

TABLE No. VI.

Showing the number of convictions in the state of Iowa, the number sentenced to terms of servitude, the amount of fines imposed by the district court, the amount collected, amount of salary and fees paid county attorneys, and the total of all other expenses on account of criminal prosecutions during each year from 1868 to 1905, inclusive.

Years.	Number of convictions.	Sent to industrial school.	Sent to county jail.	Sent to penitentiary.	Total amount of fines imposed by the district court.	Total amount of fines collected and paid into the county treasury.	Total expenses of county on account of criminal prosecutions (not including county attorney's fees).	Total amount paid county attorney on account of criminal prosecutions (including salaries).
1868	421				\$ 22,887.50	\$19,342.00	\$ 67,143.37	\$ 6,228.14
1869	439				19,499.27	17,235.25	80,912.15	10,637.14
1870	537				21,726.83	14,397.68	74,890.29	6,042.20
1871	739				32,372.91	19,224.75	112,802.66	10,832.66
1872	616				38,830.80	23,222.25	97,620.06	9,643.50
1873	896				48,042.00	29,617.01	135,256.34	14,844.89
1874	1,330				104,525.52	35,898.10	188,846.38	18,368.19
1875	1,317				45,036.39	32,002.36	180,889.40	18,800.03
1876	1,568				60,302.88	32,752.80	235,187.42	22,071.87
1877	1,672	22	116	396	80,829.45	28,049.16	318,322.77	25,906.70
1878	1,491	10	116	364	52,966.68	24,839.97	303,668.13	23,200.35
1879	1,446	10	118	351	79,622.77	25,339.39	401,659.39	24,801.73
1880	1,081	4	131	310	82,860.55	19,508.32	313,141.10	20,316.59
1881	1,370	7	123	285	54,846.78	15,379.12	358,535.50	22,300.75
1882	1,470	9	97	325	57,714.91	23,633.97	401,431.18	22,189.91
1883	1,377	12	134	313	58,203.30	27,095.72	361,173.78	23,669.87
1884	1,592	21	152	861	65,543.80	35,381.58	379,580.81	26,239.57
1885	1,339	18	163	406	75,581.43	30,728.72	413,349.77	26,232.32
1886	1,645	20	188	330	117,624.41	46,362.91	421,024.31	31,648.87
1887	1,520	10	261	306	180,557.68	50,871.22	282,877.66	41,469.34
1888	838	13	127	196	95,171.80	39,708.22	300,424.06	52,518.96
1889	1,108	8	193	318	136,930.80	37,008.85	399,420.58	67,897.36
1890	1,150	36	191	319	111,866.99	37,316.54	452,294.65	56,348.13
1891	1,248	14	175	327	149,990.33	48,268.06	455,204.67	79,391.42
1892	1,508	31	277	538	175,514.50	56,568.56	575,638.04	84,027.97
1893	1,241	27	298	454	114,603.47	31,765.64	446,005.94	85,076.87
1894	1,497	18	323	520	166,978.18	49,136.73	520,273.64	84,747.92
1895	1,517	22	307	605	112,886.91	38,534.08	504,040.45	82,355.26
1896	1,225	14	261	513	82,889.05	37,629.73	421,816.15	83,428.17
1897	1,209	17	350	539	82,927.54	32,082.81	452,254.30	87,625.53
1898	1,253	27	357	529	85,287.43	31,522.10	456,010.64	83,876.38
1899	1,191	25	288	448	90,237.95	39,801.34	362,616.62	87,224.44
1900	1,153	22	280	452	82,284.85	43,980.15	409,917.17	87,250.07
1901	1,229	19	401	257	103,080.95	52,651.95	364,954.49	90,078.26
1902	1,439	17	465	216	120,483.95	49,999.02	456,657.45	92,014.85
1903	1,302	5	440	225	106,998.25	55,834.59	405,629.66	100,912.06
1904	1,301	17	229	472	114,531.30	56,646.05	483,084.21	103,997.59
1905	1,361	13	242	469	125,546.13	63,567.35	470,163.60	107,436.62

REPORT

OF THE

Secretary of State

TO THE

GOVERNOR OF IOWA,

OF THE

Transactions of the Land Department,

July 1, 1903, to June 30, 1905.

W. B. MARTIN, Secretary of State.

DES MOINES:

B. MURPHY, STATE PRINTER.  
1905.



## REPORT.

### LETTER OF TRANSMITTAL.

OFFICE OF SECRETARY OF STATE.  
DES MOINES, IOWA.

To His Excellency, ALBERT B. CUMMINS, Governor of Iowa:

SIR,—In accordance with the provisions of section 122 of the Code of Iowa, 1897, I have the honor to submit the following report of the transactions of the Land Department during the biennial period ending June 30, 1905.

During this period the United States through its proper officials has approved and patented to the State of Iowa, 1,364.54 acres of swamp land "in place" and 131.75 acres of swamp land indemnity lands. The State has also received from the United States swamp land cash indemnity to the amount of \$4,546.72 on 3,633.86 acres of land, which in turn was paid over to the counties entitled thereto by the treasurer of state. I am informed by the Commissioner of the General Land Office that there are claims for many thousands of acres of swamp land "in place" and claims for cash indemnity on more than five hundred and fifty thousand acres of land in the State of Iowa that are still unadjusted by his department. At the present rate of progress it will take the general land office many years to complete the adjustment of the swamp land grant.

There were also received from the general government during this period two approved lists of railroad lands, embracing together 280 acres. The adjustment of the railroad grants is slowly nearing completion and it is probable that during the next two years all contests or conflicts with other grants will be settled and the last of these lands approved to the State or to the railroad companies.

The following statement gives the number of acres of the various classes of lands patented or certified by the State during this biennial period:

	Acres.
Sixteenth section grant.....	1,100.28
Five hundred thousand acre grant.....	170.00
Mortgage school lands.....	40.00
University grant.....	74.49
Agricultural College grant.....	680.00
Swamp lands "in place".....	1,364.54
Swamp land land-indemnity.....	131.75
Railroad lands (excluding 800 acres relinquished to U. S.)	47,547.38
Abandoned river channels, etc. (Chapter 185 Thirtieth General Assembly).....	742.88
*State square.....	2.25
Under acts quieting title.....	186.89
Total.....	52,040.46

\*Sold by the executive council (Chapter 189, Thirtieth G. A.)



The following statement gives the number of acres of land belonging to the several grants therein mentioned still subject to patent.

