

WHEREAS, said ordinances were adopted, approved and published in the manner and form provided by law, but doubts have arisen and now exist as to the legality of said ordinances and the acts and proceedings of the said council, mayor, and clerk, relative thereto, now therefore,

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

1 SECTION 1. Ordinances legalized, etc. That the said ordinances  
2 of the incorporated town of Diagonal, Ringgold county, Iowa, desig-  
3 nated and numbered two hundred (200) to two hundred twenty-one  
4 (221), both inclusive, duly adopted and approved June 1st, 1914, and  
5 all of which were published in book form and designated and known  
6 as "Ordinances of the Incorporated Town of Diagonal in Ringgold  
7 County, Iowa, 1914," be and hereby are, each and all fully legalized  
8 and declared valid and of the same force and effect as if they had in  
9 all respects been adopted, approved, recorded and published in the  
10 manner, form and time provided by law, provided, however, that this  
11 act shall not affect pending litigation.

Approved March 9, A. D. 1915.

#### CHAPTER 24.

##### OF THE TREATMENT OF INDIGENT CHILDREN SUFFERING FROM MALADY OR DEFORMITY.

S. F. 16.

AN ACT additional to and amendatory of the law as it appears in title III., chapter 5 B, of the supplement to the code, 1913, and to provide for medical and surgical treatment and hospital care of children who are afflicted with any malady or deformity which can probably be remedied, whose parents, or other persons chargeable with their support, are unable to provide such treatment and care, providing for payment of the expenses thereof, and conferring upon juvenile courts jurisdiction and certain powers in such cases, and conferring additional powers upon the board of control of state institutions and the state board of education relative to the commitment of inmates of institutions under their control to the medical college of the state university.

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

1 SECTION 1. Report as to condition of child. That any district  
2 or superior court of the state, or any judge thereof, sitting or acting  
3 as a juvenile court, as provided by law, may on his own motion, or on  
4 complaint filed by any probation officer, school teacher or officer,  
5 superintendent of the poor, or physician authorized to practice his  
6 profession in the state of Iowa, alleging that the child named therein is  
7 under sixteen years of age and is afflicted with some deformity or  
8 suffering from some malady that can probably be remedied, and that  
9 the parents or other persons legally chargeable with the support of  
10 such child are unable to provide means for the surgical and medical  
11 treatment and hospital care of such child, shall appoint some physician  
12 who shall personally examine said child with respect to its malady or  
13 deformation. Such physician shall make a written report to the court

14 or judge giving such history of the case as will be likely to aid the  
 15 medical or surgical treatment of such deformity or malady and de-  
 16 scribing the same, all in detail, and stating whether or not in his  
 17 opinion the same can probably be remedied. Such report shall be  
 18 made within such time as may be fixed by the court, and upon blanks  
 19 to be furnished as hereinafter provided. The court or judge may also  
 20 appoint some suitable person to investigate and report on the other  
 21 matters charged in said complaint.

1     **SEC. 2. Hearing—commitment.** Upon the filing of such report  
 2 or reports, the court or judge shall fix a day for the hearing upon the  
 3 complaint and shall cause the parent or parents, guardian or other  
 4 person having the legal custody of said child to be served with a notice  
 5 of the hearing, and shall also notify the county attorney, who shall  
 6 appear and conduct the proceedings, and upon the hearing of such  
 7 complaint evidence may be introduced. And if the court or judge finds  
 8 that the said child is suffering from a deformity or malady which can  
 9 probably be remedied by medical or surgical treatment and hospital  
 10 care, and that the parent or parents, guardian or other person legally  
 11 chargeable with his support is unable to pay the expenses thereof, the  
 12 court or judge, with the consent of the parent or parents, guardian or  
 13 other person having the legal custody of such child, shall enter an  
 14 order directing that the said child shall be taken or sent to the hospital  
 15 of the medical college of the state university of Iowa for free medical  
 16 and surgical treatment and hospital care. }

1     **SEC. 3. Receiving or refusing to receive patient.** It shall be  
 2 the duty of the person in charge of the hospital of the college of medi-  
 3 cine of the state university, or other person designated by the au-  
 4 thorities in control of said medical college, upon such child being re-  
 5 ceived into the hospital to provide for such child, if available, a cot or  
 6 bed, or room in the hospital, and such person shall also designate the  
 7 clinic of the college of medicine at the state university hospital to  
 8 which the patient shall be assigned for treatment of the deformity or  
 9 malady in each particular case.

