

## CHAPTER 49.

AN ACT to amend section 1967 of the Code of Iowa, of 1873, as H. F. 599.  
amended by Chapter 42, of the Acts of the 24th General Assembly.

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

SECTION 1. That section 1967 of the code of Iowa, of 1873, Sec. 1967 Code amended.  
as amended by chapter 42 of the acts of the 24th General Assembly be hereby amended by striking out the words, "first day of February, 1892," and inserting in lieu thereof, "the first day of March, 1894," *Provided*, That this act shall not apply to cases where vested rights have accrued nor cases Cases now in litigation.  
now in litigation.

SEC. 2. This act being deemed of immediate importance, Publication clause.  
shall take effect on and after its publication in the *Des Moines Leader*, and the *Iowa State Register* newspapers published in *Des Moines, Iowa*.

Approved, April 24, 1894.

I hereby certify that the foregoing act was published in the *Iowa State Register*, May 5, and in the *Des Moines Leader*, May 2, 1894.

W. M. MCFARLAND, *Secretary of State*.

## CHAPTER 50.

AN ACT to amend Section 3895 of the Code of 1873.

H. F. 627.

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

That section 3895 of the code of 1873, be and the same is Sec. 3895 Code amended.  
hereby amended by inserting the word "written" before the word "consent" in line 4 of said section.

Approved April 24, 1894.

## CHAPTER 51.

AN ACT to repeal chapter 103 of the Acts of the 21st General Assembly of the State of Iowa, relating to release of judgments, mortgages, and deeds of trust, by administrators, executors and guardians in other States and countries and to enact a substitute therefor. S. F. 27.

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

SECTION 1. That chapter 103 of the acts of the 21st General Assembly be and the same is hereby repealed and the Ch. 103, 21 G. A., repealed.  
following enacted in lieu thereof.

SEC. 2. That a copy of the record of the appointment and Substitute.  
qualification of any administrator, executor or guardian in any other state or country, together with the certificate of the custodian of such record, that such appointment is then in full force, which copy of the record shall be duly attested and Copy of record in matter of administrator or guardian may be recorded in any county.  
authenticated in the manner as is now provided by law in case of judicial records, may be recorded in the proper probate record of any county in this state. Such record or a

Presumptive evidence.

duly certified copy thereof shall be presumptive evidence in all cases of such appointment and qualification.

Administrator or guardian in another state, may release of record.

Sec. 3. Any administrator, executor or guardian appointed in any other State or country is hereby authorized to release and fully discharge of record in any manner and by any instrument authorized by law, to the same extent as any administrator, executor or guardian appointed under the laws of this state could do. Any judgment rendered by the supreme court or by any court of any county where such copy of the original record is recorded, or any mortgage or deed of trust given as a mortgage of property within such county, belonging to the estate or to the minor or other person represented by him, and may also in the same manner and to the same extent release and fully discharge any property in this state from the lien of such judgment, mortgage or deed of trust.

Certain records may be released.

Certificate of judge or clerk of court must be appended.

*Provided* that appended to and as a part of such release shall be the certificate of the judge or clerk of the proper court, duly attested, that said executor, administrator or guardian is at the date of such release or instrument, still acting as such executor, administrator or guardian, under the authority of said court, and is authorized to execute the same and that the debt secured by the instrument sought to be released is the property of the state, and *provided further* that nothing herein contained shall authorize any administrator or guardian of another state, or country to release or discharge any judgment, mortgage or deed of trust, while any administrator, executor or guardian of the estate to which such judgment mortgage or deed of trust belongs is authorized to act by virtue of appointment and qualifications under the laws of this State.

Releases heretofore made legalized.

Sec. 4. All releases and discharges of record of any judgment, mortgage deed of trust heretofore made by administrators, executors or guardians in the manner and the extent authorized by this act where the copy of the original record required by this act has been or shall hereafter be recorded as required by this act, are hereby declared to be valid and binding from the date of such release or discharge.

Approved April 24, 1894.

## CHAPTER 52.

S. F. 240.

AN ACT to amend section 277 of the code, of 1873, relative to the administering of oaths and the acknowledgment of instruments in writing by notaries public.

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

Sec. 277 Code amended.

May take acknowledgment in county adjoining residence.

SECTION 1. That section 277 of the code of 1873 be and the same is hereby amended by striking out the words, "each notary public within his county," and inserting in lieu thereof the words, "each notary public within the county of his residence. and within any county adjoining the county of