

February 1, 1951.
Passed on File.

Senate File 246
By JUDICIARY NO. 2.

Passed Senate, Date
Vote: Ayes..... Nays.....
Passed House, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting.

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

1 Section 1. In all actions or in proceedings in probate
2 where an order, judgment or decree has been entered prior
3 to July 4, 1951, upon service of notice by publication as
4 provided by Rule Sixty (60) of the Iowa Rules of Civil
5 Procedure or any statute authorizing publication of notice
6 and in effect prior thereto, or upon service of notice by
7 publication or posting pursuant to any order, judgment, or
8 decree of any court of competent jurisdiction in the State
9 of Iowa, all such orders, judgments or decrees based thereon
10 are hereby declared valid and of full force and effect, and
11 no action shall be maintained in any court to question such
12 order, judgment or decree unless the claimant, his agent or
13 attorney, or if he be a minor or under legal disability,
14 his guardian, trustee or either parent, shall within one (1)
15 year from July 4, 1951, file in the office of the Clerk

16 of the District Court where such decree or order was entered
17 a statement in writing, duly acknowledged, claiming a good
18 defense to the action or proceeding in which such order,
19 judgment or decree, is void as to such claimant, and stating
20 the facts upon which such claim is based. Such claim shall
21 be entered by the Clerk in the docket record of the action in
22 which the order, judgment or decree was entered or in the
23 probate docket, if such order, judgment or decree shall be
24 in any proceeding in probate, and indexed, so as to refer
25 to such order, judgment or decree.

1 Sec. 2. This Act shall not affect pending legislation
2 and shall not operate to revive rights or claims previously
3 barred, or permit any action to be brought or maintained upon
4 any claim or cause of action which was barred by rule, law
5 or statute in force prior to July 4, 1951.