	Acres.
Sixteenth section grant.....	14,738.53
Five hundred thousand acre grant.....	8,063.72
University grant.....	834.67
University lands—Saline grant.....	1,809.99
University lands—Donated and mortgage.....	560.00
*Agricultural College grant.....	565.50
Agricultural College lands (mortgage).....	40.00
Swamp land grant (none).....	
Railroad grants (can not be estimated).....	
†Total.....	26,612.41

The following statement gives the quantity of unsold school, University and Agricultural College lands at the close of the biennial period:

	Acres.
Sixteenth section grant.....	1,120.00
University grant.....	572.34
University lands—Saline grant.....	1,409.99
University lands—Donated and mortgage.....	560.00
†Agricultural College grant.....	229.48
Agricultural College land (mortgage).....	40.00
Total.....	3,931.81

It has been the general custom of the land department to see that all patents are delivered immediately on issuance to the grantees, but for some reason or other in the early days several hundred patents issued under the acts providing for the disposal of the Des Moines river grant lands were allowed to accumulate and many of these are still on file in this department. These patents will be delivered to the present owners of the lands on surrender of the original receipts or certificates of purchase, or if these have been lost or mislaid, on presentation of affidavit of the owner specifying that he is the owner in fee simple of the land in question, that the original receipt or certificate has been lost or mislaid, that he has made diligent search therefor and is unable to find the same, and that he makes such affidavit for the purpose of obtaining the patent issued for such real estate, which he agrees to file for record at once in the proper county recorder's office. Twenty-seven of these patents were delivered to the owners during the past two years.

The Thirtieth General Assembly passed an act (chapter 185) providing for the survey, appraisal and sale of the abandoned river channels, and sandbars or islands in the navigable rivers of the State. Nine applications in all were made for the purchase of land under the provisions of this act during the biennial period ending June 30, 1905. Seven hundred and forty-two and eighty-eight hundredths of an acre of such lands were paid for and patented during said period. The remaining applications cover about

\* 229.48 acres of this amount has been patented to the State under the swamp land grant and in turn patented by the State under the swamp land acts of the State.

† Not including railroad lands.

‡ These lands were patented to the State under the swamp land grant and disposed of by the State under the swamp land acts of the general assembly. This is the reason they have never been sold or patented as college lands.

two thousand two hundred acres of land. About one thousand three hundred acres of this had been surveyed, but no further action had been taken thereon at the close of the biennial period. A detailed statement, giving the names of the applicants, descriptions of the lands and the action taken by this department thereon, will be found in this report under the heading "Sale of Abandoned River Channels," etc.

In this connection a few words should be written concerning this act known as chapter 185 of the acts of the Thirtieth General Assembly.

The act evidently has two objects to accomplish, one primary and the other secondary; one commendable, the other censurable. The secondary object is so cunningly concealed as it is interwoven with the primary object as to be apparent only after a close inspection of the act in its entirety. The primary object of the act is the authorizing of the sale of the abandoned channels of the navigable rivers of the State and the bars or islands in such navigable streams, and also the authorizing of the appointment of a commission, to act with a similar commission from an adjoining state, to determine the location of the boundary line of the two states, whenever such a question arises over the proposed sale of such lands. This object is praiseworthy in that it provides a means for the sale of lands which undoubtedly belong to the State, and which the State was unable to sell until authority had been granted by the General Assembly, and also paves the way for the placing of such lands on the tax lists. This primary object of the act being a commendable one no doubt appealed to the members of the general assembly and accounts for the passage of the act. The secondary object of the act, and no doubt the primary object of the real author of the act itself, is the giving of the original applicant for any such lands a monopoly on the purchase thereof.

In order to bring the matter before you in a direct way, a brief summary of the act as it passed is here given:

Section 1 authorizes the sale of all land between high water mark and the center of the former channel of any navigable stream, where such has been abandoned and is no longer capable of use for purposes of navigation, and all land within such abandoned river channels, and all bars or islands in the channels of the navigable streams, not heretofore surveyed or platted by the United States or by the State of Iowa, and all within the jurisdiction of the State of Iowa.

Section 2 provides that the applicant shall file a written application for such land with the secretary of state, and accompany said application with a deposit of money of not less than fifty cents per acre for the land so desired, and in no case less than twenty-five dollars in all, the total amount to be fixed by the secretary of state; said money to be used in paying the expenses of the survey and the appraisal.

Section 3 provides that the secretary of state shall order the survey and appoint the county surveyor of the county in which the land is located, or in case he can not act, some other competent surveyor, to make the survey. A full report of survey, with field notes, must be filed with the land commissioner of the State.

Section 4 provides for the appointment of three commissioners resident of the county in which the land is located, to view the land and make



appraisement thereof, which appraisement shall be returned and filed with the land commissioner. Also that "Notice of such appraisement shall thereupon be given to such applicant, and upon payment of the balance required, as fixed by the appraised value, such person shall be entitled to a deed or patent therefor."

Section 5 relates to the fees to be paid the surveyor and his assistants, and also the three appraisers.

Sections 6 and 7 are given in full.

**SEC. 6. Sale—how effected.** None of such land shall be sold for less than the appraised value thereof, except as hereinafter provided. If the person filing the original application shall be unwilling to pay the amount per acre, as fixed by the appraisers, he shall be permitted to deposit whatever amount he is willing to pay, in addition to his original deposit, for such land so desired to be purchased by him, and, if at the expiration of ninety days no other person has appeared and deposited and offered to pay a larger amount, he shall be entitled to a deed or patent for the land for the total amount deposited by him; but if before the expiration of such ninety days there shall be other applicants and bidders for said land, and the said original applicant shall still be unwilling to increase his total deposit to the amount of the appraisement, or to an amount beyond that of the highest bidder, then the person making the highest bid and depositing the amount therefor, shall be entitled to a deed or patent for such land, and the money deposited by the original applicant shall be refunded. If the said original applicant shall increase his total deposit to the amount of the appraisement, within said period of ninety days, such original applicant shall thereupon be entitled to a deed or patent for such land.

**SEC. 7. Application of occupant to have priority.** Any person who has in fact lived upon any such land and occupied the same, as a home for himself and family, continuously for a period of three or more years immediately prior to the time of the passage of this act, and such occupation has been in good faith for the purpose of procuring title thereto, whenever by law such title could be vested in him by purchase from the proper authority, shall be allowed ninety days from the date this act takes effect within which to file application as a proposed purchaser of such land. When any such application is filed, accompanied with the required deposit, it shall have priority over any or all other applications filed for such land and shall be treated as the first application therefor.

Section 8 provides for the issuance of a deed or patent for the land by the governor.

Section 9 provides for the use of a former survey when the same has been made under order of a court of record and the record of such survey has been duly made and preserved.

Section 10 provides for the appointment of a commission by the executive council to act with a like commission from an adjoining state, to locate the boundary line between the two states, where a question has arisen over such boundary line in connection with the sale of any of such lands.

Section 11 relates to the qualifications of the members of such commission and also to their compensation.

