

# LEGALIZING ACTS

## CHAPTER 315

### NOTICE OF HEARING ON PROBATE OF WILL

H. F. 153

AN ACT to amend chapter four hundred sixty-four (464), Code, 1939, by adding thereto a section relating to publication by clerks of the district courts of notice of time fixed for hearing of probate of any will, and legalizing notices of hearings published prior to January 1, 1939, and not in conformity with statutory requirement.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 SECTION 1. Chapter four hundred sixty-four (464), code, 1939, is  
 2 amended by adding thereto the following section:  
 3 "In all instances prior to January 1, 1939, where the clerk of the  
 4 district court of any county failed to publish notice of the time fixed for  
 5 hearing of the probate of any will filed in such county as required by  
 6 section eleven thousand eight hundred sixty-five (11865) of the code,  
 7 but did publish a notice of the time fixed for such hearing signed by  
 8 himself and addressed to whom it may concern, in a daily or weekly  
 9 newspaper printed in the county where the will was filed, such notice  
 10 of time fixed for the hearing of the probate of such will is hereby  
 11 legalized and shall have the same force and effect as though the same  
 12 had been published in strict conformity with the requirements of sec-  
 13 tion eleven thousand eight hundred sixty-five (11865) of the code."  
 1 SEC. 2. This act shall not affect pending litigation.

Approved April 21, 1941.

## CHAPTER 316

### CONTRACTS FOR CARE OF DEPENDENT CHILDREN

S. F. 14

AN ACT to legalize payments made by counties to institutions and contracts between counties and institutions for the care and support of neglected, dependent, and delinquent children in amounts not exceeding eighteen dollars (\$18.00) per month for each child.

WHEREAS, boards of supervisors have paid to institutions amounts in excess of the sixteen dollars (\$16.00) authorized by section three thousand six hundred seventy-six (3676), Code, 1939, for the care and support of neglected, dependent, and delinquent children; and

WHEREAS, the cost each month for each such child has exceeded the amount of sixteen dollars (\$16.00), and counties have paid as much as eighteen dollars (\$18.00) or more per month for support; and

WHEREAS, the question has been raised as to the legality of the payments in excess of sixteen dollars (\$16.00) per month; and

WHEREAS, it has been and is now almost impossible for counties to place such neglected, dependent, and delinquent children in institutions for the amount of sixteen dollars (\$16.00) per month for each child; Therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Payments made by counties to institutions for the care  
2 and support of neglected, dependent, and delinquent children in  
3 amounts not exceeding eighteen dollars (\$18.00) per month for each  
4 child are hereby legalized and validated.

1 SEC. 2. Contracts between counties and such institutions for pay-  
2 ments in excess of sixteen dollars (\$16.00) per month for the care and  
3 support of each child placed by the county in such institution are here-  
4 by declared to constitute valid and binding contracts to the extent that  
5 such payments do not exceed the sum of eighteen dollars (\$18.00) per  
6 month.

1 SEC. 3. Payments in excess of the amount authorized by section  
2 three thousand six hundred seventy-six (3676), Code, 1939, heretofore  
3 made and to be made by county officers in carrying out the terms of  
4 contracts between counties and institutions for the care and support  
5 of neglected, dependent, or delinquent children placed in such institu-  
6 tions by the counties are hereby legalized and validated to the extent  
7 that such payments do not exceed the amount of eighteen dollars  
8 (\$18.00) per month for each child.

Approved March 21, 1941.

## CHAPTER 317

### ASSISTANT PUBLISHER'S AFFIDAVITS

H. F. 358

AN ACT to legalize proof of publication of notice made by the affidavit of the assistant publisher prior to January 1, 1940.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. All affidavits of proof of publication of any notice or  
2 original notice made by the assistant publisher of any newspaper of  
3 general circulation, which were executed and filed prior to January  
4 1, 1940, are hereby legalized, declared valid, binding, and of full force  
5 and effect.

1 SEC. 2. This act shall not be construed to affect pending litigation.

Approved April 21, 1941.