

CHAPTER 64

MILITARY UNIFORMS

S. F. 9

AN ACT to amend section four hundred sixty-seven and four hundredths (467.04), code, 1939, relating to the wearing of uniforms.

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

- 1 SECTION 1. Section four hundred sixty-seven and four hundredths
- 2 (467.04), Code, 1939, is amended by striking from line thirteen (13)
- 3 thereof the word "men" and inserting in lieu thereof the word "mem-
- 4 bers".

Approved March 7, 1945.

CHAPTER 65

DISCRIMINATION AGAINST MILITARY PERSONNEL

S. F. 5

AN ACT to amend section four hundred sixty-seven and five hundredths (467.05), code, 1939, relating to discrimination against members of National Guard or against a person wearing the uniform of the military or naval forces of the United States or of the National Guard.

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

- 1 SECTION 1. Section four hundred sixty-seven and five hundredths
- 2 (467.05), Code, 1939, is amended by striking from line five (5)
- 3 thereof the word "man" and substituting in lieu thereof the word
- 4 "member", and by striking from line nine (9) thereof the word "man"
- 5 and substituting in lieu thereof the word "person".

Approved February 16, 1945.

CHAPTER 66

ARMED FORCES—POWER OF ATTORNEY

H. F. 216

AN ACT relating to powers of attorney granted by persons serving in or present in the armed forces of the United States and others.

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

- 1 SECTION 1. No agency created by a power of attorney in writing
- 2 given by a principal who is at the time of execution, or who, after
- 3 executing such power of attorney, becomes either
- 4 (a) a member of the armed forces of the United States, or
- 5 (b) a person serving as a merchant seaman outside the limits of the
- 6 United States, included within the 48 states and the district of Co-
- 7 lumbia; or

8 (c) a person outside said limits by permission, assignment or direc-
9 tion of any department or official of the United States government, in
10 connection with any activity pertaining to or connected with the prose-
11 cution of any war in which the United States is then engaged, shall
12 be revoked or terminated by the death of the principal, as to the agent
13 or other person who, without actual knowledge or actual notice of the
14 death of the principal, shall have acted or shall act, in good faith,
15 under or in reliance upon such power of attorney or agency, and any
16 action so taken, unless otherwise invalid or unenforceable, shall be
17 binding on the heirs, devisees, legatees, or personal representatives of
18 the principal.

1 SEC. 2. An affidavit, executed by the attorney-in-fact or agent,
2 setting forth that he has not or had not, at the time of doing any act
3 pursuant to the power of attorney, received actual knowledge or actual
4 notice of the revocation or termination of the power of attorney, by
5 death or otherwise, or notice of any facts indicating the same, shall,
6 in the absence of fraud, be conclusive proof of the nonrevocation or
7 nontermination of the power at such time. If the exercise of the power
8 requires execution and delivery of any instrument which is recordable
9 under the laws of this state, such affidavit (when authenticated for
10 record in the manner prescribed by law) shall likewise be recordable.

1 SEC. 3. No report or listing, either official or otherwise, of "missing"
2 or "missing in action", as such words are used in military parlance,
3 shall constitute or be interpreted as constituting actual knowledge or
4 actual notice of the death of such principal or notice of any facts indi-
5 cating the same, or shall operate to revoke the agency.

1 SEC. 4. This act shall not be construed so as to alter or affect any
2 provision for revocation or termination contained in such power of
3 attorney.

1 SEC. 5. If any provision of this act or the application thereof to
2 any person or circumstance be held invalid, such invalidity shall not
3 affect any other provision or application of the act which can be given
4 effect without the invalid provision or application, and to this end the
5 provisions of this act are declared to be severable.

1 SEC. 6. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in The Logan Ob-
3 server, a newspaper published at Logan, Iowa, and in The Mount Ver-
4 non Hawkeye-Record and The Lisbon Herald, a newspaper published
5 at Mt. Vernon, Iowa.

Approved March 7, 1945.

I hereby certify that the foregoing act was published in The Logan Observer, Logan, Iowa, March 15, 1945, and The Mount Vernon Hawkeye-Record and The Lisbon Herald, Mt. Vernon, Iowa, March 15, 1945.

WAYNE M. ROPES, *Secretary of State.*