

## CHAPTER 151.

## MANNER OF COMMENCING ACTIONS.

H. F. 346.

AN ACT to amend section thirty-five hundred thirty-eight (3538), supplement to the code, 1913, relating to the manner of commencing actions against unknown defendants.

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

1 SECTION 1. **Unknown defendants.** That section thirty-five hun-  
2 dred thirty-eight (3538), supplement to the code, 1913, is hereby  
3 amended by striking from the eleventh (11) line thereof the word  
4 "full".

Approved April 12, A. D. 1915.

## CHAPTER 152.

## INDEPENDENT SCHOOL DISTRICT OF MONDAMIN.

S. F. 586.

AN ACT to legalize the proceedings under which the independent school district of Mondamin, Harrison county, Iowa, was established, and to legalize the establishment thereof and to legalize the election of directors and officers thereof and to legalize the issuance of the bonds of said district for school funding and school building purposes.

WHEREAS, on or about the ninth (9th) day of May, 1914, a petition duly approved by the county superintendent of Harrison county, Iowa, was filed with the board of directors of the school district of Mondamin Independent District, Harrison county, Iowa, asking for the establishment under the provisions of section twenty-seven hundred ninety-four-a (2794-a), supplement to the code, 1913, of a consolidated independent school district, including said Mondamin independent district and a part of Morgan, Taylor, Raglan and Clay townships, containing not less than sixteen (16) sections, the whole thereof being described as follows:

Beginning at the northeast (NE) corner of the west half (W $\frac{1}{2}$ ) of the east half (E $\frac{1}{2}$ ) of section eleven (11) township eighty (80), range forty-five (45) west of the fifth P. M. Iowa, thence south on the quarter section line to the southeast (SE) corner of the west half (W $\frac{1}{2}$ ) of the east half (E $\frac{1}{2}$ ) section fourteen (14) of said township and range, thence west to the northwest (NW) corner of section twenty (20) of said township and range, thence south to the southwest corner of section thirty-two (32) of said township and range, thence east to the southeast (SE) corner of the west half of section thirty-five (35) of said township and range, thence south to the center of section two (2) of township seventy-nine (79) range forty-five (45), thence east to the southwest (SW) corner of the northwest quarter (NW $\frac{1}{4}$ ) of section one (1) of said town-

ship and range, thence south to the southwest (SW) corner of the northwest quarter (NW $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of said section one (1), thence east directly across said section one (1), thence east directly across sections six (6), five (5) and four (4) to the southeast (SE) corner of the northeast quarter (NE $\frac{1}{4}$ ) of the southeast quarter (SE $\frac{1}{4}$ ) of said section four (4), of township seventy-nine (79), range forty-four (44), thence north to the northeast (NE) corner of said section four (4), thence east to the southeast (SE) corner of section thirty-four (34), township eighty (80), range forty-four (44), thence north to the northeast (NE) corner of section twenty-seven (27) of said township and range, thence west to the southwest (SW) corner of the southeast quarter (SE $\frac{1}{4}$ ) of section twenty-two (22) of said township and range, thence north to the center of section fifteen (15) of said township and range, thence west to the southwest (SW) corner of the northwest quarter (NW $\frac{1}{4}$ ) section seventeen (17) of said township and range, thence north to the southwest (SW) corner of the northwest quarter (NW $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of said section seventeen (17), thence west to the southeast (SE) corner of the northeast quarter (NE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of section eighteen (18) of said township and range, thence south to the center of said section eighteen (18), thence west to the center of section thirteen (13) of said township and range, thence north to the northeast (NE) corner of the northwest quarter (NW $\frac{1}{4}$ ) of section twelve (12) in said township and range, and thence west to the place of beginning; which petition was signed by the legal number of qualified electors and,

WHEREAS, on May twelfth (12th), 1914, the board of directors of said Mondamin Independent District called a special election of the voters of the territory described, said election to be held at the Mondamin council room on May twenty-fifth (25th), 1914, and

WHEREAS, notice of said election was duly posted in five public places as required by law and,