Section 12 provides for the refunding of the money paid for any particular tract of land under this act, within ten years from the date of patent or deed, upon the grantee therein, or his successors, administrators or assigns, filing with the secretary of state a duly certified transcript of a final decree of a court of record showing that the conveyance by the State passed no title because title thereto had previously been vested in others.

Section 13 provides that all moneys received from the sale of such lands, after deducting expenses of survey and appraisement, shall be paid into the State treasury.

Section 14 provides that the act shall take effect from and after its publication in the Register and Leader, and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

The act was published in both papers April 13, 1904.

A close inspection of sections 6 and 7 and the last clause of section 4 of the act will reveal the secondary object, and no doubt the primary object in the mind of the real author of the act, and that is to give the first applicant in all cases, whether he be a bona fide occupant of the land or a land speculator from some distant State, an absolute monopoly on the purchase of the land for which he has made application. The last clause of section 4 provides that the first applicant shall be entitled to patent or deed upon the payment of the appraised value of the land, thus giving him absolute right to such land as soon as he pays the appraised value thereof. By paying the appraised value for the land, he can thus avoid all competition in the way of other bidders. But this is not all; he is still protected, even if he elects not to pay the full appraised value, as this act also gives him the power to practically dictate the price he will pay for the land. In the event that he decides not to pay the full appraised value, the act provides that the land shall then be held open for bids for a period of ninety days, and while nominally specifying that it shall then be sold to the highest bidder, yet it really makes this provision null and void, by the additional provision that the original applicant may increase his deposit to the amount of the appraisement, within the ninety days, and in case he does so, he shall be entitled to receive deed or patent for the land. In other words, the original applicant can specify the price he will pay for the land, because here is the law notifying every prospective bidder that no matter how high he may bid, the original applicant has a preferred claim and can put an end to all bidding by paying the appraised value for the land. The act, as it now reads, discourages instead of encourages bidding. While nominally inviting bids, when the original applicant elects not to pay the appraised value, the act really says to all prospective bidders: "What's the use of your bidding? Better let the original applicant take the land at his own price, as he can come forward at the last moment and take the land anyway, no matter if you bid a thousand times the appraised value."

For what reason does the act give this monopoly to the original applicant? The only reason for this preference that can be gleaned from the act itself is that the said original applicant furnishes the few hundred dollars necessary to pay the expense of the survey and appraisement of the lands applied for. By thus furnishing the money for these expenses, the original



applicant is given a monopoly, which might mean in the case of a large tract of land, thousands of dollars in his pocket, and just that much out of the State treasury.

Under the law as it now stands, the bona fide occupant of the land, the party who has lived on the land and occupied it as a home for himself and family, or who has acquired a semblance of title by inheritance or by purchase made in good faith from some former occupant, has no rights unless he be the party to make the first application. It is true that section 7 of the act purports to give the bona fide occupant of the land priority over all other applicants, but it will be seen that the conditions enumerated in said section practically rendered it null and void from the day of its passage. The first condition is that the occupant must have "lived upon the land and occupied the same as a home for himself and family, continuously for a period of three years immediately prior to the passage of the act, and such occupation has been in good faith for the purpose of procuring title thereto, whenever by law such title could be vested in him by purchase from the proper authority." It will be seen that no provisions are here made for those other classes of bona fide occupants, those who may have acquired title by right of inheritance or by right of purchase made in good faith from former bona fide occupants, and who may not have been in actual possession of the land for three years immediately preceding the passage of the act. But the most vital condition of all is that even the bona fide occupant who can prove the three-year occupation in good faith must file his application within ninety days after the taking effect of the act itself in order to secure this priority over other applications. It will be observed that the act went into effect from and after its publication in the Des Moines Register and Leader and the Des Moines Daily Capital. The act was published in said papers on the 13th day of April, 1904. So any bona fide occupant of such lands must have filed his application on or before July 12, 1904, in order to have secured the advantage given by this section. As the published volumes of the laws of the Thirtieth General Assembly were not generally distributed over the State until after the 20th day of July, 1904, the only way the bona fide occupants of such lands had of finding out the great advantages (?) this law gave them over other applicants was by reading the advertising columns of the two Des Moines newspapers of the date given above. The result was, no doubt just as the author designed, that not one application was filed by a bona fide applicant within this time limit prescribed by law. So section 7, for all the good it did the bona fide occupants, might as well have been stricken from the act before its final passage.

The act is all in the interest of the original applicant, and it is the only one of the many laws providing for the sale of state lands which shows such favoritism. The laws providing for the sale of school lands specify that said lands must be sold to the highest bidder, and at a price not less than the appraised value, only under certain conditions. These conditions are that the board of supervisors of a county may order the sale at a price less than the appraised value, after the land has once been offered for sale and no one has bid the appraised value, and even then the action of the board of supervisors and the sale of the land at the reduced price has to be approved

by the executive council before such sale is finally consummated. The Thirtieth General Assembly also passed three other acts, known as chapters 186, 187, and 188 of the acts of the Thirtieth General Assembly, providing for the sale of certain state lands, and in everyone of them it is provided that the lands shall not be sold at less than the appraised value. Chapter 186, providing for the sale of meandered lakes and lake beds specifies that the lake or lake bed shall be offered for sale by the executive council, "and the persons owning lands abutting upon such lake or lake bed and contiguous to lands owned by the State therein, shall have the first right to purchase the lands offered for sale by the State, in an amount sufficient to make the lands owned by them which abut upon the lake or lake bed and are contiguous to lands of the State, conform to the smallest government subdivisions of public lands at the price fixed by the appraisers. All other lands included in such survey and composing the lake bed belonging to the State which may be sold under the provisions hereof, shall be sold for the highest bid obtainable; but no sale of any of said land shall be made at less than the appraised value thereof." Chapter 187, which authorizes the sale of the islands in the waters of the State, provides that "the sale shall then be advertised once each week for four consecutive weeks in some newspaper of general circulation in the county in which the island is located." "The sale shall be made upon written bids addressed to the executive council and the advertisement shall fix the time when such bids will be received and opened. All bids shall be opened by the executive council at the time fixed, and the island may thereupon be sold to the highest bidder and at not less than its appraised value." Chapter 188 provides for the sale of Willow island in the Mississippi river in Lee county and it specifies that the executive council shall receive bids therefor and sell and convey it to the highest cash bidder, and in no case is it to be sold for less than the appraisement.

