

3 "In all actions brought in the courts of this state to recover damages  
 4 of a defendant in which contributory negligence of the plaintiff, actual  
 5 or imputed, was heretofore a complete defense or bar to recovery, the  
 6 plaintiff shall not hereafter, have the burden of pleading and proving  
 7 his freedom from contributory negligence, and if the defendant relies  
 8 upon negligence of the plaintiff as a complete defense or bar to plain-  
 9 tiff's recovery, the defendant shall have the burden of pleading and  
 10 proving negligence of the plaintiff, if any, and that it was a proximate  
 11 cause of the injury or damage. As used in this section, the term 'plain-  
 12 tiff' shall include a defendant filing a counterclaim or cross-petition,  
 13 and the term 'defendant' shall include a plaintiff against whom a coun-  
 14 terclaim or cross-petition has been filed."

Approved April 19, 1965.

### CHAPTER 431

#### EXAMINATION AND CROSS-EXAMINATION OF WITNESSES

H. F. 236

AN ACT to amend section six hundred twenty-four point one (624.1), Code 1962, relating to the examination and cross-examination of witnesses.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section six hundred twenty-four point one (624.1),  
 2 Code 1962, is hereby amended by adding thereto the following:  
 3 "1. A party may interrogate any unwilling or hostile witness by  
 4 leading questions. A party may call an adverse party or an officer,  
 5 director, or managing agent of a public or private corporation or of a  
 6 partnership or association which is an adverse party, and interrogate  
 7 him by leading questions and contradict and impeach him in all re-  
 8 spects as if he had been called by the adverse party, and the witness  
 9 thus called may be contradicted and impeached by or on behalf of the  
 10 adverse party also, and may be cross-examined by the adverse party  
 11 only upon the subject matter of his examination in chief."

Approved April 14, 1965.

### CHAPTER 432

#### AMENDMENTS TO PROBATE CODE

S. F. 49

AN ACT relating to various amendments to the Probate Code and old age assistance and medical assistance for the aged.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three (3) of chapter three hundred twenty-six  
 2 (326), Acts 60th General Assembly is amended by striking from lines