

1 SEC. 2. Section twelve thousand two hundred sixty-seven (12267),  
 2 Code, 1939, is hereby amended by adding immediately following the  
 3 period (.) in line ten (10) the following: "Where an action is brought  
 4 in the district court it shall be tried as an equitable action, and upon  
 5 presentation of the petition to the court or judge after the same has  
 6 been filed, the court or judge shall make an order fixing the time and  
 7 place for hearing upon said petition and shall prescribe that notice of  
 8 the hearing be personally served upon the defendant or defendants,  
 9 which service shall be at least five (5) days prior to the date set for  
 10 hearing."

1 SEC. 3. Section twelve thousand two hundred seventy-five (12275),  
 2 Code, 1939, is amended by striking the period (.) in line line eight (8)  
 3 and inserting a comma (,) in lieu thereof and by adding the following  
 4 words: "as an equitable action."

1 SEC. 4. Section twelve thousand two hundred seventy-two (12272),  
 2 Code, 1939, is hereby amended by striking all following the period in  
 3 line four (4) of said section.

1 SEC. 5. This act being deemed of immediate importance shall be in  
 2 full force and effect from and after its passage and publication in the  
 3 LeMars Semi-Weekly Sentinel, a newspaper published at LeMars, Iowa,  
 4 and in the Ida Grove Pioneer Record, a newspaper published at Ida  
 5 Grove, Iowa.

Approved March 31, 1941.

I hereby certify that the foregoing act was published in the LeMars Semi-Weekly  
 Sentinel, LeMars, Iowa, April 4, 1941, and the Ida Grove Pioneer Record, Ida Grove,  
 Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

## CHAPTER 304

### ATTORNEYS FEES IN PARTITION ACTIONS

#### S. F. 524

AN ACT to amend section twelve thousand three hundred fifty-one (12,351), Code, 1939,  
 relating to fees for attorneys employed by referees in partition actions.

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

1 SECTION 1. Section twelve thousand three hundred fifty-one (12-  
 2 351), Code, 1939, is hereby amended by inserting immediately after  
 3 the word "chapter" in line two (2) the following: "and the attorney  
 4 employed by the referee or referees".

Approved April 15, 1941.