These three acts passed by the same general assembly which passed the act in question, specifically state that the lands whose sale are thereby authorized are not to be sold in any event at less than the appraised value. And the only favoritism shown in any of the three is in the one providing for the sale of meandered lakes and lake beds, which does give the abutting property owners the first right to buy enough of said lake or lake bed to make the lands owned by them and which abut upon the lake or lake bed conform to the smallest government subdivision of public lands, that is forty acres. Abutting property owners who own fractional quarters of quarter sections are permitted to buy enough land to make these fractional quarters of quarter sections full quarters of quarter sections. But mind you, they must pay the appraised value therefor.

It is my judgment, after observing the working of the law for a little over a year, that the Thirty-first General Assembly should change it in many respects, both in justice to the State and to the present and future bona fide occupants and purchasers of said lands. The following are the changes that should be made in the act:

The provision of the act requiring the first applicant to accompany his application with a deposit sufficient to pay the expense of the survey and the appraisement should be repealed and a provision enacted in lieu thereof, that the expenses of the survey and appraisement shall be paid out of the State treasury. All three of the other acts passed by the Thirtieth Gen-



eral Assembly and above mentioned, contain the provision that such expenses shall be paid out of the State treasury. The elimination of the provision requiring the applicant to furnish the money for these expenses will take from the act the sole reason for giving the first applicant preference over all other prospective bidders.

In addition to the provision requiring the applicant for the purchase of the lands to file a written application therefor with the secretary of state, it would be well to add a provision making it the duty of the county board of supervisors to file a written application with the secretary of state, asking that certain lands located in the county be surveyed, appraised and sold, whenever they are satisfied that these lands are of the character contemplated by this act. The incorporating of such a provision in the act would hasten the disposal of all such lands and thus place them on the tax lists at an early date.

The most important change of all, however, is the incorporation of the provision that no lands shall be sold for less than the appraised value. If anyone is to be favored in the sale of these lands, let it be the bona fide occupant, the party who has occupied such lands as a home for himself and family for a period of three years prior to the date of sale, or who has acquired a semblance of title to said lands by right of inheritance or by purchase from a former occupant whose occupancy dates back three years prior to the date of sale. Let it be provided that such bona fide occupants shall have the first right to purchase such lands at the appraised value, and then if they do not take advantage of this opportunity, let the lands be sold to the highest bidder, but in no case at a price less than the appraisement.

Provisions for advertising the sale of the lands and fixing the date of sale should also be incorporated. The act as it now stands makes no provisions for advertising the sale of the lands, and as a result but few people outside of the surveyors, the appraisers, the applicants and the officers of the State know anything about a proposed sale.

The adoption of the changes above suggested will make the law a just one to all parties concerned and will eliminate all the objectionable provisions of the present act, which make it a subject of adverse criticism by all who have been affected by the enforcement of these provisions.

FEES.

The fees received by the department during the two years ending June 30, 1905, for certificates and certified copies of the records amounted to \$466.40, which sum was paid into the State treasury as required by law.

Respectfully submitted,  
 W. B. MARTIN,  
 Secretary of State.

SCHOOL LANDS.

The school lands of the state of Iowa consist of the sixteenth section in every congressional township, or lands in lieu thereof, granted to the state by act of congress, approved March 3, 1845; the lands acquired by the state under the act of congress, approved September 4, 1841, known as the "500,000 Acre Grant," and the lands called the "Mortgage School Lands," the latter being the lands the state has acquired under foreclosures of mortgages given to secure loans of the school fund in the several counties.

The proceeds of the sales of lands acquired under the sixteenth section and 500,000 acre grants, together with 5 per cent on the sales of the public lands within the state, granted by act of congress, and the proceeds of the sale of intestate estates which escheat to the state, constitute the permanent school fund of the state of Iowa, the interest of which is used for the support of the common schools.

SIXTEENTH SECTION GRANT.

TABLE No. 1.

Giving the total number of acres in each county acquired by the state under the grant; the total number of acres patented; the number of acres patented during the two years ending June 30, 1905, and the number of acres remaining unpatented.

Counties.	Total number of acres in each county.	Total number of acres patented.	Number of acres patented during the last two years	Number of acres remaining unpatented.
Adair.....	10,240.00	10,240.00		
Adams.....	7,680.00	7,680.00		
Allamakee.....	11,848.79	11,874.90		
Appanoose.....	10,240.00	9,880.00		178.89
Audubon.....	7,680.00	7,680.00		360.00
Benton.....	12,653.03	12,503.40		149.63
Black Hawk.....	10,083.47	9,900.57		182.90
Boone.....	10,235.80	10,185.80		50.00
Bremer.....	7,680.00	7,680.00		20.00
Buchanan.....	10,240.00	10,200.00		40.00
Buena Vista.....	10,040.80	10,040.80		
Butler.....	10,240.00	10,000.00		240.00
Calhoun.....	10,240.00	10,240.00		
Carroll.....	10,240.00	10,240.00		
Cass.....	10,240.00	10,080.00		160.00
Cedar.....	10,240.00	10,040.00		200.00
Cerro Gordo.....	10,169.38	10,169.38		
Cherokee.....	10,240.00	10,240.00		
Chickasaw.....	7,680.00	7,640.00		40.00
Clarke.....	7,680.00	7,640.00	40.00	40.00
Clay.....	10,230.92	10,150.92		80.00
Clayton.....	14,215.17	13,832.06		382.51
Clinton.....	13,081.50	12,446.57		634.93
Crawford.....	12,800.00	12,780.00		20.00
Dallas.....	10,240.00	10,190.00	75.00	50.00
Davis.....	10,029.48	9,909.48		120.00
Decatur.....	10,240.00	10,000.00	40.00	240.00
Delaware.....	10,208.98	10,208.98		
Des Moines.....	8,229.37	6,898.19		1,331.18
Dickinson.....	6,791.85	6,151.85		640.00
Dubuque.....	11,324.00	11,244.00		80.00
Emmet.....	7,552.89	7,462.89		90.00
Fayette.....	12,800.00	12,800.00		
Floyd.....	7,680.00	7,520.00		160.00
Franklin.....	10,240.00	10,080.00		160.00
Fremont.....	10,240.00	9,598.48	80.00	701.52
Greene.....	10,240.00	10,240.00		



TABLE No. 1—CONTINUED.

