

## CHAPTER 37.

## QUIETING TITLE AGAINST UNKNOWN TENANTS.

H. F. 213.

AN ACT to legalize the publication of original notice in actions quieting title against unknown claimants pursuant to section thirty-five hundred and thirty-eight (3538), supplemental supplement to the code, 1915.

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

1 SECTION 1. Legalization of publication of original notices. No  
 2 action in which unknown persons were made parties defendant pur-  
 3 suant to the requirements of section thirty-five hundred and thirty-  
 4 eight (3538), supplemental supplement to the code, 1915, and in  
 5 which notice of such action was given by publication between the  
 6 first day of July, 1913, and the first day of July, 1915, for four con-  
 7 secutive weeks, the last publication being ten days prior to the first  
 8 day of the term for which said action was brought as shown by proof  
 9 on file in the office of the clerk of the court where said action was  
 10 pending, shall be held ineffectual, void, or insufficient because the  
 11 records fail to show that the court or judge approved said notice  
 12 before publication or failed to endorse his approval on said notice or  
 13 failed to designate in which paper said notice should be published,  
 14 as required by section thirty-five hundred and thirty-nine (3539), of  
 15 the code.

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

Approved March 7, A. D. 1917.

## CHAPTER 38.

## TOWN OF MONTEZUMA.

H. F. 28.

AN ACT to legalize the appointment of the trustees of the free public library of the incorporate town of Montezuma, Iowa, and their action in connection with the recommendation to the council of said town in the matter of levies for the erection and maintenance of such library, the acts of the said town council in the matter of levying-said tax, and the acts of the clerk of said town in certifying the said levy to the auditor of Poweshiek county, Iowa, the acts of said auditor in spreading said levy upon the tax records for the year 1916, which records have been delivered to the treasurer of said Poweshiek county, Iowa, and the acts of said treasurer in making collection of the aforesaid levy and assessment for library purposes.

WHEREAS, on the 26th day of December, 1916, the incorporate town of Montezuma, Iowa, in the manner provided by statute, held a special election for the purpose of submitting the question of the establishment of a free public library by said town to the qualified electors thereof, and at which election a majority of the said qualified electors who exercised their right of franchise voted in favor of the establishment of such library; and

WHEREAS, the mayor of said town did, on the 26th day of December, 1916, appoint a library board of nine members, as provided by statute, which board met on said day and afterward on said December 26, 1916, said board as appointed was approved by said town council and said board then met and recommended to the said town council that said council levy a tax of three mills for the purchase of real estate and the erection of a building for a public library, and four mills for the maintenance of said public library; and

WHEREAS, on the 26th day of December, 1916, said council approved the recommendation of said trustees and did levy a tax as recommended and did authorize and direct the clerk of said town to certify such levy to the county auditor of Poweshiek county, Iowa, for the purpose of causing said levy to spread upon the tax records of the property subject to taxation in said incorporate town for the year 1916; and

WHEREAS, on the 27th day of December, 1916, the said clerk did certify the said levy to said county auditor who did on said date spread the same on the tax records of the property subject to taxation in said incorporate town for the year 1916, and has delivered said tax records to the county treasurer of said county; and

WHEREAS, the said county treasurer has made partial collection of said tax and is making collection thereof; and

WHEREAS, some question exists as to the validity of the appointment of such trustees of said public library, the acts of said trustees as above set out, the acts of said town council and the acts of the clerk of said town, as above set out, the acts of said county auditor and said county treasurer, and of the authority of said county treasurer to continue in making collection of said library tax, now therefore

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

**SECTION 1. Proceedings relating to public library legalized.**

1 Appointment of trustees, levy and collection of tax. That the ap-  
 2 pointment of said trustees for said free public library, their approval,  
 3 and their recommendation of a library tax levy to said town council,  
 4 the action of said town council in levying said tax, the action of said  
 5 town clerk in certifying said levy to said county auditor, the action of  
 6 said county auditor in spreading said levy of tax upon the tax records  
 7 of the property of said incorporate town of Montezuma, Iowa, for the  
 8 year 1916, the acts of said county treasurer of said county in collecting  
 9 said tax, all as above set out, are all hereby legalized and made valid  
 10 and obligatory upon the parties thereto the same as if all had been  
 11 specifically authorized by statute before they were made or done.

1 **SEC. 2. Pending litigation.** Nothing herein contained shall be  
 2 construed to affect pending litigation.

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

Approved March 7, A. D. 1917.

I hereby certify that the foregoing act was published in the Des Moines Register March 12, 1917, and in the Montezuma Republican March 15, 1917.

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