

CHAPTER 279.

DISTRIBUTIVE SHARE AND OCCUPANCY OF HOMESTEAD BY SURVIVING SPOUSE.

S. F. 135.

AN ACT to amend section thirty-three hundred seventy-seven (3377) of the code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

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

SECTION 1. Election as between distributive share and occupancy of homestead—mentally incapable—hearing—order. That section three thousand three hundred seventy seven (3377) of the code be amended by adding at the end of said section the following:

“But when such surviving spouse is mentally incapable of making such election, the court on petition being filed alleging such disability, may set the matter down for hearing at such time and place as it may deem best, and direct what notice thereof shall be given; and at such hearing the court may enter an order electing for such spouse, which shall be the election under this section, of the person under such disability; and in case of an election of the distributive share such distributive share may be set off to such surviving spouse under disability on the petition of the guardian of such spouse and under the provisions for setting off the survivor’s share. But this act shall not apply to actions now pending in court.”

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

Approved March 20 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 24, 1913 and in the Des Moines Capital March 22, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 280.

SHARE OF SURVIVING SPOUSE WHERE INTESTATE LEAVES NO ISSUE.

Sub. for S. F. 16.

AN ACT to repeal section three thousand three hundred seventy-nine (3379) of the code and to enact a substitute therefor, relating to the share of surviving spouse.

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

SECTION 1. Repeal—survivor—parents—amount. That section three thousand three hundred seventy-nine (3379) of the code, be and the same is hereby repealed and the following enacted in lieu thereof: