

purchased or otherwise acquired by the Postville cemetery association since it was organized, or that it may hereafter acquire under its present name and style, is and shall be a valid, legal title in the said Postville cemetery association; and that the said Postville cemetery association takes the title to said land the same as though its articles of incorporation had complied with the law in all respects, and there had been no limitation therein as to the amount of land which said association might acquire and own for cemetery purposes; and that said association has the right to transfer the title to such land to any successor thereto, or to any corporation that may be brought into existence by the re-organization or re-incorporation of the said association. Provided, that nothing herein contained shall in any way affect pending litigation.

Approved February 14, A. D. 1906.

CHAPTER 257.

ADMINISTRATOR'S DEED TO CERTAIN REAL ESTATE IN ALLAMAKEE COUNTY.

H. F. 432.

AN ACT to legalize an administrator's deed to certain real estate situated in Allamakee county, Iowa.

WHEREAS, On or about the 3d day of January, A. D. 1853, the United States, by patent, did grant and convey unto one Frost Gerry the following described real estate situated in Allamakee county, to-wit:

East half ($\frac{1}{2}$) of southwest quarter ($\frac{1}{4}$), and west half ($\frac{1}{2}$) of southeast quarter ($\frac{1}{4}$), of section 17, town. 98, north of range 5, west of 5th principal meridian, a certified copy of which said patent now appears of record in the recorder's office of Allamakee county, Iowa; and,

WHEREAS, Subsequent to obtaining title to the said real estate, the said Frost Gerry then and at the time obtaining said title, and at all other times prior thereto, was a resident of the state of Maine, departed this life, and one Henry K. Dexter was appointed administrator of his estate by the proper probate authority of the state of Maine; and,

WHEREAS, Pursuant to his appointment and qualification as such administrator, and for the purpose of settling the estate of the said Frost Gerry and make distribution thereof, the said Henry K. Dexter as such administrator did convey said premises in the year 1853 to one Aseph H. Hersey, which deed of conveyance recites that said Henry K. Dexter was the lawful administrator of said Frost Gerry, and was duly authorized to sell said real estate; and,

WHEREAS, There never was any administration upon the estate of said Frost Gerry in the state of Iowa, and the said Henry K. Dexter never qualified as such administrator within the state of Iowa, and the said deed hereinbefore referred to was not submitted to any court within the state of Iowa, and did not receive the approval or sanction of any court within the state of Iowa; and,

WHEREAS, The said Aseph H. Hersey pursuant and by virtue of said administrator's deed entered into the possession of said premises and he and his heirs and grantees, have for a period of more than fifty years been in the open, notorious, undisputed and adverse possession of said premises under a chain of title based upon the said administrator's deed; and,

WHEREAS, The said premises are now the property of John G. Ratcliffe, B. F. Ratcliffe, M. J. Barthell, Mrs. Martha M. Barthell, and the surviving widow, legatees and heirs at law of one Thomas Maroney, deceased; and,

WHEREAS, Doubts have arisen as to the validity of the title of said premises held and claimed by the present owners thereof by reason of the facts herein set out and before recited. Wherefore,

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

SECTION 1. Administrator's deed legalized—pending litigation. That the administrator's deed of the premises described in the preamble hereto, from Henry K. Dexter to Aseph H. Hersey, is hereby legalized and declared to be a valid, legal and binding conveyance of said premises and the title to said premises held by the present owners thereof is a valid, legal title to said premises in so far as the same is effected and founded upon the said administrator's deed. Provided, that nothing herein contained shall affect pending litigation.

Approved April 10, A. D. 1906.