facts and capable of making such affidavit be within the county where the attorney resides, the pleading may be verified by the attorney or agent of the party, stating the fact of such absence and that the pleading is true to the best of his knowledge and belief.

When any pleading is so verified, all subsequent pleadings in the case, except demurrers, shall be verified also. The verification may be omitted when an admission of the truth of the allegation might subject the party to prosecution for felony.

[R L s 4142] (9265)

NOTE: The last paragraph and that part of first sentence reading "in a court of record shall be subscribed by the party or his attorney, and" superseded, Rules of Civil Procedure, Rules 11, 86.01 and 86.02.

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544.21 PLEADINGS

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544.16 [Superseded, Rules of Civil Procedure, Rules 8.06, 86.01 and 86.02]
544.17 [Superseded, Rules of Civil Procedure, Rules 12.05, 12.06, 86.01 and 86.02]
544.18 [Superseded, Rules of Civil Procedure, Rules 8.04, 12.02, 86.01 and 86.02]
544.19 [Superseded, Rules of Civil Procedure, Rules 9.05, 86.01 and 86.02]
544.20 [Superseded, Rules of Civil Procedure, Rules 9.04, 86.01 and 86.02]
544.21 **INCORPORATION, PLEADING AND PROOF.** In actions by or against a corporation, domestic or foreign, it shall be a sufficient averment of its incorporation to allege, in substance, that the party is a corporation duly organized and existing under the laws of the designated state, country, or place. Unless the adverse party shall specifically aver that the plaintiff or defendant is not a corporation, no proof thereof shall be required at the trial.

[R. L. s. 4148] (9271)

544.22 **PARTNERSHIPS; PROOF AS TO MEMBERS.** When two or more persons sue or defend as copartners they may give in evidence any contract admissible under the pleadings. Unless the partnership is specifically denied by the adverse party, no proof shall be required that they are the same persons who composed such copartnership when the contract was made or at any subsequent time.

[R. L. s. 4149] (9272)

544.23 [Superseded, Rules of Civil Procedure, Rules 9.03, 86.01 and 86.02]
544.24 [Superseded, Rules of Civil Procedure, Rules 86.01 and 86.02]
544.25 [Superseded, Rules of Civil Procedure, Rules 86.01 and 86.02]
544.26 [Superseded, Rules of Civil Procedure, Rules 86.01 and 86.02]
544.27 [Superseded, Rules of Civil Procedure, Rules 8.05, 10.02, 18.01, 20.01, 86.01 and 86.02]
544.28 [Superseded, Rules of Civil Procedure, Rules 9.08, 86.01 and 86.02]
544.29 [Superseded, Rules of Civil Procedure, Rules 12.01, 15.01, 86.01 and 86.02]
544.30 [Superseded, Rules of Civil Procedure, Rules 4.07, 6.02, 15.01, 15.02, 86.01 and 86.02]
544.31 [Superseded, Rules of Civil Procedure, Rules 15.02, 86.01 and 86.02]
544.32 [Superseded, Rules of Civil Procedure, Rules 4.07, 6.02, 6.03, 60.01 60.02, 61, 86.01 and 86.02]
544.33 [Superseded, Rules of Civil Procedure, Rules 61, 86.01 and 86.02]
544.34 [Superseded, Rules of Civil Procedure, Rules 4.07, 6.02, 60.01, 60.02, 86.01 and 86.02]
544.35 [Superseded, Rules of Civil Procedure, Rules 5.04, 86.01 and 86.02]