

CHAPTER 113.

LEGALIZE CERTAIN DEED—DAVIS COUNTY.

AN ACT legalizing and declaring valid a certain deed or conveyance of real estate, situated in Davis County, Iowa, made by Charles Parsons executor and trustee of the last will and testament of William M. McPherson, deceased, late of the City and County of St. Louis, State of Missouri, to J. D. Trebilcock. S. F. 426.

WHEREAS, the last will and testament of the late William M. McPherson deceased, a resident of the city and county of St. Louis, Missouri, at the date of his death, was duly admitted to probate in the Probate court, in and for the county of St. Louis, Missouri, on the 9th day of November A. D. 1872, and Charles Parsons, John R. Shepley and John F. Gibbons were appointed and designated by said will as executors and trustees of the estate of said McPherson deceased, granting to said trustees and executors and to the survivors, and survivor of them, the power and authority to sell and convey the real estate the late William M. McPherson, deceased, died seized, and whereas the said executors and trustees gave bond, which was by the court approved, and qualified as such and whereas said Shepley and Gibbons each died prior to the 15th day of October 1884, leaving said Parsons sole executor and trustee of said estate, and whereas the late William M. McPherson, deceased, was at the date of his death the owner of and died seized of the title to the following described real estate situated in Davis County, State of Iowa, to-wit: The north west quarter of the north west quarter of section thirteen, in township seventy north, of range fourteen west, and whereas on the 21st day of April 1885 there was filed in the office of the clerk of the circuit court of Davis county, Iowa a copy of the aforesaid will and of the original record of the probate thereof, together with a copy of the original record of the appointment, qualification and of the bond given of such executors and trustees, of said foreign court, all duly authenticated as required by the statutes of Iowa, in such cases made and provided, and whereas said will was duly admitted to probate by the circuit court aforesaid at the April term 1885 thereof, and on the fifth day of August 1885 said Parsons sole surviving executor and trustee of the aforesaid will and estate, sold and by proper deed conveyed to J. D. Trebilcock of Davis county, Iowa, the real estate above described, which said deed was filed for record in the office of the recorder of deeds of Davis county, Iowa, on March 11th, 1886 and recorded in "Book No. 31 of Deeds, on page 436" of said office, and whereas it

As to will of
McPherson.

Bond of exe-
cutors.

Real estate
description.

Sale of prop-
erty.

Record.

has since been learned that the clerk of the aforesaid circuit court failed and neglected to record on the records of his office that portion of said transcript of the aforesaid records so filed in his office on April 21st, 1885, required by section 2352 of the Code of Iowa, as amended by chapter 162 of the Laws of the 18th General Assembly of the state of Iowa, Therefore

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

Acts legalized

SECTION 1. That the sale of the north west quarter of the north west quarter of section number thirteen (13) in township number seventy (70) north, of range number fourteen (14) west in Davis county, Iowa by Charles Parsons executor and trustee of the last will of William M. McPherson, deceased, late of St. Louis, Missouri, to J. D. Trebilcock, and the deed of conveyance of said real estate by said executor and trustee to said Trebilcock, dated August 5th, 1885 and recorded in Book No. 31, at page 436, of records of deeds in Davis county, Iowa, be and the same are hereby declared valid, legal and of full legal force and effect, in law and equity from the date of said deed, as fully as if all the requirements of the statutes of this State, in relation to such sales and conveyances, had been in every respect complied with, for more than three months immediately prior to the date of said deed, regardless of any provision of the statutes of this State to the contrary: *Provided*, that the provisions of this Act shall in no manner affect adverse rights vested at the date of said deed.

Proviso.

Publication.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa, without expense to the State.

Approved April 17th, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 24, 1890.

FRANK D. JACKSON, *Secretary of State.*