10     The said hospital shall not be required to receive any child into the  
 11 hospital unless the physician or surgeon in charge of the department  
 12 of said medical college in which such surgical or medical treatment is  
 13 to be furnished shall be of the opinion that there is a reasonable prob-  
 14 ability that the child will be benefited by the proposed medical or sur-  
 15 gical treatment.

16     If the physician or surgeon of the clinic to which such child has been  
 17 assigned for treatment declines to treat such child, he shall make a  
 18 report, in duplicate, of his examination of such child and state therein  
 19 his reason or reasons for declining such treatment; and one of said  
 20 duplicates shall be preserved in the records of said hospital and the  
 21 other transmitted to the clerk of the court of said county where said  
 22 order committing said child to the hospital was entered.

23     When any patient has been admitted to the clinic for treatment the  
 24 physician or surgeon in charge thereof shall proceed with all proper  
 25 diligence to perform such operation and bestow such treatment upon  
 26 such patient as in his judgment shall be proper, and such patient shall  
 27 receive proper hospital care while therein.

1 SEC. 4. Treatment to be gratis. No compensation shall be  
2 charged by or allowed to the physician or surgeon or nurse who shall  
3 treat such patient other than the compensation received from the  
4 university.

1 SEC. 5. Cost of medicines, etc. The superintendent of the uni-  
2 versity hospital, or other person designated by the authorities in con-  
3 trol of the university college of medicine shall keep a correct account  
4 of the medicine, treatment, nursing and maintenance furnished to said  
5 patient, and shall set forth therein the actual, reasonable and necessary  
6 cost thereof, and shall make and file with the secretary of the execu-  
7 tive council of the state of Iowa an itemized, sworn statement, as far  
8 as possible, of the expense so incurred at said hospital other than the  
9 free medical and surgical treatment and nursing, as hereinbefore pro-  
10 vided, and the said statement shall be made in conformity with rules  
11 prescribed by the executive council of the state of Iowa.

1 SEC. 6. Audit of claims. The secretary of the executive council  
2 of the state of Iowa shall present the said statement to the executive  
3 council which, upon being satisfied that the same is correct and rea-  
4 sonable, shall approve the same, and shall direct that warrants be  
5 drawn by the auditor of state upon the treasurer of state for the  
6 amount of such bills as are allowed from time to time, and the said  
7 warrants shall be forwarded as drawn by the auditor of state to the  
8 treasurer of the state university of Iowa, and the same shall be by him  
9 placed to the credit of the university funds which are set aside for the  
10 support of the university hospital, and the treasurer of state shall pay  
11 said warrants from the general funds of the state not otherwise ap-  
12 propriated.

1 SEC. 7. Custody of patient—expense. The court or judge may,  
2 in his discretion, appoint some person to accompany such child from  
3 the place where he may be to the hospital of the medical college of the  
4 state university at Iowa City, Iowa, or to accompany such child from  
5 the said hospital to such place as may be designated by the court, the  
6 parent or parents, guardians or person having legal custody of said  
7 child, consenting.

8 Any person appointed by the court or judge to accompany said child  
9 to or from the hospital, or to make an investigation and report on any  
10 of the questions involved in the complaint other than the physician  
11 making the examination, shall receive the sum of three dollars (\$3.00)  
12 per day for the time actually spent in making such investigation (ex-  
13 cept in cases where the person appointed by the court is a parent or  
14 relative or where the officer appointed therefor receives a fixed salary  
15 or compensation, in which cases there shall be no compensation) and  
16 his actual necessary expenses incurred in making such investigation or  
17 trip. The physician appointed by the court to make the examina-  
18 tion and report shall receive the sum of five dollars (\$5.00) for each  
19 and every examination and report so made, and his actual necessary  
20 expenses incurred in making such investigation, in conformity to the  
21 requirements of this act. The person making claim to such compensa-  
22 tion shall present to the court or judge an itemized sworn statement  
23 thereof, and when such claim for compensation has been approved  
24 by the court or judge the same shall be filed in the office of the county

25 auditor, and shall be allowed by the board of supervisors and paid out  
26 of the funds of the county collected for the relief of the poor.

1     **SEC. 8. Return of patient—expense.** The university hospital  
2 may in the discretion of the superintendent or other person designated  
3 by the authorities in control thereof, pay the actual, reasonable neces-  
4 sary expenses of returning the said patient to his home, and pay the  
5 attendant not to exceed three dollars (\$3.00) per day for the time thus  
6 necessarily employed, unless said attendant be a parent or other rela-  
7 tive or be an officer or employee receiving other compensation, and his  
8 actual, reasonable and necessary expenses incurred in accompanying  
9 such patient to his home, and such per diem and expenses shall be  
10 itemized and verified, and presented to and allowed by the executive  
11 council of the state of Iowa, in connection with the bills for hospital  
12 maintenance, as hereinbefore provided.