Counties.	Total number of acres in each county.	Total number of acres patented.	Number of acres patented during the last two years	Number of acres remaining unpatented.
Grundy	8,960.00	8,880.00		80.00
Guthrie	10,240.00	10,000.00		240.00
Hamilton	10,222.00	10,142.00		80.00
Hancock	10,240.00	10,160.00		80.00
Hardin	10,240.00	10,160.00		80.00
Harrison	12,494.64	11,752.37		742.27
Henry	7,680.00	7,460.00		220.00
Howard	10,240.00	10,040.68	40.00	199.32
Humboldt	7,620.65	7,460.65		160.00
Ida	7,680.00	7,680.00		
Iowa	10,181.88	9,901.88		280.00
Jackson	11,529.47	11,408.35		121.12
Jasper	12,800.00	12,800.00		
Jefferson	7,680.00	7,680.00		
Johnson	10,842.16	10,782.16		60.00
Jones	10,211.30	9,551.30		660.00
Keokuk	10,240.00	10,080.00	80.00	160.00
Kossuth	17,920.00	17,760.00	160.00	160.00
Lee	9,862.35	9,762.35		100.00
Linn	12,737.13	12,580.80		156.33
Louisa	7,443.60	7,423.60	40.48	20.00
Lucas	7,680.00	7,680.00		
Lyon	11,441.86	11,300.93	64.80	80.93
Madison	10,240.00	10,240.00		
Mahaska	10,207.07	10,127.07		80.00
Marion	10,240.00	9,800.00		440.00
Marshall	10,240.00	10,220.00		20.00
Mills	8,000.00	7,880.00	160.00	120.00
Mitchell	10,240.00	9,800.00	160.00	440.00
Monona	13,051.90	12,691.90		360.00
Monroe	7,680.00	7,640.00		40.00
Montgomery	7,680.00	7,680.00		
Muscataine	8,222.73	7,827.73		395.00
O'Brien	10,240.00	10,240.00		
Osceola	7,680.00	7,680.00		
Page	10,240.00	10,060.00		180.00
Palo Alto	10,173.53	10,173.53		
Plymouth	15,688.25	15,688.25		
Pocahontas	9,891.75	9,891.75		
Polk	10,153.88	9,963.88		190.00
Pottawattamie	17,658.46	17,518.46		140.00
Poweshiek	10,240.00	9,960.00		280.00
Ringgold	10,240.00	10,230.00		10.00
Sac	10,240.00	10,240.00		
Scott	8,633.64	8,503.64		130.00
Shelby	10,240.00	10,240.00		
Stoux	14,116.07	14,116.07		
Story	10,240.00	10,200.00		40.00
Tama	12,800.00	12,680.00		120.00
Taylor	10,240.00	10,230.00		10.00
Union	7,680.00	7,675.00		5.00
Van Buren	8,891.12	8,891.12		
Wapello	7,581.93	7,461.93		120.00
Warren	10,240.00	10,160.00		80.00
Washington	10,240.00	10,140.00	40.00	100.00
Wayne	10,240.00	9,750.00		490.00
Webster	12,678.00	12,516.00		162.00
Winnebago	7,680.00	7,600.00		80.00
Winneshiek	12,800.00	12,760.00		40.00
Woodbury	15,680.00	15,120.00		560.00
Worth	7,680.00	7,680.00		
Wright	9,997.54	9,917.54	120.00	80.00
<b>Total</b>	<b>1,013,823.77</b>	<b>993,085.24</b>	<b>1,100.28</b>	<b>14,738.53</b>

NOTE—The total number of acres in several of the counties and consequently the total number of acres in the state in the foregoing table will be found to differ from those given in this same table in former reports. This difference is due to the fact that heretofore many fractional sections have been counted as even 640 acres, when in many cases they either contained less or more than 640 acres, while in the table here given each county is credited with the exact number of acres acquired as shown by the official plats of the government survey.

SIXTEENTH SECTION GRANT—LANDS PATENTED.

TABLE No. 2.

Giving a description of the sixteenth section school lands patented during the biennia period ending June 30, 1905, with names of patentees and counties in which the lands are situated.

Parts of Section.	Section.	Town.	Range.	Acres.	Name of Patentee	Date of Patent.
<b>CLARKE COUNTY.</b>						
nw of se	16	N. 71	W. 25	40.00	The North Star Sheep Company of Bozeman Montana	Mar. 15, 1905
<b>DALLAS COUNTY.</b>						
lot No. 2	16	81	28	75.00	F. R. Waldron	Jan. 13, 1905
<b>DECATUR COUNTY.</b>						
ne of ne	16	69	27	40.00	Martha G. Sage	Aug. 15, 1903
<b>FREMONT COUNTY.</b>						
east half of ne	16	70	40	80.00	M. J. Laughlin	June 11, 1904
<b>HOWARD COUNTY.</b>						
se of sw	16	98	11	40.00	Augustus Smart	Dec. 7, 1904
<b>KEOKUK COUNTY.</b>						
lot No. 1, being e half of ne	16	76	11	80.00	Alfred T. Burris	Feb. 13, 1905
<b>KOSSUTH COUNTY.</b>						
sw of	16	100	30	160.00	John E. Pehrson	Dec. 12, 1904
<b>LOUISA COUNTY.</b>						
nw of nw	16	73	4	40.48	Alexander S. Buck	Dec. 29, 1903
<b>LYON COUNTY.</b>						
lot No. 1 and ne of sw	16	99	48	64.80	Sakarias Syvertson	Dec. 9, 1903
<b>MILLS COUNTY.</b>						
sw of	16	72	40	160.00	William Graff	Dec. 23, 1904
<b>MITCHELL COUNTY.</b>						
se of	16	99	17	160.00	A. K. P. Ellis	Oct. 29, 1904
<b>WASHINGTON COUNTY.</b>						
ne of ne	16	77	6	40.00	John A. Stewart	Oct. 19, 1903
<b>WRIGHT COUNTY.</b>						
s half of sw and nw of sw	16	93	23	120.00	Mark Sullivan	Oct. 10, 1903
<b>Total</b>				<b>1,100.28</b>		



FIVE HUNDRED THOUSAND ACRE GRANT.

TABLE No. 3.

Giving the total number of acres in each county acquired by the state under the grant; the total number of acres patented; the number of acres patented during the biennial period ending June 30, 1905, and the number of acres remaining unpatented.

