

4 assignees deed, sheriffs' deed which shall have been recorded in the  
 5 office of the recorder of the county or counties in this state in which  
 6 the land described in such deed is situated prior to the first day of  
 7 January A. D. nineteen hundred five (1905) unless such action shall  
 8 be commenced prior to the first day of January A. D. nineteen hundred  
 9 seventeen (1917), and if no action to set aside, cancel, annul, declare  
 10 void or invalid, or to redeem from any such deed shall be commenced  
 11 prior to the first day of January A. D. nineteen hundred seventeen  
 12 (1917), then such deed and all the proceedings upon which the same  
 13 is based shall be conclusively presumed to have been in all things valid  
 14 and unimpeachable and effective to convey title according to the pur-  
 15 port thereof, without exception for infancy, insanity, absence from the  
 16 state or other disability or cause; provided that this act shall not apply  
 17 to any real property described in any such deed which is not on the  
 18 date this act becomes effective in the possession of those claiming  
 19 title under such deed.

1 SEC. 2. **Possession—how established.** The possession of the  
 2 persons claiming title as provided for in section one (1) hereof may be  
 3 established by affidavit recorded in the office of the recorder of the  
 4 county or counties in this state in which the deed to the land referred  
 5 to in said affidavit is recorded.

1 SEC. 3. **Pending litigation.** Nothing in this act shall affect any  
 2 pending litigation.

Approved March 26, A. D. 1915.

## CHAPTER 53.

### MANAGEMENT OF DRAINAGE DISTRICTS.

H. F. 600.

AN ACT to amend chapter two-A (2-A) of title (X), supplement to the code, 1913,  
 by adding thereto the following provisions for transferring the care of certain  
 drainage ditches to local boards of trustees.

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

1 SECTION 1. **Drainage districts under trustees—procedure.** That  
 2 chapter two-A (2-A) of title ten (X), supplement to the code, 1913, be  
 3 and the same is hereby amended by adding thereto the following:  
 4 That in all drainage or levee districts heretofore established or which  
 5 may be hereafter established and not containing a pumping station and  
 6 costing for establishment and construction one hundred thousand  
 7 dollars (\$100,000.00) or more and less than twenty-five per cent of  
 8 which has been spent for tile construction, any three or more persons  
 9 who own land within the district which has been assessed for benefits,  
 10 may, after the completion of the construction work of such district file  
 11 in the office of the county auditor or county auditors if the district is  
 12 in more than one county a petition signed by a majority of the persons  
 13 owning land within the district assessed for benefits and who in the

14 aggregate own a majority of the number of acres of land assessed for  
15 benefits asking that such district be placed under the management and  
16 control of three trustees, who are owners of land assessed for benefits  
17 in the district and residents of the county or counties in which the  
18 district is situated to be elected by the persons owning land assessed  
19 for benefits in such district, such trustees shall be agents for the  
20 property owners for the management of the business of the district  
21 but shall not be considered public officers.

1     **SEC. 2. Inter-county district—petition—place of filing.** If the  
2 district is located in more than one county, the petition shall be pre-  
3 sented to the boards of supervisors of the several counties in which  
4 the district is located.

1     **SEC. 3. Canvass of petition—election—board—trustees.** Upon  
2 the filing of said petition, the board of supervisors shall, at their next  
3 regular meeting, canvass the same and if it shall be determined that  
4 the same is signed by a majority of all the persons owning land in  
5 said district that has been assessed for benefits, and owning, in the  
6 aggregate, a majority of the acres of land assessed for benefits in such  
7 district, the board of supervisors shall order an election to be held at  
8 some convenient place in the district, at some time not less than thirty  
9 (30) days nor more than sixty (60) days from the date of the canvass  
10 of said petition, for the election of said trustees, and shall name from  
11 the residents of the district owning land assessed for benefits three  
12 (3) judges and two (2) clerks of election and shall cause notice of  
13 said election, together with the time and place of holding same, to be  
14 published in the county in which the district is situated, in which the  
15 official proceedings of the board of supervisors are published and if  
16 any district is located in more than one county, it shall be published in  
17 one such newspaper in each county. If the district is located in more  
18 than one county, the boards of the several counties shall meet in joint  
19 session as soon as possible after the petition is filed and canvass same  
20 in the same manner and for the same purpose as would be done by one  
21 board if in one county, and if the petition is found to contain the names  
22 of a majority of the owners owning a majority of the area of the dis-  
23 trict, the joint boards shall call an election and perform all the same  
24 duties that would be discharged by one board if the district was lo-  
25 cated wholly within one county.

