

1 **SEC. 2. Affidavit relative to compensation.** In no case shall the
 2 compensation of executors, administrators, guardians, trustees, re-
 3 ceivers and their attorneys be allowed or paid until there shall have
 4 been filed with the clerk of the district court in which administration
 5 of the estate is pending an affidavit of the executor, administrator,
 6 guardian, trustee, receiver or attorney as the case may be stating
 7 that there is no contract, agreement, or arrangement, either oral or
 8 written, express or implied, contemplating any division of compensa-
 9 tion for such services, or participation therein, directly or indirectly,
 10 by any other person, firm or corporation with such executor, adminis-
 11 trator, guardian, trustee, receiver or attorney unless it be with one
 12 jointly serving with them in the same capacity in relation to the
 13 estate in which such compensation is allowed, in which event the
 14 affidavit shall show such fact.

1 **SEC. 3. Affidavit for corporation fiduciary.** In any case where a
 2 corporation is acting as a fiduciary under and by virtue of the provi-
 3 sions of chapter four hundred sixteen (416) of the code, 1927, the
 4 affidavit required by the last preceding section shall be executed and
 5 made by the president or some executive officer of such corporation.

House File No. 337. Approved April 16, 1931.

CHAPTER 230

BONDS IN ATTACHMENT PROCEEDINGS

AN ACT to amend section twelve thousand eighty-eight (12088) of the code, 1927, relat-
 ing to bonds in attachment proceedings.

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

1 **SECTION 1.** That section twelve thousand eighty-eight (12088) of
 2 the code, 1927, be amended by adding thereto the following:
 3 "Provided, however, in any case where only real property is sought
 4 to be attached, the plaintiff shall file such bond in a penalty to be
 5 fixed by the court or the clerk, and in such cases, the clerk shall issue
 6 a writ thereunder and shall direct therein that real property only
 7 shall be attached."

Senate File No. 330. Approved April 25, 1931.

CHAPTER 231

PARTITION PROCEDURE

AN ACT to amend chapter five hundred twenty-two (522) of the code, 1927, relating
 to partition procedure.

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

1 **SECTION 1.** That chapter five hundred twenty-two (522) of the
 2 code, 1927, be amended by adding thereto the following:
 3 "12351-d. When it appears in the petition for partition that a person
 4 not in being has an interest, vested or contingent, as a co-tenant of

5 the land sought to be partitioned, the court shall have jurisdiction
 6 over the interest of such person not in being and shall appoint a suit-
 7 able person to act for him in such proceeding and the provisions of
 8 section ten thousand nine hundred ninety-six (10996), code of 1927,
 9 so far as applicable, shall apply to persons so appointed. The decree
 10 of partition and the division or sale thereunder shall be of the same
 11 force and effect as to all such persons, or persons claiming by, through
 12 or under them, as though they were in being at the time of entry of
 13 the decree, and the property or proceeds of the interest of such person
 14 shall be subject to the order of the court until the right thereto be-
 15 comes fully vested."

House File No. 392. Approved April 25, 1931.

CHAPTER 232

DISPOSITION OF FINES AND FORFEITURES

AN ACT to amend section twelve thousand five hundred fifty-four (12554) of the code, 1927, relating to fines and forfeitures and the disposition thereof.

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

1 SECTION 1. Section twelve thousand five hundred fifty-four
 2 (12554) of the code, 1927, is repealed, and the following enacted in
 3 lieu thereof:

4 "All fines and forfeitures, after deducting therefrom court costs
 5 and fees of collection, if any, and not otherwise disposed of, shall go
 6 into the treasury of the county where the same are collected for the
 7 benefit of the school fund."

Senate File No. 70. Approved May 2, 1931.

CHAPTER 233

GUARDIANSHIP OF VETERANS

AN ACT to amend section eleven (11), chapter two hundred fourteen (214), acts of the forty-third (43rd) general assembly, relating to guardianship of veterans.

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

1 SECTION 1. That section eleven (11), chapter two hundred four-
 2 teen (214), acts of the forty-third (43rd) general assembly be
 3 amended by striking from lines two (2) and three (3) thereof, the
 4 following:

5 "on the anniversary date of the appointment,".

House File No. 117. Approved April 3, 1931.