1     **SEC. 9. Blanks—reports.** The medical faculty of the university  
2 hospital shall immediately upon taking effect of this act prepare a  
3 blank or blanks containing such questions and requiring such informa-  
4 tion as may in its judgment be necessary and proper to be obtained by  
5 the physician who examines the patient under order of court; and such  
6 blanks shall be printed by the state printer and a supply thereof shall  
7 be sent to the clerk of each superior and district court of the state of  
8 Iowa; and the physician making such examination shall make his re-  
9 port to the court in duplicate on said blanks, answering the questions  
10 contained therein, and setting forth the information required thereby,  
11 and one of said duplicate reports shall be sent to the university hospital  
12 with the patient, together with a certified copy of the order of court.  
13 The executive council of the state of Iowa shall determine the number  
14 of such blanks to be printed and distributed to the clerks of the su-  
15 perior and district courts of the state of Iowa, and shall audit, allow  
16 and pay the bills of the state printer therefor, as other bills are allowed  
17 and paid for public printing.

1     **SEC. 10. Inmates of state institutions.** The board of control of  
2 the state institutions of Iowa may in its discretion send any inmate  
3 of any of said institutions, or any person committed or applying for  
4 admission thereto, to the hospital of the medical college of the state  
5 university of Iowa for treatment and care as provided in this act with-  
6 out securing an order of court as provided in other cases, and the said  
7 patient so sent to the hospital of the medical college of the state uni-  
8 versity shall be accompanied by a report and history of the case made  
9 by the physician in charge of the institution to which said patient has  
10 been committed, or to which application has been made for his ad-  
11 mission, containing a history of the case and information as required  
12 by said blanks, and the hospital expenses of such patient shall be paid  
13 as in other cases. State board of education for any such patient from  
14 the college for the blind and the board of control for any such patient  
15 from any institution under its control may pay the expenses of trans-  
16 porting such patient to and from the hospital out of any funds appro-  
17 priated for the use of the institution from which such patient is sent,  
18 and may, when necessary, send an attendant with such patient, and  
19 pay his traveling expenses in like manner.

1     **SEC. 11. Limitation on treatment.** It is expressly provided that  
 2 no child under the terms of this act shall be treated for any ailment  
 3 except such as is described by the order of the court, unless permission  
 4 for such treatment is granted by the parents or guardians; and it is  
 5 also expressly forbidden that any child shall be used for the purpose of  
 6 experimentation.

Approved March 9, A. D. 1915.

## CHAPTER 25.

### OF DECREES AGAINST UNKNOWN CLAIMANTS.

H. F. 55.

AN ACT to legalize decrees obtained prior to January fifteenth, nineteen hundred fifteen (1915), in cases against unknown claimants, defendants, where the notice was entitled in the initial or initials of the plaintiff instead of his Christian or given name.

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

1     **SECTION 1. Decrees legalized.** That all decrees of court ob-  
 2 tained in cases prior to January fifteenth, nineteen hundred fifteen  
 3 (1915) in which the notice was entitled in the initial or initials of the  
 4 plaintiff instead of his full Christian name are hereby legalized and  
 5 said decrees shall have the same force and effect as if such notice had  
 6 been entitled in the full name of the plaintiff as was provided for in  
 7 section thirty-five hundred thirty-eight (3538) of the code and as is  
 8 provided for in section thirty-five hundred thirty-eight (3538) of the  
 9 supplement to the code, 1913.

1     **SEC. 2. Pending litigation.** Nothing in this act contained shall  
 2 be considered as affecting pending litigation.

Approved March 9, A. D. 1915.

## CHAPTER 26.

### OF THE ERECTION AND REPAIR OF COUNTY BUILDINGS.

H. F. 161.

AN ACT to amend paragraph five (5) of section four hundred twenty-two (422) of the supplement to the code, 1913, relating to the building or repair of county buildings, to require advertisements, bids, written contracts, bonds, and plans and specifications in certain cases, and to fix the requirements thereof.

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

1     **SECTION 1. Competitive bids.** That paragraph five (5) of sec-  
 2 tion four hundred twenty-two (422) of the supplement to the code,