

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

Approved, March 28, 1878.

I hereby certify that the foregoing act was published in the Iowa State Register, April 3, and in the Iowa State Leader, April 5, 1878.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 176.

HOME FOR THE FRIENDLESS.

S. F. 834.

AN ACT to Confer Certain Powers upon any Home for the Friendless Incorporated under the Laws of Iowa, in Relation to the Control and Disposition of Minor Children who become Inmates thereof.

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

Shall have authority to receive and dispose of minors.

SECTION 1. That any home for the friendless, incorporated under the laws of this state, shall have authority to receive, control and dispose of minor children, under the following provisions: In case of the death or legal incapacity of a father, or in case of his abandoning or neglecting to provide for his children, the mother shall be considered their legal guardian for the purpose of making surrender of them to the charge and custody of such corporation; and in all cases where the person or persons legally authorized to act as the guardian or guardians of any child, are not known, the mayor of the town or city where such "home" is located, may, in his discretion, surrender such child to said "home."

If parents are drunkards, etc., etc.

SEC. 2. In case it shall be shown to any judge of a court of record, or to the mayor, or to any justice of the peace within such city or town, that the father of any child is dead, or has abandoned his family, or is an habitual drunkard, or imprisoned for crime, and the mother of such child is an habitual drunkard, or is in prison for crime, or is an inmate of a house of ill-fame, or is dead, or has abandoned her family, or that the parents of any child have abandoned or neglected to provide for it, then such judge, mayor or justice of the peace may, if he thinks the welfare of the child requires it, surrender such child to said "home."

Upon complaint child may be sent to "home."

SEC. 3. Whenever complaint shall be made to the judge of any court of record, or to the mayor, or any justice of the peace in the city or town where said "home" is located, that any girl under the age of 14 years, or boy under the age of 12 years is abandoned by, or is sustaining relations to his or her parents or guardians, mentioned or contemplated in section 2 hereof, it shall be the duty of such judge, mayor or justice to issue a warrant for the arrest of such child, and if on testimony satisfactory to said

judge, mayor or justice, it shall appear that such child has no parents, or is abandoned by its parents or guardians, as contemplated in section 2 of this act, the said mayor, judge or justice may, if he believes the best interest of the child requires it, surrender such child to the care of said "home."

The right of appeal, within twenty days, to the district or circuit court, from the judgment of any mayor or justice of the peace shall be secured; and in any hearing before a court of record the party charged may have a trial by jury as is provided by law. Appeal.

SEC. 4. Upon the hearing of any *habeas corpus* for the custody of any child, if it appears that such child has been surrendered to said "home," under the provisions of this act, such surrender shall be taken by all courts of justice as presumptive that such child was legally and properly surrendered to said "home," and that said "home" was entitled to the custody and guardianship of such child under the provisions of this act. Habeas corpus.

SEC. 5. Such home for the friendless shall be the legal guardian of the persons of all children that shall be surrendered to it under the provisions of this act, and shall have and exercise all the right and authority of the parents of such children, under the provision of chapters 6 and 7, title 15 of the Code of Iowa, and amendments thereto, regulating the apprenticing and adoption of children. "Home" shall be legal guardian.
Code, title 15, chapters 6, and 7.

SEC. 6. If religious instruction is given any child while an inmate of such home, it shall be in the religious faith of the parents of such child, if the same be known; and when any home shall dispose of the custody of any child, it shall be to some person and of the same religious faith as its parents, unless the parent or former guardian consent otherwise. Religious instruction.

SEC. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily Iowa State Register, and Daily Iowa State Leader, newspapers published at Des Moines, Iowa. Publication.

Approved, March 26, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 4, and in the *Iowa State Leader*, April 6, 1878.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER 177.

WM. R. DANIELS, N. P.

AN ACT to legalize the Official Acts of Wm. R. Daniels, a Notary Public of Hamilton County. S. F. 316.

WHEREAS, Wm. R. Daniels was duly appointed and commissioned a notary public in and for the county of Hamilton, and entered upon the discharge of his duties; and,

WHEREAS, His commission as such notary public expired June