

## CHAPTER 221.

## ISSUANCE OF PATENT TO O. D. McGEORGE.

H. F. 415.

AN ACT for the purpose of having a patent issued in the name of O. D. McGeorge for a certain tract of land.

Whereas, on the 17th day of December, 1883, one W. J. Romick borrowed from the permanent school fund of Cass county, the sum of three hundred fifty dollars, and to secure the payment thereof executed, with his wife, to Cass county, Iowa, for the benefit of the school fund of said county, a first mortgage on the north-west quarter of the southwest quarter of section 25, twp. 77 north, range 34 west 5th p. m., Cass county, Iowa, securing a promissory note, with interest coupons attached, for said amount, due December 17th, 1888, with interest thereon at the rate of eight per cent. per annum, payable annually; and

Whereas, on the 19th day of March, 1884, said W. J. Romick borrowed from the permanent school fund of said Cass county, the further sum of four hundred dollars, and to secure the payment thereof executed, with his wife, a mortgage to said county for the benefit of the school fund thereof, on the southwest quarter of the southwest quarter of said section 25, securing a promissory note, with interest coupons attached, for said sum of four hundred dollars, due March 19th, 1889, with interest thereon at the rate of eight per cent. per annum, payable annually, thus making a total sum so borrowed from said fund of seven hundred fifty dollars; and

Whereas, said mortgagors having defaulted in the payment of the interest on both of said loans, for nearly two years, said two mortgages were foreclosed, as required by law, in the district court of Iowa, in and for Cass county, by decree entered therein in equity cause no. 2755, on the 2nd day of March, 1888; and

Whereas, thereafter all of said premises, to-wit: the west half of the southwest quarter of section 25, township 77 north, range 34 west 5th p. m., Cass county, Iowa, were sold under execution issued on said judgment and decree, to said Cass county, Iowa, for the benefit of the school fund of said county, for the full amount of principal and interest then due on both of said loans, 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 Cass county, Iowa, for the benefit of the school fund of said county, on the 29th day of April, 1890; 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 loans, thereby making said school fund whole in all respects, and preserving the same from any and all loss; and

Whereas, thereafter, and on the 13th day of January, 1891, said Cass county, through its board of supervisors, and upon the assumption that the title to said tract was absolutely in said county, resold said premises to Alva H. Cooper and J. D. Cooper, and executed a deed thereof to said purchasers; and

Whereas, since said last-named sale and conveyance, the following successive good-faith sales and conveyances of said premises have been made, viz: said Alva H. Cooper and J. D. Cooper, both unmarried, sold and conveyed the same to John Herren; the said John Herren and wife sold and conveyed the same to Charles Roland; the said Charles Roland and wife

sold and conveyed the same to Henrietta B. Romick; the said Henrietta B. Romick, a widow, sold and conveyed the same to G. W. Lattig; the said G. W. Lattig, unmarried, sold and conveyed the same to Ella S. Kell; the said Ella S. Kell and husband sold and conveyed the same to A. O. McQuown; the said A. O. McQuown and wife sold and conveyed the same to George N. Thompson; the said George N. Thompson and wife sold and conveyed the same to H. L. Bell; the said H. L. Bell and wife sold and conveyed the same to Thomas Hopley; the said Thomas Hopley, unmarried, sold and conveyed the same to Henry E. Bartley, and the said Henry E. Bartley and wife sold and conveyed the same to O. D. McGeorge, 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 said Cass county to said Alva H. Cooper and J. D. Cooper, 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 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. Title vested in O. D. McGeorge.** That the title to the west half of the southwest quarter of section 25, township 77 north, range 34 west, 5th p. m., Cass county, Iowa, does hereby pass from the state of Iowa, to said O. D. McGeorge, and that the same shall vest absolutely in him.

**SEC. 2. Patent.** That the governor of the state, and the secretary of the state, are hereby authorized and directed to issue to the said O. D. McGeorge a patent for the said lands described in section one hereof, and deliver same to the said O. D. McGeorge.

**SEC. 3. In effect.** This act being deemed of immediate importance shall be in effect and force from and after its publication in the Des Moines Capital, a newspaper published at Des Moines, Iowa, and in the Atlantic Daily Telegraph, a newspaper published at Atlantic, Iowa, said publications to be made without expense to the state.

Approved April 8, A. D. 1911.

I hereby certify that the foregoing act was published in the Des Moines Capital April 12, 1911, and in the Atlantic Daily Telegraph April 13, 1911.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 222.

### ISSUANCE OF PATENT TO JOHN A. REED.

H. F. 477.

AN ACT authorizing the governor of the state of Iowa to issue patent, attested by the secretary of state, to lot six (6) in block ninety-six (96) of Iowa City, Iowa, in accordance with the recorded plat thereof, to John A. Reed.

Whereas, lot six (6) in block ninety-six (96) of Iowa City, Iowa, according to the recorded plat thereof, was on the 20 day of August, 1839 sold by the territory of Iowa to Joshua Holland for the sum of seventy-four (74.00) dollars, as shown by the tract book of the sale of Iowa City lots in the office of the secretary of state, and