

5 "4. In notes or bonds secured by mortgage or deed of trust upon
6 unencumbered real estate located in Iowa or upon unencumbered farm
7 land in adjoining states, worth at least twice the amount loaned
8 thereon; provided, however, that no such loan shall be made upon any
9 real estate located west of the one-hundredth Meridian line."

1 **SEC. 2. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital and the Des Moines Register, news-
4 papers published at Des Moines, Iowa.

Approved April 24, A. D. 1917.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register April 30, 1917.

W. S. ALLEN, *Secretary of State.*

CHAPTER 365.

FRANK X. FREYDER, JR., AND ANNA FREYDER.

S. F. 522.

AN ACT to remove certain clouds from the title to the north seventy (70) feet of lot one (1) and the north seventy-five (75) feet of lot two (2) in block twenty-seven (27) in Iowa City, Johnson County, Iowa, and to release a certain judgment and decree held by the state of Iowa for the use of the school fund, and to quitclaim all right, title and interest of the state of Iowa and of the State University of Iowa and of William Crum as Treasurer of the State University of Iowa in and to said premises, and authorizing the execution of a quitclaim deed to said real estate to Frank X. Freyder, Jr., and Anna Freyder, the owners of said real estate, and authorizing the execution of a release of the said judgment and decree.

WHEREAS, the north seventy (70) feet of lot one (1) and the north seventy-five (75) feet of the east twenty (20) feet of lot two (2) in block twenty-seven (27) in Iowa City, Johnson county, Iowa, is now owned by Frank X. Freyder, Jr., and the north seventy-five (75) feet of the west sixty (60) feet of said lot two (2) in said block twenty-seven (27), Iowa City, Iowa, is now owned by Anna Freyder, and the owners of said real estate, together with their immediate grantor, Frank X. Freyder, Sr., have been in the open, uninterrupted and exclusive possession of said real estate and have improved the same and have paid the taxes thereon for more than fifty years last past, and,

WHEREAS, J. H. Deacon as treasurer of Johnson county, Iowa, on October 28, 1863, executed to William Crum, as treasurer of the state university, a tax deed conveying lots one (1) and two (2) in block twenty-seven (27) in Iowa City, Iowa, said deed being recorded in book 22, page 67, of the deed records of Johnson county, Iowa, and,

WHEREAS, William Crum, as treasurer of the board of trustees of the Iowa state university, on October 11, 1865, executed to F. X. Freyder a quitclaim deed to the north half of lot two (2) in said block twenty-seven (27) in Iowa City, Iowa, said deed being recorded in book 22, page 591, of the deed records of Johnson county, Iowa, but said deed fails to dis-

close the authority under which the said William Crum, as treasurer, acted in executing the same, and the said William Crum has never conveyed the interest and title acquired by him as treasurer to lot one (1) in said block twenty-seven (27) in Iowa City, Iowa, under the said tax deed, and by reason of these facts a cloud is cast upon the title of the said Frank X. Freyder, Jr., and the said Anna Freyder, to the respective parcels of real estate owned by them as set out above, and,

WHEREAS, neither the state of Iowa nor the state university of Iowa nor William Crum, as treasurer of the state university of Iowa, has ever asserted or claimed title or the right to the possession of the real estate or any part thereof owned by the said Frank X. Freyder, Jr., and Anna Freyder as hereinbefore set out, but for more than fifty years last past the exclusive possession and ownership of said real estate has been claimed and exercised continuously by the said Frank X. Freyder, Jr., and the said Anna Freyder, and,