WHEREAS, at said election said board of directors failed to furnish a regular printed ballot upon which should appear the proposition for the consolidation of said district, but in fact furnished to said voters ballots upon which they should indicate whether they were for or against the following proposition: "Shall the proposed districts consolidate with the Mondamin Independent School District", upon which the voters should indicate whether they were for or against said proposition by placing a cross in the square opposite the word "yes" or "no" as the case might be, and

WHEREAS, a large majority of the voters of said district voted at said election and the proposition for the consolidation of said district duly carried, and,

WHEREAS, on or about June tenth (10th), 1914, a special election of said consolidated independent school district was called for the purpose of electing five directors therein, and

WHEREAS, notice of said election for June tenth (10th), 1914, was duly given as required by law, and

WHEREAS, at said election the following were elected directors of said independent school district of Mondamin, Harrison county, Iowa, A. D.

Gilmore and G. H. Wallace for the term expiring the second Monday in March, 1915; M. T. McEvoy and W. A. Robinson for the term expiring the second Monday in March, 1916; G. G. Cooper for the term expiring the second Monday in March, 1917, and

WHEREAS, on the eighth (8th) day of March, 1915, being the regular annual meeting of the voters of the said district, there was submitted to said voters the following proposition: "Shall the board of education bond the district for twenty-five thousand dollars, (\$25,000) for improvements, viz., to pay registered outstanding warrants and bonds to install a heating plant, to erect a new building, and purchase additional grounds", and

WHEREAS, said proposition was submitted to said voters without the previous filing with the president of the board of directors of a petition signed by a majority of the qualified electors of such independent district, stating the purpose for which the money was to be used, and that the necessary schoolhouse could not be built and furnished within the limit of one and one quarter ( $1\frac{1}{4}$ ) per centum of the valuation of the taxable property within such independent school district, as ascertained by the last county tax list, and

WHEREAS, at such election upon said proposition said board of directors failed to furnish a regular printed ballot in the form required by law, but submitted a ballot upon which was the proposition hereinbefore stated, and upon which the voters were to indicate whether they were for or against said proposition by placing a cross in the square opposite the word "yes" or "no", as the case might be, and

WHEREAS, at said election a majority of the duly qualified electors of said district voted in favor of issuing the bonds of said district for twenty-five thousand dollars (\$25,000) for improvements, viz., to pay registered outstanding warrants and bonds; to install a heating plant, to erect a new building and to purchase additional grounds, and

WHEREAS, the said independent school district of Mondamin, Harrison county, Iowa, has been known and designated in said records as "Mondamin Consolidated Independent School District," and as "Consolidated School District of Mondamin Independent School District", and as "Consolidated Independent District", and as Consolidated Independent School District of Mondamin, Iowa." and as Mondamin Independent School District", and

WHEREAS, the notice of the said meeting to be held on March eighth (8th), 1915, as posted, stated that there would be submitted to the voters of said district at said meeting, for their approval and suggestion the following proposition:

"Shall the board of education issue bonds against the Mondamin independent school district for the sum of twenty-five thousand dollars (\$25,000), or so much thereof as is necessary for the purpose of refunding outstanding bonds, to pay all registered outstanding warrants, to install a heating plant, to erect a new building, to furnish same, to purchase additional play ground", and

WHEREAS, at a meeting of the directors of said district a resolution was duly adopted providing for the issuance of school funding and school building bonds of said independent school district of Mondamin, Harrison county, Iowa, in the sum of twenty-five thousand dollars (\$25,000) for the

purpose of refunding valid bonds of the Mondamin independent district, heretofore issued by it and known as school building bonds in the sum of three thousand dollars (\$3,000), and for the purpose of refunding or paying warrants of the Mondamin independent district to the amount of thirty-two hundred sixty-seven dollars and sixty-six cents (\$3267.66), and for the purpose of erecting a new school building, installing a heating plant therein and furnishing the said building and purchasing additional ground for a play ground, and

WHEREAS, the board of directors of said independent school district of Mondamin has entered into a contract for the sale of said bonds at a price not less than the par value thereof, and has directed that the same be dated June first (1st), 1915, of the denomination of one thousand dollars (\$1,000), numbered one (1) to twenty-five (25), inclusive, bear interest at the rate of five per cent (5%) per annum, payable semi-annually, and be due in numerical order; one thousand dollars (\$1,000) on June first (1st) of each of the years 1918, 1920, and 1921, two thousand dollars (\$2,000) on June first (1st), 1922, three thousand dollars (\$3,000) on June first (1st), 1923, three thousand dollars on June 1st, 1924, and thirteen thousand dollars (\$13,000) on June 1st, 1925, and that principal and interest be payable at National Bank of the Republic, Chicago, Ill. and

