

A BILL

FOR AN ACT TO PROVIDE AND PRESERVE RECORD EVIDENCE OF THE TITLE
OF REAL ESTATE.

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

SECTION 1. That any person in possession of, and claiming title by descent or inheritance,
2 to real estate, and desiring to perfect and preserve the record of his title or interest therein
3 may file in the office of the clerk of district or circuit court of the county in which such
4 lands are situated, his petition, duly verified, setting forth the fact of his possession, and the
5 length of time thereof. The interest which he claims to have therein, the name, and date
6 of death as near as may be, of the person through whom he claims to inherit, and his rela-
7 tion thereto. Whether or not said decedent, at the time of his death, left any other heirs,
8 and if so, their names and residences, if now living, and their heirs or legal representatives
9 if deceased. Which petition shall be accompanied with an abstract of the claims of title of
10 said lands.

SEC. 2. Said petitioner shall also cause to be published in some newspaper of general cir-
2 culation published in said county, if there be one, and if not, then in the next nearest county,
3 a notice signed by the petitioner or his attorney and directed to "all whom it may concern,"
4 which notice shall contain a statement of the filing of said petition, a general statement of
5 the contents thereof, the name of the petitioner, description of said lands and relief asked,
6 together with the time and place that said action will be brought on for hearing, and shall
7 be published for four consecutive weeks, the last of which publications shall be at least ten
8 days prior to the first day of the term of court at which said action will be brought on for
9 hearing.

SEC. 3. On the day fixed for the hearing thereof, or as soon thereafter as the same may
2 be reached, the court shall proceed to hear the evidence and cause a record entry to be made
3 of the facts found thereby, which record shall show, the interest or title which the peti-
4 tioner has in said lands; whether any other person or persons have, or claim to have, any
5 interest therein, and if so, their names and residences, so far as shown. The name and date
6 of death of the person from whom the petitioner claims to inherit and his relationship
7 thereto. Whether said decedent left any other heirs surviving him and their names and
8 residences if living or known.

SEC. 4. The record entry aforesaid shall be competent and *prima facie* evidence of facts
2 therein stated in all civil actions or special proceedings in any of the courts of this State.

SEC. 5. All costs occasioned by such proceeding shall be a lien upon the lands described
2 in said petition and shall be paid by the petitioner.

SEC. 6. This act being deemed of immediate importance shall take effect from and after
2 its publication in the "Iowa State Register" and the "Des Moines Leader," newspapers pub-
3 lished at Des Moines, Iowa.