Counties.	Total number of acres in each county.	Number of acres patented to June 30, 1905.	Number of acres patented during the last two years.	Number of acres remaining unpatented June 30, 1905.
Adair	2,391.89	2,391.89		
Adams	1,920.00	1,895.00		25.00
Allamakee	70,211.03	69,324.10		886.93
Appanoose	2,400.00	2,320.00		80.00
Benton	11,791.80	11,885.80		408.00
Black Hawk	8,882.84	8,802.84		80.00
Boone	1,052.12	1,052.12		
Bremer	19,160.57	18,760.57		400.00
Buchanan	2,485.44	2,405.44		80.00
Butler	478.51	478.51		
Cedar	6,285.42	6,285.42		
Chickasaw	3,279.26	3,079.26		200.00
Clarke	16,009.00	15,769.00		240.00
Clayton	22,808.12	21,619.50		1,188.62
Clinton	20,935.70	20,793.94		141.76
Dallas	13,699.16	13,699.16		
Davis	934.95	934.95		
Decatur	40,637.48	40,112.97		524.51
Delaware	11,395.12	11,395.12		
Dubuque	16,194.87	15,934.87		260.00
Fayette	30,747.85	30,507.85		240.00
Floyd	3,481.68	3,401.68		80.00
*Hamilton	10,314.40	10,314.40		
Hardin	1,360.00	1,360.00		
Harrison	7,581.67	7,581.67		
Iowa	23,976.17	23,856.17		120.00
Jackson	807.50	807.50		
Jasper	1,674.94	1,674.94		
Jones	30,462.52	29,863.33	40.00	599.19
Keokuk	670.64	670.64		
Linn	11,046.07	10,914.47		131.60
Louisa	640.00	640.00		
Lucas	640.00	640.00		
Madison	9,386.02	9,226.02		160.00
Mahaska	9,227.75	9,227.75		
Marion	1,414.61	1,414.61		
Marshall	6,155.86	6,155.86		
Monroe	986.57	986.57		
Muscatine	357.33	357.33		
Polk	2,425.62	2,425.62		
Poweshiek	12,715.24	12,303.24		407.00
Ringgold	607.20	602.20		5.00
Story	3,792.74	3,716.74		76.00
Tama	11,650.44	10,866.85		783.59
Union	10,738.07	10,473.07	130.00	265.00
Wapello	7,002.42	6,962.42		40.00
Warren	5,643.97	5,643.97		
Wayne	15,546.91	15,397.02		149.89
Webster	18,064.06	17,883.93		177.13
Winneshek	24,447.06	24,134.56		312.50
Total	536,022.59	527,958.87	170.00	8,063.72

\* Includes 3,653.02 acres known as Des Moines River School Lands.

† Includes 9,160.49 acres Des Moines River School Lands.

NOTE.—The total number of acres in several of the counties and consequently the total number of acres in the state in the foregoing table will be found to differ from those given in this same table in former reports. This difference is due to the fact that heretofore many fractional sections have been counted as even 640 acres, when in many cases they contained less or more than 640 acres, while in the table here given each county is credited with the exact number of acres acquired as shown by the official plats of the government survey.

FIVE HUNDRED THOUSAND ACRE GRANT—LANDS PATENTED.

TABLE No. 4.

Giving a description of the 500,000 acre school lands patented during the biennial period ending June 30, 1905, with names of patentees and counties in which the lands are situated.

Parts of Section.	Sec.	Town.	Range.	Acres.	Patentees.	Date of Patent.
JONES COUNTY.						
ne of se	18	N 85	W 4	40.00	Miron Sexton	May 26, 1904
UNION COUNTY.						
lot No. 9 in e. half of sw.	12	71	28	5.00	W A. Claypool	Jan. 13, 1905
lot No. 11 in e. half of sw.	12	71	28	5.00	Frederick Reed	Jan. 13, 1905
w. half of se. and se. of sw.	36	71	28	120.00	John B. Poe	Jan. 13, 1905
Total				170.00		

MORTGAGE SCHOOL LANDS—LANDS PATENTED.

TABLE No. 5.

Showing the mortgage school lands patented during the biennial period ending June 30, 1905, giving the county and name of patentee

Parts of Section.	Sec.	Town.	Range.	Acres.	Patentee.	Date of Patent
WAPELLO COUNTY.						
nw of se	7	N 73	W 14	40.00	William Hirst	Mar. 28, 1904



UNSOLD SCHOOL LANDS.

TABLE No. 6.

Giving by particular description the unsold school lands at the close of the biennial period ending June 30, 1905, as reported by the county auditors, and omitting the names of counties having no unsold school lands.

Counties.	Parts of Section.	Sec.	Town.	Range.	Acres.	Grant.
Dickinson.....	All of.....	16	N 99	W 37	640.00	Sixteenth section.
Fremont.....	w half of sw.....	16	76	43	80.00	Sixteenth section.
Fremont.....	s half of nw.....	16	70	43	80.00	Sixteenth section.
	Total.....				160.00	
Hancock.....	e half of se.....	16	97	24	80.00	Sixteenth section.
Monona.....	se of se.....	16	85	46	40.00	Sixteenth section.
Monona.....	sw of se.....	16	85	46	40.00	Sixteenth section.
Monona.....	se of sw.....	16	85	46	40.00	Sixteenth section.
Monona.....	sw of sw.....	16	85	46	40.00	Sixteenth section.
Monona.....	sw of nw.....	18	83	43	40.00	Sixteenth section.
Monona.....	se of se.....	12	82	46	40.00	Sixteenth section.
	Total.....				240.00	
	Aggregate No. acres unsold.....				1,120.00	

TABLE No. 7.

The following lots, taken under foreclosure of mortgages prior to January 1, 1874, for the use of the school fund, were reported as unsold at the close of the biennial period ending June 30, 1905.

County.	Number of Lot.	Nc. of block	Town.
Allamakee...	5, 6, 7, 8.....	10	Capoli.
Allamakee...	6.....	7	Capoli.
Allamakee...	3.....	21	Capoli.
Allamakee...	3.....	22	Capoli.
Allamakee...	2.....	23	Capoli.
Allamakee...	3.....	26	Capoli.
Allamakee...	3, 13.....	37	Capoli.
Allamakee...	Undivided half of lot 1.....	30	Capoli.
Allamakee...	6.....	27	Capoli.
Allamakee...	7.....	28	Capoli.
Allamakee...	4, 10.....	33	Capoli.
Allamakee...	6, 13.....	38	Capoli.
Allamakee...	3, 13.....	39	Capoli.
Allamakee...	1.....	40	Capoli.
Allamakee...	3.....	41	Capoli.
Allamakee...	4.....	42	Capoli.
Allamakee...	4.....	43	Capoli.
Allamakee...	2.....	44	Capoli.
Allamakee...	116, 118, 119, 120, 121.....		Johnsonsport.
Allamakee...	Undivided half 36, 38, 40, 42, 44, 46, 48, 50, 54, 56, 58, 60, 62.....		Johnsonsport.

THE UNIVERSITY LANDS.

The university lands consist of lands granted to the state by the acts of congress, approved July 20, 1840, and March 3, 1845, known as the "University Grant;" also lands acquired by the state under the "Saline Land Grant," under the act of Congress, approved March 3, 1845; also lands obtained by donation and the foreclosures of mortgages given to secure loans of the university funds.

UNIVERSITY LAND GRANT.

TABLE No. 8.

Giving the total actual number of acres in each county approved to the state under the grant; the total number of acres patented by the state; the number of acres remaining unpatented and the number of acres remaining unsold at the close of the biennial period, ending June 30, 1905.