1     **SEC. 4. Canvass of vote—certificate of result—certificate of**  
2 **election.** On the date designated for said election, the polls shall  
3 open at eight o'clock A. M. and remain open until seven o'clock P. M.  
4 and the judges of election shall canvass the vote and certify the result  
5 to the county auditor or auditors with whom the petition was originally  
6 filed and deposit the ballots cast and the poll books showing the names  
7 of the voters, with the county auditor of that county having the great-  
8 est part of the acreage of such district and such county auditor shall  
9 issue certificates to the trustees of their election.

1     **SEC. 5. Tenure of office.** The trustees so elected, shall hold office  
2 until the fourth (4th) Saturday in January next succeeding their  
3 election and until their successors are elected and qualified and on the  
4 third (3rd) Saturday in the January next succeeding their original

5 election, an election shall be held at which three (3) trustees shall be  
6 chosen, one for one year, one for two years, and one for three years,  
7 and each shall qualify and enter upon the duties of his office on the  
8 fourth (4th) Saturday of the same January.

1 **SEC. 6. Tenure of office.** The term of the trustee shall be three  
2 (3) years and each shall serve until his successor is elected and quali-  
3 fied.

1 **SEC. 7. Time of election.** On the third (3rd) Saturday in Jan-  
2 uary in each year, an election shall be held to choose a successor to the  
3 trustee whose term is about to expire, and fill any vacancies that may  
4 have occurred since the last election.

1 **SEC. 8. Vacancies.** If any vacancy occurs in the membership  
2 of the board between the annual elections, the remaining members  
3 of the board shall have power to fill such vacancies by appointment  
4 of persons having the same qualifications as themselves, and the per-  
5 sons so appointed shall qualify in the same manner and hold office un-  
6 til the next annual election and until their successors are elected and  
7 qualified, and in the event all places on the board become vacant, then  
8 a new board shall be appointed by the county auditor of the county  
9 in which the greater portion of the acreage of the district is located  
10 and the persons appointed by him shall hold office until the next an-  
11 nual election and until their successors are elected and qualified.

1 **SEC. 9. Elections—how conducted.** The trustees shall act as  
2 judges of election; the clerk of the board shall act as one of the clerks  
3 and some taxpayer of the district shall be selected by the board to act  
4 as another clerk. The trustees shall fill all vacancies in the election  
5 board. The result of all elections shall be certified to the county  
6 auditor or the several county auditors if the district is located in  
7 more than one county.

1 **SEC. 10. Organization—clerk.** As soon as the trustees have quali-  
2 fied, they shall organize by electing one of their own number as chair-  
3 man and may select some other taxpayer of the district as clerk of  
4 the board and the clerk shall serve until the fourth (4th) Monday in  
5 January succeeding his election and qualification unless sooner dis-  
6 charged by the board.

**SEC. 11. Trustees—bond—duties—readjustment of assessments**  
1 **—expenses.** The trustees shall qualify by giving a bond in the sum  
2 of five thousand dollars (\$5,000.00) each, conditioned for the faithful  
3 discharge of their duties, signed by two or more sureties to be ap-  
4 proved by the county auditor of the county in which the greater por-  
5 tion of the area of the district is located but this bond shall be sub-  
6 ject to be increased by order of the board or boards of supervisors  
7 under whose supervision the change to the trustee system was made.  
8 Upon the election and qualification of the trustees, they shall have  
9 control and supervision of such district in the same manner and with  
10 all the same powers that are conferred on the board or boards of super-  
11 visors for the control and supervision of drainage and levee districts  
12 under the drainage and levee laws of Iowa and shall promptly and  
13 faithfully look after all business of the district. If a re-classification

14 and readjustment of the assessment of property should ever be made,  
15 it shall be done under the board or boards of supervisors in the same  
16 manner as the original assessment. All costs and expenses incurred  
17 in making the change to the trustee system and all costs and ex-  
18 penses necessary to carry out the powers and duties hereby conferred  
19 upon said trustees shall, upon certificate of the trustees to the board  
20 or boards of supervisors of the amount of the same necessary therefor  
21 be levied and collected upon the land in said district in the same man-  
22 ner as taxes are levied and collected upon such lands for drainage  
23 purposes.