WHEREAS, on January 2, 1857, Thomas Snyder, the then owner, executed to James D. Eads, as superintendent of public instruction of the state of Iowa, a mortgage upon lots one (1) and two (2) in block twenty-seven (27) in Iowa City, Johnson county, Iowa, to secure the payment of fifteen hundred dollars (\$1500.00), said mortgage being recorded in book 2, page 337, of the mortgage records of Johnson county, Iowa, and said mortgage being junior to a certain other mortgage executed by James D. Eads, the then owner, to Martin L. Morris, as treasurer, and covering the same real estate above described, said mortgage being executed August 26, 1854, to secure the payment of five hundred dollars (\$500.00) "borrowed of the university funds", and the same was recorded in book 1, page 347, of the mortgage records of said Johnson county. That both of said mortgages were thereafter foreclosed by action in the district court of Johnson county, Iowa, and judgment and decree of foreclosure entered upon each of said mortgages. That under the judgment and decree of foreclosure rendered upon the senior mortgage recorded in book 1, page 347, of the mortgage records of said county, the said real estate hereinbefore described was sold and a sheriff's deed was duly executed to the purchasers, and by reason thereof the judgment and decree of foreclosure rendered upon the junior mortgage recorded in book 2, page 337, of the mortgage records of said county, constitutes an apparent lien held by the state of Iowa for the use of the school fund upon said lots one (1) and two (2), block twenty-seven (27), Iowa City, Iowa, and said judgment and decree upon said junior mortgage still remains unsatisfied and uncanceled of record and constitutes a cloud upon the title to said real estate.

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

1 SECTION 1. Quitclaim deed authorized. That all right, title and
2 interest held by the state of Iowa, or by the state university of Iowa,
3 or by William Crum as treasurer of the state university, or as
4 treasurer of the board of trustees of the state university of Iowa,
5 in and to the north seventy (70) feet of lot one (1) and the north
6 seventy-five (75) feet of lot two (2) in block twenty-seven (27) in
7 Iowa City, Johnson county, Iowa, according to the recorded plat
8 thereof, is hereby released and relinquished unto Frank X. Freyder,
9 Jr., and Anna Freyder, and for the purpose of perfecting the title

10 to said real estate of record, the president and secretary of the state
 11 board of education are hereby authorized and directed, without
 12 expense to the state, to execute in the name of said board and deliver
 13 to Frank X. Freyder, Jr., a quitclaim deed describing the real estate
 14 owned by him as set forth in this act, and to execute and deliver to
 15 Anna Freyder a quitclaim deed describing the real estate owned by
 16 her as set forth in this act, such deeds when so executed to convey
 17 all right, title and interest which the state of Iowa and the state
 18 university of Iowa, or William Crum as treasurer of said university
 19 and his successors in office, have or may have in the said real estate.

1 SEC. 2. Release of judgment—publication clause. The county
 2 auditor of Johnson county, Iowa, is hereby authorized and directed
 3 to release and cancel of record that certain judgment and decree
 4 rendered by the district court of Johnson county, Iowa, in favor of
 5 the state of Iowa for the use of the school fund and against Thomas
 6 Snyder and others, said judgment and decree being recorded in
 7 record J, page 565, of the records of said district court, and in
 8 judgment docket 2, at page 133.

9 This act being deemed of immediate importance shall take effect
 10 and be in force from and after its publication in the Des Moines
 11 Register and the Des Moines Capital, newspapers published in the
 12 city of Des Moines, Iowa, without expense to the state.

Approved April 24, A. D. 1917.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 30, 1917, and in the Des Moines Capital May 8, 1917.

W. S. ALLEN, *Secretary of State.*

CHAPTER 366.

CITY OF NEWTON.

S. F. 581.

AN ACT to legalize ordinances, amendments to ordinances, acts and resolutions of the
 council, and rules of the Board of Health of the City of Newton, Iowa.

WHEREAS, doubts have arisen as to the legality of the ordinances,
 amendments to ordinances, acts and resolutions of the council, and rules
 of the board of health of the city of Newton, Iowa, as published and con-
 tained in the printed volume of the same, designated "Revised Ordinances
 of the City of Newton, State of Iowa, 1912-1913, and Rules of the Board
 of Health," in that the same were not duly and regularly adopted, signed,
 recorded, published, attested and authenticated, and that the record of
 the same was not duly and regularly signed and authenticated by the
 mayor and city clerk. Therefore

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

1 SECTION 1. Ordinances and rules of health legalized. All ordi-
 2 nances, amendments to ordinances, acts and resolutions of the
 3 council, and rules of the board of health of the city of Newton, Iowa,
 4 as published and contained in the printed volume of the same, desig-