Counties.	Total number of acres in each county.	Total number of acres patented.	Number of acres remaining unpatented.	Number of acres remaining unsold.
Appanoose.....	640.00	640.00		
Boone.....	2,613.48	2,613.48		
Dallas.....	572.07	572.07		
Davis.....	1,297.96	1,257.96	40.00	40.00
Decatur.....	2,590.00	2,590.00		
Hardin.....	10,325.72	10,065.72	290.00	180.00
Iowa.....	646.65	605.68	40.97	
Jasper.....	4,611.35	4,611.35		
Jefferson.....	1,280.00	1,280.00		
Lucas.....	4,545.44	4,273.10	272.34	272.34
Polk.....	5,194.13	5,194.13		
Scott.....	645.16	645.16		
Story.....	5,221.40	5,080.04	141.36	
Union.....	638.20	638.20		
Wapello.....	1,920.00	1,920.00		
Warren.....	3,218.00	3,138.00	80.00	80.00
Total.....	45,928.96	45,094.29	894.67	572.34

NOTE—Heretofore in this table the number of acres of land acquired under the grant in Hardin and Polk counties were given respectively as 10,325.54 and 5,194.19, and the total for the state was given as 45,928.84. A correct footing of the total number of acres acquired in these counties according to the official plats of the government survey gives the totals for the two counties and the state as they appear in the foregoing table.

UNIVERSITY GRANT LANDS PATENTED.

TABLE No. 9.

Showing the university grant lands patented during the biennial period, ending June 30, 1905, giving the description of the lands, the county in which located, the names of the patentees and dates of the patents:

Parts of Section.	Sec.	Town.	Range.	Acres.	Names of Patentees.	Date of Patent.
HARDIN COUNTY.						
w half of se of ne.....	8	N 88	W 19	20.00	Solomon Clover.....	Oct. 26, 1903
nw of ne.....	5	88	19	54.49	Wm. P. Hays.....	May 26, 1904
Total.....				74.49		



SALINE LAND GRANT.

TABLE No. 10.

Giving the total number of acres in each county approved to the state under the grant, the total number of acres patented by the state; the number of acres remaining unpatented, and the number of acres remaining unsold at the close of the biennial period ending June 30, 1905.

Counties.	Total number of acres in each county.	Total number of acres patented	Number of acres remaining unpatented.	Number of acres remaining un-sold.
Appanoose .....	12,964.68	11,594.69	1,369.99	1,049.99
Davis .....	640.00	300.00	40.00	40.00
Decatur .....	2,660.00	2,400.00	160.00	160.00
Lucas .....	25,802.98	25,562.98	240.00	160.00
Monroe .....	1,120.00	1,120.00		
Van Buren .....	640.00	640.00		
Wayne .....	2,490.79	2,490.79		
Total .....	46,218.45	44,408.46	1,809.99	1,409.99

NOTE—Heretofore in this table the number of acres of land acquired under the grant in Appanoose and Lucas counties were given respectively as 12,960.28 and 25,791.43 and the total for the state was given as 46,202.53. A correct footing of the total number of acres acquired in these two counties according to the official plats of the government survey gives the total for the two counties and for the state as they appear in the foregoing table.

UNSOLD UNIVERSITY LANDS.

The following descriptive lists of the unsold State University lands at the close of the biennial period ending June 30, 1905, was prepared from the data on file in the state land office. It may not be correct in every particular, as some of the tracts may have been sold and not reported to this department during the biennial period.

UNIVERSITY LAND GRANT—LANDS UNSOLD.

TABLE No. 11.

Parts of Section.	Sec.	Town.	Range.	Acres.	County.
ne of nw .....	31	N 70	W 15	40.00	Davis.
se of rw .....	5	88	19	40.00	Hardin.
nw of ne .....	8	88	19	40.00	Hardin.
e half of se of ne .....	8	88	19	20.00	Hardin.
se of ne .....	9	86	19	40.00	Hardin.
ne of sw .....	5	88	19	40.00	Hardin.
ne fr 1/4 of ne .....	5	71	23	47.98	Lucas.
nw fr 1/4 of ne .....	5	71	23	48.05	Lucas.
ne fr 1/4 of nw .....	5	71	23	48.12	Lucas.
nw fr 1/4 of nw .....	5	71	23	48.19	Lucas.
sw of nw .....	5	71	23	40.00	Lucas.
sw of nw .....	71	23		40.00	Lucas.
ne of ne .....	28	77	24	40.00	Warren.
se of se .....	28	77	24	40.00	Warren.
Total .....				572.34	

SALINE LAND GRANT—LANDS UNSOLD.

TABLE No. 12.

Parts of Section.	Sec.	Town.	Range.	Acres.	County.
ne of ne .....	21	N 70	W 16	40.00	Appanoose.
sw of se .....	21	70	16	40.00	Appanoose.
ne of ne .....	10	70	16	40.00	Appanoose.
nw of ne .....	10	70	16	40.00	Appanoose.
sw of ne .....	10	70	16	40.00	Appanoose.
se of ne .....	10	70	16	40.00	Appanoose.
sw of nw .....	10	70	16	40.00	Appanoose.
se of nw .....	10	70	16	40.00	Appanoose.
ne of sw .....	10	70	16	40.00	Appanoose.
sw of se .....	9	70	16	40.00	Appanoose.
ne of se .....	9	70	16	40.00	Appanoose.
nw of se .....	9	70	16	40.00	Appanoose.
nw of ne .....	1	†9	17	40.00	Appanoose.
sw of ne .....	1	69	17	40.00	Appanoose.
nw of se .....	1	69	17	40.00	Appanoose.
ne of ne .....	22	70	17	40.00	Appanoose.
se of se .....	28	70	17	40.00	Appanoose.
nw of nw .....	31	70	16	44.80	Appanoose.
nw of sw .....	13	70	16	40.00	Appanoose.
ne of sw .....	13	70	16	40.00	Appanoose.
sw of sw .....	13	70	16	40.00	Appanoose.
se of sw .....	13	70	16	40.00	Appanoose.
nw of ne .....	23	70	16	40.00	Appanoose.
se of ne .....	23	70	16	40.00	Appanoose.
se of se .....	25	70	17	40.00	Appanoose.
ne of nw .....	1	69	17	45.69	Appanoose.
ne of se .....	10	70	12	40.00	Davis.
sw of se .....	28	69	24	40.00	Decatur.
se of sw .....	28	69	24	40.00	Decatur.
nw of se .....	33	69	24	40.00	Decatur.
sw of se .....	33	69	24	40.00	Decatur.
ne of sw .....	9	72	21	40.00	Lucas.
se of sw .....	9	72	21	40.00	Lucas.
nw of se .....	29	71	21	40.00	Lucas.
sw of ne .....	15	71	21	40.00	Lucas.
Total .....				1,409.99	

LANDS DONATED TO STATE UNIVERSITY—LANDS UNSOLD.

