

CHAPTER 275.

RELEASES OF LIENS BY FOREIGN ADMINISTRATORS, EXECUTORS AND GUARDIANS.

S. F. 204.

AN ACT to repeal section three-thousand-three-hundred-eight (3308) of the code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

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

SECTION 1. Repeal—liens—how released and discharged—certificate. That section three-thousand-three-hundred-eight (3308) of the code is hereby repealed and the following enacted in lieu thereof:

“Any administrator, executor or guardian appointed by the courts of any other state or county is authorized to release and discharge of record in any manner and by any instrument authorized by law to the same extent as any such officer 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 judgment is a lien on property, or any mortgage or deed of trust given as a mortgage on property within this state belonging to the estate or to the minor or other person represented by him, and may also release and discharge any property in this state from the lien of such judgment, mortgage or deed of trust; but such release shall not be valid or effective unless there is filed either before or after the execution thereof, in the office of the clerk of the district court of the county in this state wherein the property sought to be released is situated, the certificate of the judge or clerk of the proper court, duly attested, that said executor, administrator or guardian was prior to the date of such release or instrument, appointed such officer by such court and that, as shown by the records of such court, he had not been discharged before that date; but nothing herein contained shall authorize any administrator, executor or guardian of another state or county to release or discharge any judgment, mortgage or deed of trust in this state 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 qualification under the laws thereof.”

Approved April 17 A. D. 1913.