

“and in all cases where real estate is mortgaged, or otherwise encumbered, to the school or university fund, the interest of the person who holds the fee shall alone be sold for taxes, and in no case shall the lien or interest of the state be affected by any sale of such encumbered real estate made for taxes.”

Same provisions to apply to other lands.

The foregoing provisions shall be extended to and shall include all lands exempted from taxation by the provisions of this title, including lands of the United States and of this state, or of any county, township, city, incorporated town, or school district, including agricultural college lands, swamp lands, burial grounds, fair grounds, public squares, public groves, or public ornamental grounds, and to any legal or equitable estate therein held, possessed or claimed for any public purpose, and no assessment or taxation of any such lands, nor the payment of any such taxes by any person, or the sale or conveyance for taxes of any such lands, shall in any manner affect the right or the title of the public therein, or prejudice the public thereto; nor shall any such payment or sale confer upon the purchaser or person who pays such taxes, any right or interest in such land adverse or prejudicial to the public right, title or ownership thereto.

Approved March 17, 1876.

## CHAPTER 146.

### IN RELATION TO CHANGING NAMES OF UNINCORPORATED TOWNS AND VILLAGES.

S. F. 150. AN ACT to provide for the Changing of the Names of Unincorporated Towns and Villages.

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

SECTION 1. That the board of supervisors may change the name of unincorporated towns or villages within their respective counties in the manner herein prescribed.

SEC. 2. When any number of the inhabitants of such town or village shall desire to change the name thereof, there shall be filed in the office of the county auditor of the proper county, at least ten days before the regular meeting of the board of supervisors, a petition for that purpose, which must be signed by at least two thirds of the qualified electors of said town or village, setting forth the name by which said town or village is known, its location as near as practicable, and giving the name which they desire the town shall thereafter be known by.

SEC. 3. Notice of the filing of said petition and the time and place when the same shall be heard, and the objects and purposes thereof, shall be given at least four weeks before the regular meeting of the board of supervisors, in like manner as the publication of original notices in civil actions where the defendant

cannot be personally served within the state; or by posting up a notice of said petition in three public places in the town or village the name of which is sought to be changed, at least four weeks before the meeting of said board, and also one copy of said notice for the same length of time on the front door of the court house of the proper county wherein the last term of the district court was held.

SEC. 4. At the first regular meeting of said board after publication of notice is completed, the board of supervisors shall proceed to hear and determine said petition, unless said hearing is for good cause continued until the next meeting; and said board on the hearing of said petition, shall hear any remonstrances against the proposed change, and in all its proceedings in relation to the hearing of said petition and remonstrances to the same, the said board shall be governed by the law regulating the hearing of petitions for the establishment of highways, so far as they are applicable and not inconsistent with this act. Hearings.  
Remonstrances.

SEC. 5. If, on the hearing, it shall appear to the said board that two-thirds of the qualified electors of said town or village in good faith signed said petition for change of name, and desired the same, then the said board shall order said name to be changed as prayed for. When board shall order change.

SEC. 6. Said order of the board shall thereupon be entered of record, giving the name of said town or village as set forth in said petition, the new name given, the time when the change shall take effect which shall not be less than thirty days thereafter, and directing that notice of said change shall be published in at least one newspaper published in said county, if any; and if there is no newspaper published in said county, then said notice shall be published by posting the same for four weeks on the front door of the court-house where the last term of the district court of said county was held. Order shall contain—

SEC. 7. The ordinary proof of such publication shall be filed in the office of the county auditor, shall be by him filed for preservation, and on the day fixed by the board as aforesaid the change shall be complete. Proof of publication.

SEC. 8. In all cases arising under the provisions of this act where there is no remonstrance or opposition to said petition, the petitioners shall pay all costs; but in all other cases, costs shall abide the result of the proceeding, and be taxed to either party, in the discretion of the board, or divided equitably between the parties. Costs.

Approved March 17, 1876.