WHEREAS, questions have arisen as to the validity of the proceedings had and done in the organization of said independent school district of Mondamin, Harrison county, Iowa, and as to the validity of proceedings had and done to authorize the issuance of the school funding and school building bonds of said district aforesaid, and

WHEREAS, the best interests of the state and of the territory embraced within said independent school district of Mondamin, Harrison county, Iowa, and of the inhabitants thereof, demand that the organization of said district and the proceedings done to authorize said bonds, be in all respects validated, now, therefore,

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

1 SECTION 1. Bonds, etc., legalized. That the petition for said  
2 election, the approval thereof by the county superintendent and the  
3 filing thereof with the board of directors of the independent school  
4 district of Mondamin, Harrison county, Iowa; the action of the board  
5 thereon, the calling of said special election to vote upon the question  
6 of establishing the territory described in said petition into an in-  
7 dependent consolidated school district; the notice of election, the  
8 form of ballot used at said election so held upon said proposition;  
9 the election within said territory so consolidated electing directors  
10 and officers thereof; the action of said directors and officers calling  
11 a special election for the purpose of voting the bonds of said school  
12 district in the sum of twenty-five thousand dollars (\$25,000) the pro-  
13 ceeds thereof to be used for the purpose of refunding valid bonds of  
14 the Mondamin independent district, heretofore issued by it and  
15 known as school building bonds in the sum of three thousand (\$3,000),  
16 and for the purpose of refunding or paying warrants of the Mondamin  
17 independent district to the amount of thirty-two hundred sixty-seven  
18 dollars and sixty-six cents (\$3267.66), and for the purpose of erect-  
19 ing a new school building, installing a heating plant therein and fur-

20 nishing the said building and purchasing additional ground for a  
21 play ground; the election so held thereon; the action of said board  
22 of directors in declaring said proposition duly carried; the action  
23 of said board of directors and officers of said consolidated school dis-  
24 trict in the issuance of said bonds and the sale thereof, and the meeting  
25 of said board at which such action was taken, be and the same are  
26 hereby legalized and made binding and effective with the same force  
27 and effect as though the law then in force had been fully, specifically  
28 and in every particular complied with and the establishment of said  
29 consolidated school district is hereby confirmed and declared legal,  
30 the election of said officers is hereby declared legal and confirmed  
31 and the election for the issuance of said bonds is hereby declared  
32 legal and effective and the bonds so issued are hereby declared the  
33 legal binding bonds of said school district and same are hereby de-  
34 clared legal as a valid binding indebtedness of said independent school  
35 district.

1     **SEC. 2. Same.** That all proceedings had and done by the board  
2 of directors, officers and electors of said independent school district  
3 of Mondamin, Harrison county, Iowa, to authorize the issuance of  
4 school funding and school building bonds of said district in the amount  
5 of twenty-five thousand dollars (\$25,000), for the purpose of funding  
6 bonds and warrants heretofore issued by Mondamin independent  
7 district, and for the purpose of building a new school house, furnish-  
8 ing the same, installing a heating plant therein and purchasing addi-  
9 tional ground, be and the same are hereby in all respects legalized,  
10 ratified and confirmed, and that the officers of said district be and  
11 they are hereby authorized to issue the school funding and school  
12 building bonds of said district, described in the preamble hereof.

1     **SEC. 3. Pending litigation.** Nothing in this act shall affect pend-  
2 ing litigation.

1     **SEC. 4. Publication clause.** This act being deemed of immediate  
2 importance, shall take effect and be in force from and after its pub-  
3 lication in the Des Moines News a newspaper published at Des Moines,  
4 Iowa, and in the Mondamin Enterprise, a newspaper published at  
5 Mondamin, Iowa, such publication to be without expense to the state.

Approved April 13, A. D. 1915.

I hereby certify that the foregoing act was published in the Des Moines News April 17, 1915, and in the Mondamin Enterprise April 22, 1915.

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