

CHAPTER 94.

TO COLLECT MONEY DUE SCHOOL FUND, AND PURCHASE THE CAPITOL BUILDING.

AN ACT to provide for the collection of money due to the Permanent School Fund of the State of Iowa; for the purchase of the Capitol Building, and for the release of certain School Fund Securities.

Commissioners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Census Board, together with the Attorney General of the State, be, and they are hereby constituted a Board of Commissioners for the purpose of carrying out the provisions of this Act, as hereinafter set forth.

Evidence of debt. SEC. 2. It is hereby made the duty of said Commissioners to proceed, as soon as practicable, to the collection of all notes and other evidences of debt now in the office of the Auditor of State, and known as the notes received by James D. Eads for money loaned out of the Permanent School Fund by the said Eads, during the time he was Superintendent of Public Instruction of the State of Iowa.

Principal and 6 per cent. SEC. 3. Said Commissioners shall have the authority to release any or all the obligors to the notes referred to in the second Section of this Act, by their paying the principal and six per cent. interest from the date of said notes. Said payments must be made on or before the first day of March, 1865, to entitle them to the benefits of this Section.

Debtors. SEC. 4. Said Commissioners shall be, and they are hereby authorized to arrange with the parties interested for the purchase of the Capitol Building, and the release of all claims against such parties, upon the following terms, viz: When the said parties, to-wit: J. A. Williamson, W. A. Scott, J. D. Cavenor, J. M. and H. H. Griffiths, Alexander Shaw and T. K. Brooks, who, on or about the 26th and 27th days of June, 1856, borrowed of the School Fund of Iowa, through James D. Eads, Superintendent of Public Instruction, certain sums of money, shall cause a good and sufficient conveyance of the title, in fee simple, unencumbered, to lots eleven and twelve, in block six of Scott's Addition to Des Moines, together with the buildings thereon, and appurtenances—it being the building now used by the State for a Capitol, and the lots on which the same is situated—the sufficiency of which conveyance and title shall be

determined by the Attorney General, and certified by his endorsement in writing thereon; then the said Commissioners shall assign, without recourse to the State in any event whatever, the several notes and mortgages given by the said parties for the said sums borrowed as aforesaid, to S. V. White, or such other person as the several parties may in writing request, for the use of the several parties interested therein: *Provided*, That the mortgage executed by W. A. Scott and Louisa Scott, dated June 27th, 1856, to said James D. Eads, Superintendent of Public Instruction, to secure the payment of eight thousand three hundred dollars, filed for record December 8th, 1856, and recorded in book "B," pages 205 and 206, together with the note of even date with said mortgage, and referred to therein, as made by W. A. Scott and James A. Williamson, for the said sum of eight thousand three hundred dollars; and the mortgage executed by J. D. Cavenor, dated July 1st, 1856, to said Superintendent of Public Instruction, to secure the payment of four thousand one hundred and twenty-five dollars, filed for record and recorded June 16th, 1857, in book "G," page 460, together with the note of even date with said mortgage, and referred to therein as made by J. D. Cavenor and J. M. Griffiths, for the sum of four thousand one hundred and twenty-five dollars; and also the mortgage executed by Alexander Shaw, dated June 27th, 1856, to said James D. Eads, Superintendent of Public Instruction, to secure the payment of three thousand dollars, filed for record December 8th, 1856, and recorded in book "B," pages 195-6, together with the note of even date with said mortgage, and referred to therein as made by Alexander Shaw and John W. Stanton, for the said sum of three thousand dollars, shall not be assigned by said Commissioners, but the same shall remain the property of the State; and said Commissioners shall cause each of said mortgages, respectively, to be foreclosed by suit in the name and for the use of the State.

Without recourse.

S. V. White.

W. A. & L. Scott.

Scott & Williamson.

