

CHAPTER 138.

REGISTRATION OF CHARITABLE ORGANIZATIONS SOLICITING PUBLIC AID.

S. F. 368.

AN ACT to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof. [Additional to section sixteen hundred forty-two (1642) of the code, relating to corporations not for pecuniary profit.]

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

SECTION 1. Statement filed with secretary of state—license. That from and after the passage of this act, all organizations, institutions, or charitable associations, which, through agents or representatives, solicit public donations in this state, shall be required to file with the secretary of state a statement setting forth the name and location of such organization, institution or charitable association, the purposes for which such organization, institution or charitable association exists, and the name of its principal officers and soliciting agents.

If, in the judgment of the secretary of state, such statement shall be deemed sufficient evidence that the moneys thus collected are to be used in the interest of the purposes represented, the secretary of state shall be authorized to issue to said organization, institution or charitable association, its agents and representatives, a state license, without expense, authorizing said organization, institution or charitable association to solicit public donations in any county, city or township in this state.

Nothing in this act, however, shall be construed to prohibit any person or local organization church school or any recognized society or branch of any church or school from publicly soliciting funds or donations within the county or adjoining counties in which such person resides or such church, school institution, organization or charitable association is located.

SEC. 2. Violation—penalty. Any person who shall willfully violate the provisions of this act or who shall solicit funds under any such license and thereafter divert the same to purposes other than that for which they were contributed shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the county jail not to exceed thirty (30) days.

Approved April 17 A. D. 1913.

CHAPTER 139.

CONDEMNATION OF LAND BY PRIVATE CEMETERY ASSOCIATIONS.

S. F. 263.

AN ACT to empower private cemetery associations to condemn land for additions to their cemeteries. [Additional to chapter two (2) of title nine (IX) of the code relating to corporations not for pecuniary profit.]

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

SECTION 1. Associations not for pecuniary profit—petition asking condemnation. When any private cemetery association, incorporated under the provisions of chapter two (2), title nine (IX) of the code, relating to corporations not for pecuniary profit, and having its cemetery located outside the limits of an incorporated city or town, shall desire to acquire additional land for cemetery use, it may file with the auditor of the county in which its cemetery is situated, a petition, directed to the governor of the state, asking that

it may be granted the right to condemn property. The petition shall be verified and shall contain a description of the land desired to be condemned, the amount of land comprised therein, the names and addresses of the owner or owners, so far as known, and a statement in general terms that the association has been unable to agree with the owner upon the price to be paid for the land, and that the land is reasonably needed by the association for use for cemetery purposes.

SEC. 2. Notice to land owner—publication. Notice that the petition is on file and will be heard at the next regular meeting of the board of supervisors, stating the first day of the said meeting, shall be prepared by the auditor, and, at the expense of the association, be served upon the land owner, whose land they seek to condemn, the same as original notices are served. If the owner is a non-resident of the county where the property sought to be condemned is located, notice shall be given by publication in some newspaper of general circulation in the county for two (2) consecutive weeks, said paper to be designated by the auditor, and the last publication to be at least ten days prior to the first day of the meeting of the board.

SEC. 3. Hearing—recommend to governor. The board of supervisors, at its regular meeting, shall hear the petitioner, and any persons appearing in opposition to the petition. If it appears to the board that the land is reasonably necessary for cemetery uses of the petitioner, the board shall recommend to the governor of the state that the petitioner be given the right to condemn the property, and the petition, with the recommendation of the board, shall be transmitted to the governor by the auditor.

SEC. 4. Right to condemn. When such a petition is presented to the governor, with the recommendation of the board of supervisors of the county, that the petition be granted, the governor may grant to the petitioner the right to condemn the property named in the petition.

SEC. 5. Procedure. When the right to condemn is granted by the governor, proceedings for condemnation may be taken by the private cemetery association, as provided in title ten (X), chapter four (4) of the code. In such proceedings, the grant of the right to condemn given by the governor shall be prima facie evidence that the proceedings prior to the grant of the right by the governor were in due form.

SEC. 6. In effect. This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,
Secretary of State.