

Code are hereby repealed, and that the descent of property as prescribed by these provisions of the Code be modified as follows :

Provisions of Code modified.

Sec. 2. If the intestate leave no issue, the one half of his estate shall go to his parents and the other half to his wife ; if he leave no wife, the portion which would have gone to her shall go to his parents.

Estate to be divided between parents and wife.

Sec. 3. If one of his parents be dead, the portion which would have gone to such deceased parent, shall go to the surviving parent, including the portion which would have belonged to the intestate's wife had she been living.

Surviving parent takes the share of both.

Sec. 4. If both parents be dead, the portion which would have fallen to their share or to either of them by the above rules, shall be disposed of in the same manner as if they or either of them had outlived the intestate and died in the possession and ownership of the portion thus falling to their share or to either of them, and so on, through ascending ancestors and their issue.

One half of the estate to go to the heirs of parents.

Sec. 5. If the mother be the surviving parent as contemplated in section three of this act, she shall take only a life estate in the intestate's property, and after her death it shall go to the children of her body, if there be any, had by her deceased husband, he being the father of the intestate. If there be no such children, nor issue of such children in the descending line, then the intestate's property shall be divided between the nearest heirs of the father and mother of the intestate, share and share alike, and after such distribution is made the same rules shall be applied to any further distribution thereof, as are prescribed in this act.

Mother only to have a life estate.

Property to be divided equally among nearest relations.

Approved March 15th, 1858.

CHAPTER 64.

DIVORCE AND ALIMONY.

AN ACT to amend the law in relation to Divorce and Alimony.

SECTION 1. *Be it enacted by the General Assembly of*

the State of Iowa, That an act entitled "an act to amend the law in relation to Divorce and Alimony," approved January 24th, 1855, be and the same is hereby repealed.

SEC. 2. That so much of Chapter eighty-six of the Code of Iowa, as was by said act repealed, be and the same is hereby revived, saving and excepting the eighth paragraph of Section 1482 of said Code, in said Chapter eighty-six, which is not hereby revived.

SEC. 3. That the fourth paragraph of said Section 1482 be amended so as to read as follows, to wit:—
 "When he wilfully deserts his wife and absents himself without a reasonable cause for the space of two years."
 Approved March 15th, 1858.

CHAPTER 65.

ALIENS AND THEIR REAL ESTATE.

AN ACT respecting Aliens.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all Aliens residing in the United States who shall have made a declaration of their intentions to become citizens of the United States, by taking the oath required by law, and all Aliens residents of this State shall be capable of acquiring real estate in this State by descent or purchase, and of holding and alienating the same, and shall incur the like duties and liabilities in relation thereto as if they were citizens of the United States.

SEC. 2. It shall be lawful for every Alien who except for his alienage would be cable of acquiring real estate by devise descent from any person hereafter dying, capable at the time of the death, of holding real estate in this State, to acquire real estate in this State by devise or descent, from any person as aforesaid, hereafter dying, and of holding and alienating the same, and shall incur the like duties and liabilities in relation thereto, as if they were citizens of the United States.