

CHAPTER 353.

ISSUANCE OF PATENT TO CHARLES MARTIN.

S. F. 559.

AN ACT for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.

WHEREAS, on the 1st day of May, 1886, one M. L. Phillips obtained a warranty deed from Loren and Frank Thompson, both unmarried, for the west half of the northeast quarter of the northwest quarter ($w\frac{1}{2}$ n. e. $\frac{1}{4}$ n. w. $\frac{1}{4}$) of section No. thirty five (35) township No. seventy five (75), range No. fourteen (14), west of 5th P. M., in Mahaska county, Iowa, said Loren and Frank Thompson having an unbroken title from their grantors back to the United States: and,

WHEREAS, on the 1st day of May, 1886, said M. L. Phillips, an unmarried man, borrowed from the permanent school fund of Mahaska county, the sum of two hundred dollars, (\$200.00) and to secure the payment thereof executed to Mahaska county, Iowa, for the benefit of the school fund of said county, a first mortgage on the west half of the northeast quarter of the northwest quarter ($w. \frac{1}{2}$ n. e. $\frac{1}{4}$ n. w. $\frac{1}{4}$) of section No. thirtyfive (35), township No. seventy five (75) range No. fourteen (14), west of the 5th P. M., Mahaska county, Iowa, securing a promissory note, with interest, for said amount, due five years after date, with interest thereon at the rate of eight per cent per annum, payable on the 1st day of January: and,

WHEREAS, said mortgagor having defaulted in the payment of the interest on said loan, for over four years, said mortgage was foreclosed, as required by law, in the district court of Iowa, in and for Mahaska county, by decree entered therein in equity cause No. 6383, on the 2nd day of December, 1890: and,

WHEREAS, thereafter said premises, to-wit: west half of the northeast quarter of the northwest quarter ($w\frac{1}{2}$ ne $\frac{1}{4}$ nw $\frac{1}{4}$) of section No thirty five (35), township No. seventy five (75), range No fourteen (14) west of 5th P. M., Mahaska county, Iowa, was sold under execution issued on said judgment and decree, to said Mahaska county, Iowa, for the full amount of principal and interest then due on said loan, together with the costs of said foreclosure proceedings, and a certificate of purchase issued by the sheriff of said county to said purchaser: and,

WHEREAS, still later, there being no redemption made from said sale, a sheriff's deed of said premises was in due form of law executed to said Mahaska county, Iowa, on the 26th day of April, 1892: and,

WHEREAS, subsequent to said sale under execution, the permanent school fund of said county was duly credited in full for the aggregate principal and interest then due on said loan, thereby making said school fund whole in all respects, and preserving the same from any and all loss: and,

WHEREAS, thereafter, on the _____ day of November session, 1891, said Mahaska county, through its board of supervisors, and upon the assumption that the title to said tract was absolutely in said county, entered into a contract with one F. M. Rogers, to sell said tract to him on the payment of three hundred sixty dollars, (\$360.) payable in payments of fifty dollars (\$50.00) each, he to have five years to pay the same, with interest at the rate of eight per cent per annum: and,

WHEREAS, said Mahaska county, Iowa, through its board of supervisors failed to execute and deliver to said F. M. Rogers a deed for said land: and,

WHEREAS, F. M. Rogers and his wife, Rachel A. Rogers, on the 30th day of November, 1891, executed a note for the sum of three hundred sixty dollars (\$360.00), and to secure said note, which was for the purchase price, executed, to Mahaska county, Iowa, a first mortgage on the said described property, to-wit: west half of the northeast quarter of the northwest quarter ($w\frac{1}{2} ne\frac{1}{4} nw\frac{1}{4}$) of section No. thirty five (35), township No. seventy five (75), range No. fourteen (14), west of the 5th P. M., Mahaska county, Iowa, said note being due November 30th, 1896, with interest thereon at the rate of eight [per cent] per annum, payable annually: and,

WHEREAS, said note and mortgage given by said F. M. Rogers, having been duly paid, with interest, for more than ten years, as shown by the records of the auditor of Mahaska county, Iowa: and,

WHEREAS, since last described mortgage to Mahaska county, the following goodfaith sale and conveyance of said premises has been made, viz: F. M. Rogers and his wife, Rachel A. Rogers, sold and conveyed the same to Charles Martin, who is the present owner in fee of said real estate: and,

WHEREAS, doubts have now arisen as to the legality of said sale and conveyance by the said sheriff of Mahaska county, and as to whether under the school fund laws of this state at that time, the title to said premises should not have been regarded as vesting in the county of Mahaska, state of Iowa, under said sheriff's deed, thereby necessitating a resale of said premises in the same manner as other school lands belonging to the state: Now therefore, in order to clear the apparent cloud resting upon said premises and the title thereto,

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

SECTION 1. Patent. The governor of the state and the secretary of state are hereby authorized to issue to Charles Martin, upon investigation as to the facts set forth in the foregoing preamble, a patent for the west half of the northeast quarter of the northwest quarter ($w\frac{1}{2} ne\frac{1}{4} nw\frac{1}{4}$) of section thirty five (35), township seventy five (75), range fourteen (14) west of the 5th P. M., Mahaska county, Iowa.

Approved April 19 A. D. 1913.

CHAPTER 354.

ISSUANCE OF PATENT TO J. M. LAUGHLIN.

H. F. 336.

AN ACT authorizing the issue of a patent to the southeast quarter (s. e. $\frac{1}{4}$) of the southeast quarter (s. e. $\frac{1}{4}$) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

WHEREAS it appears that J. M. Laughlin is now the owner of the southeast quarter (s. e. $\frac{1}{4}$) of the southeast quarter (s. e. $\frac{1}{4}$) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M., by purchase through an unbroken chain of title from Joseph D. Laughlin; and,