1 **SEC. 12. Reports to auditor.** Such trustees shall, from time to  
2 time, and with reasonable promptness, furnish the auditor of each  
3 county in which any part of said district is situated, with a correct  
4 record of their acts and proceedings, which statement must be signed  
5 by the chairman and the clerk of the board and shall be recorded by  
6 the auditor in the drainage record, and same shall be published as a  
7 part of the proceedings of the board of supervisors.

1 **SEC. 13. Voting by agent—votes in proportion to assessment.**  
2 In all elections held under this act, the owner of each tract of land,  
3 if he or she is over twenty-one (21) years of age, shall, without re-  
4 gard to sex, and any railroad or corporation owning property in such  
5 district and assessed for benefits shall, be entitled to at least one  
6 vote and anyone whose land is assessed for benefits in a sum exceed-  
7 ing ten dollars (\$10.00) shall be entitled to one vote for each ten  
8 dollars (\$10.00) of the original assessment for benefits against the  
9 land actually owned by him in such district at the time of the elec-  
10 tion and which has been assessed for benefits in such district, but in  
11 order to have his ballot counted for more than one vote he shall write  
12 his name upon his ballot. The vote of any resident of a county in  
13 which the district is located in whole or in part must be cast in  
14 person. The vote of any owner of land including railroads and cor-  
15 porations assessed within the district who is not a resident of a county  
16 in which the district is located in whole or in part may have his or  
17 its vote cast by some resident taxpayer of the district or agent of  
18 such railroad or corporation who is authorized by a power of attorney  
19 signed and acknowledged by such non-resident land owner or duly  
20 authorized officer of such railroad or corporation to cast the vote for  
21 him, but the power of attorney in such case shall be filed with the  
22 county auditor.

1 **SEC. 14. Compensation.** The compensation of the trustees and  
2 the clerk of the board is hereby fixed at three dollars (\$3.00) per day  
3 and necessary expenses to be paid out of the funds of the drainage  
4 district for each day necessarily expended in the transaction of the  
5 business of the district, but no one shall draw compensation for  
6 services as trustee and as clerk at the same time.

1 **SEC. 15. Certified copies of assessments to determine voting**  
2 **power.** Before any election is held, the election board shall obtain  
3 from the county auditor or auditors a certified copy of so much of  
4 the record of the establishment of such drainage district and the  
5 assessment of lands therein as will show what lands are embraced

5 within such district, the classification of each tract and the amount  
 6 of assessment levied against each tract for benefits in such district  
 7 and the name of the person against whom same was so assessed for  
 8 benefits and such certified record shall be kept by such trustees for  
 9 use in subsequent elections and they shall, from time to time, procure  
 10 from the county auditors additional certificates showing changes of  
 11 title of lands assessed for benefits in the district and the name of the  
 12 new owner, and any one who has acquired ownership of assessed  
 13 lands since the latest certificate from the auditor shall be entitled to  
 14 vote for such lands if he presents to the election board for its in-  
 15 spection at the time he demands the right to vote the original recorded  
 16 deed or a duly certified copy of the record of the deed under which he  
 17 holds title.

1 **SEC. 16. Conflicting acts—repeal.** All acts or parts of acts in  
 2 conflict with this act are hereby repealed.

1 **SEC. 17. Publication clause.** This bill being deemed of immediate  
 2 importance shall be in full force and effect from and after its pub-  
 3 lication in the Des Moines Capital and Des Moines Daily News, news-  
 4 papers published in Des Moines, Iowa, said publication to be without  
 5 expense to the state.

Approved March 26, A. D. 1915.

I hereby certify that the foregoing act was published in the Des Moines Capital  
 April 1, 1915 and in the Des Moines News April 3, 1915.

W. S. ALLEN, *Secretary of State.*

## CHAPTER 54.

### RENEWAL OF CORPORATE EXISTENCE.

H. F. 124.

AN ACT to legalize certain proceedings for renewals of corporations for pecuniary  
 profit.

WHEREAS, in certain instances proceedings for renewal for corporations  
 for pecuniary profit there has been failure to file the certificate showing  
 the proceedings resulting in such renewal together with the articles of in-  
 corporation, in the office of the county recorder within five days from the  
 time such action of the stockholders was taken; and

WHEREAS, in certain cases there has been failure to file such certificate  
 and articles of incorporation with the secretary of state within ten days  
 from the date when such certificate and articles were filed in the office  
 of the county recorder; and

WHEREAS, doubt may have arisen as to the validity of such proceedings  
 for renewal; now, therefore,

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

1 **SECTION 1. Renewals legalized.** That in all instances where  
 2 proper action has been taken prior to February 1, 1915, by the stock-