J. D. Cavenor

J. M. Griffiths

A. Shaw—J. W. Stanton.

Provided further, however, that the sale of block 4, in W. A. Scott's Addition to Des Moines upon special execution issued upon judgment of foreclosure of the said mortgage and note executed by said W. A. Scott, shall operate as a release and satisfaction of the claims of the State to said note and mortgage or judgment rendered thereon, so far as the State is concerned; but such release by the State shall not in any manner be construed to operate as a satisfaction of the said note and mortgage or judgment rendered thereon, so as to

Scott's Add.

prevent the collection and enforcement of the same by the person or persons to whom assigned by the Commissioners as hereinafter provided; *and provided also*, that the sale of the South-west quarter of Section No. 4, and the South-west quarter and south half of the North-west quarter of Section No. 15, and the West fractional half of Section No. 7, and the North fractional half of the North-west quarter of Section No. 18, and the West half of North-east quarter of Section No. 30, all in township No. 77, North of Range 25 West, in Warren County and State of Iowa, containing nine hundred and fifteen and 75-100 acres, upon special execution issued upon judgment of foreclosure of the said mortgage executed by the said J. D. Cavernor, shall operate as a full release and satisfaction of the claim of the State to said mortgage and note therein secured, or to any judgment rendered thereon; *and provided also*, that the sale of the North half of the South-west quarter of Section twenty-six, township 80, North of range 24, west, containing eighty acres, upon special execution issued upon judgment of foreclosure of said mortgage executed by the said Alexander Shaw, shall operate as a release and satisfaction of the claim of the State to said mortgage and note therein secured, or judgment rendered thereon, so far as the State is concerned; but such release by the State shall not in any manner be construed to operate as a satisfaction of the said note and mortgage or judgment rendered thereon, so as to prevent the collection and enforcement of the same by the person or persons to whom assigned by the said Commissioners as hereinafter provided; and after such foreclosure and sales the remaining interest of the State in said notes and mortgages respectively and to the judgments rendered thereon, shall be assigned by said Commissioners as hereinbefore provided, and such assignment shall fully convey to such person or persons to whom assigned the said notes, mortgages and judgments rendered thereon, and the same shall be held by the party or parties to whom assigned as unsatisfied subsisting claims and liens and may by them and each of them be held and enforced as such.

Lands.

Full release.

Comm'r to assign.

Foreclose mortgage.

SEC. 5. The Attorney General is hereby authorized and directed to bid in for and in the name of the State of Iowa, at the said foreclosure sales, the said mortgaged premises particularly described in section 4 of this Act, and make return of the numbers and description thereof, to the Register of the State Land office.

SEC. 6. Whenever it becomes necessary for the

said commissioners to foreclose a mortgage or mortgages, they are hereby authorized to purchase the property held by said mortgages in the name of the State for the use of the School fund. If they deem it best for the interest of the State and the School Fund, any lands or town property so purchased, shall be subject to sale by the county officers of the county in which it is located, under the provisions of chapter 148, sections eleven and twelve, of the Acts of 1862, approved April 8th, 1862, and said commissioners are hereby authorized to use so much of the money belonging to the School Fund as they may deem necessary for the purpose of paying off prior liens and mortgages, whenever they shall deem it necessary for the interest of the State and of the School Fund.

Com'r to purchase when to interest of School Fund.

SEC. 7. It is hereby made the duty of the District Attorneys of the different Judicial Districts of this State to aid and assist in carrying out the provisions of this Act, when required to do so by the aforesaid commissioners.

Dist. Att'y.

SEC. 8. All moneys which shall come into the hands of the Commissioners by virtue of this Act shall be by them paid over to the Treasurer of State, and by him placed to the credit of the permanent School Fund.

Money to be paid School Fund.

SEC. 9. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Statesman, papers published at Des Moines.

Take effect.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 14th, 1864, and in the Daily Iowa Statesman April 16th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 95.

CHANGE NAME OF COUNTY.

AN ACT authorizing Counties to change their names.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever the Board of Supervisors of any county shall at any regular session be presented with a petition signed by one-fifth of the

One-fifth of voters.