

CHAPTER 85.

RESTRICTING NON-RESIDENT ALIENS TO HOLD REAL ESTATE.

AN ACT Restricting Non-resident Aliens in their Right to Acquire and Hold Real Estate and Repealing Sections 1908 and 1909 of the Code. H. F. 286.

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

SECTION 1. Non-resident aliens or corporations incorporated under the laws of any foreign country, or corporations organized in this country one half of whose stock is owned or controlled by non-resident aliens, are hereby prohibited from acquiring title to or taking or holding any lands or real estate in this State by descent, devise, purchase or otherwise only as hereinafter provided except that the widow and heirs of aliens who have heretofore acquired lands in this State under the laws thereof may hold such lands by devise or descent for a period of ten years and no longer and if at the end of such time herein limited such lands so acquired have not been sold to a bona fide purchaser for value or such alien heirs have not become residents of this State, such lands shall revert and escheat to the State of Iowa, and it shall be the duty of the county attorney in the counties where such lands are situated to enforce forfeitures of all such lands as provided by this act. Non-resident aliens. Lands to revert to the State.

SEC. 2. Any non-resident alien may acquire and hold real property to the extent of three hundred and twenty (320) acres, or city property to the amount of \$10,000 in value, providing that within five years from the date of purchase of said property the same is placed in the actual possession of a relative of such purchaser the occupant being related to such owner within the third degree of kindred or the husband or wife of such relative, and further provided, that such occupant become a naturalized citizen within ten years from the purchase of said property as aforesaid. Conditions by which 320 acres may be held.

SEC. 3. It shall be the duty of the county attorney of the county in which such lands are situated to proceed by information in the name of the State of Iowa, against such alien in the district court of the county and summons may issue or service to be had upon such alien by publication as provided by statute for equitable proceedings and the court shall have power to hear and determine such information and declare such lands escheated to the State, and when such forfeiture is declared by the district court it shall be the duty of the clerk of the court to notify the Governor of the State that the title to such lands is vested in the State by the decree of the said court, and the clerk of the court shall present the Auditor of State with the Duty of county attorney.

Reimbursement of county for costs.

Limitation of time for bringing suit.

Sale of lands by non resident aliens.

Holders of liens.

Law does not apply to resident aliens.

Sections 1908 and 1909 of code repealed.

bill of costs incurred by the county in prosecuting such case and the auditor shall issue a warrant to the clerk of the court on the State treasury to repay the county for such costs incurred, and the lands shall be sold in the manner provided for the sale of school lands in chapter 12, title 12 of the Code, and the proceeds of such sale shall become a part of the permanent school fund of the State.

SEC. 4. No suit for the recovery of property after the execution and recording of the patent or conveyance by the State shall lie, unless said suit shall have been commenced within five years after the title to such property became vested in the grantee of the State, and all persons who fail to bring their suits within the time limited are forever barred, saving however to infants and persons of unsound mind, the right to bring suit at any time within five years after disabilities cease or have been removed; providing, however, that the grantee of the State, immediate or remote shall have the right to demand such restitution for improvements as provided by chapter 7 title 13, of the Code of Iowa.

SEC. 5. Any non-resident alien who owns land in this State at the time this act takes effect may dispose of the same during his life to bona fide purchasers for value and may take security for the purchase money with the same rights as to securities as a citizen of the United States.

SEC. 6. This act shall not prevent the holders of liens upon or interest in real estate heretofore or hereafter acquired from holding or taking a valid title to the real estate in which he has such interest, or upon which he has such lien, nor shall it prevent any alien from enforcing any lien or judgment for any debt or liability which may hereafter be created, or which he may hereafter acquire, or which may hereafter be adjudged in his favor or from becoming a purchaser at any sale by virtue of such lien or judgment, provided, however, that all lands so acquired shall be sold within ten years after the title shall be perfected in him under such sales, or in default thereof the same shall revert and escheat to the State as provided in this act.

SEC. 7. This act shall not apply to aliens who are residents of the State of Iowa, who shall have the same right to acquire, hold and dispose of property as natural born citizens of the United States.

SEC. 8. Sections 1908 and 1909, chapter 1, title 13 of the code are hereby repealed, and all acts or parts of the acts in conflict with this act are hereby repealed.

Approved April 9, 1888.