TABLE No. 13.

Parts of Section.	Sec.	Town.	Range.	Acres.	County.
ne of nw .....	23	N 86	W 32	40.00	Calhoun.
se of se .....	14	84	38	40.00	Crawford.
nw of ne .....	22	88	14	40.00	Tama.
s half of .....	30	95	35	320.00	Clay.
Total .....				440.00	



LANDS ACQUIRED BY FORECLOSURE—LANDS UNSOLD.

TABLE No. 14.

Parts of Section.	Sec.	Town.	Range.	Acres.	County.
se of nw	34	N 79	W 7	40.00	Johnson.
sw of nw	34	79	7	40.00	Johnson.
sw of sw	31	79	16	40.00	Poweshiek.
Total				120.00	

RECAPITULATION OF UNSOLD UNIVERSITY LANDS.

	Acres.
University grant	572.34
Saline grant	1,409.99
Donated lands	440.00
By foreclosure	120.00
Aggregate unsold	2,542.33

THE AGRICULTURAL COLLEGE LANDS.

The agricultural college lands consist of lands acquired by the state under the acts of congress, approved July 2, 1862, known as the "Agricultural College Grant"; also land acquired by the state under the "Five Section Grant" made by the act of congress, approved March 3, 1845; also lands acquired by purchase, by donation and by the foreclosures of mortgages given to secure loans of the college funds.

AGRICULTURAL COLLEGE GRANT.

TABLE No. 15.

Giving the total actual number of acres in each county acquired by the state under the grant as shown by the official plats of the townships; the total number of acres patented by the state; the number of acres patented during the biennial period ending June 30, 1905, and the number of acres remaining unpatented at the close of said period.

Counties.	Total number of acres in each county.	Total number of acres patented to June 30, 1905	Number of acres patented during the last two years.	Number of acres remaining unpatented.
Buena Vista	5,837.58	5,837.58		
Calhoun	3,068.86	3,068.86		
Cherokee	2,249.62	2,249.62		
Clay	8,719.42	8,719.42		
Dickinson	4,984.95	4,984.95		
Emmet	16,732.43	16,732.43		
Greene	4,178.65	4,178.65		
Hamilton	2,481.50	2,481.50		

TABLE No. 15—CONTINUED.

Counties.	Total number of acres in each county.	Total number of acres patented June 30, 1905	Number of acres patented during the last two years	Number of acres remaining unpatented.
Humboldt	3,063.13	3,067.11		56.02
Ida	8,328.87	8,208.87		120.00
Kossuth	84,198.29	83,968.81	320.00	*229.48
Lyon	1,120.00	1,120.00	280.00	
O'Brien	1,600.00	1,600.00		
Palo Alto	27,728.11	27,563.11		165.00
Plymouth	3,842.60	3,842.60		
Pocahontas	3,549.04	3,549.04		
Sac	640.00	640.00		
Sioux	1,280.00	1,280.00		
Webster	3,249.72	3,249.72		
Winnebago	2,429.75	2,429.75		
Woodbury	10,103.46	10,103.46	80.00	
Worth	198.56	198.56		
Wright	4,645.45	4,645.45		
Total	204,222.99	203,657.49	680.00	565.56

\* The  $\frac{1}{4}$  of 30-97-28 and the  $\frac{1}{2}$  of ne of 29-95-30, containing 229.48 acres, were approved to the state under this grant. The said tracts were also patented to the state under the swamp land grant and disposed of by the state as swamp lands.

NOTE.—The total number of acres in several of the counties and consequently the total number of acres in the state in the foregoing table will be found to differ from those given in this same table in former reports. This difference is due to the fact that heretofore many fractional sections have been counted as even 640 acres, when in many cases they contained less or more than 640 acres, while in the table here given each county is credited with the exact number of acres as shown by the official plats of the government survey.

AGRICULTURAL COLLEGE GRANT—LANDS PATENTED.

TABLE No. 16.

Giving a description of the Agricultural College Grant lands patented during the biennial period ending June 30, 1905, with name of patentee and date of patent.

Parts of Section.	Section.	Town.	Range.	Acres.	Patentee.	Date of Patent.
<b>KOSSUTH COUNTY.</b>						
se	1	N 93	27	160.00	Joseph E. Steinbreh.	Aug. 22, 1904
se	1	98	30	160.00	John B. Moulton, Sr.	June 24, 1904
<b>LYON COUNTY.</b>						
e half of se and sw of se	21	99	48	120.00	Amos Severton	May 13, 1904
se	28	99	48	160.00	Miller & Thompson's Land, Loan and Trust Company	May 13, 1904
<b>WOODBURY.</b>						
e half of sw	6	86	44	80.00	William Callaghn...	April 19, 1904
Total				680.00		



COLLEGE LANDS—CUSEY PURCHASE.

TABLE No. 17.

Giving the number of acres acquired by the purchase; the counties in which the lands are situated and the number of acres patented by the state.

Counties.	Total number of acres located in each county.	Total number of acres patented.
Buena Vista	2,880.00	2,880.00
Cherokee	2,400.00	2,400.00
Dickinson	1,760.00	1,760.00
Lyon	7,200.00	7,200.00
Plymouth	320.00	320.00
Sioux	453.18	453.18
Total	15,013.18	15,013.18

AGRICULTURAL COLLEGE LANDS—UNPATENTED.

TABLE No. 18.

Giving herewith a descriptive list of the Agricultural College lands remaining unpatented at the close of the biennial period ending June 30, 1905, with the lease number and the counties in which the lands are situated.

Number of lease.	Parts of Section.	Section.	Town.		Range	Acres.	County.
			N	W			
1,663	se quarter	5	96	31		160.00	Palo Alto.
1,842	nw of nw.	4	93	27		56.02	Humboldt.
	nw of se, and s half of se.	4	86	41		120.00	Ida.
	Total					336.02	
	* Unleased—nw quarter	30	97	28		149.48	Kossuth.
	* Unleased—s half of ne.	29	95	30		80.00	Kossuth.

\*In conflict with swamp title.

The northwest fractional quarter of section 30, township 97 north, of range 28 west, containing 149.48 acres and the south half of the northeast quarter of section 29, township 95, north of range 30 west, containing 80.00 acres, were selected for the state of Iowa by the duly authorized agent of the state, in pursuance of the act of congress, approved July 2, 1862, entitled: "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture," etc., the said tract being subject to be selected for said purpose and found free from conflict. The selections were approved by the secretary of the interior, December 13, 1864.

On November 6, 1865, the United States patented the first described tract to the state of Iowa, under the swamp land indemnity act of March 2, 1855, and the state did, on the 23d day of November, 1865, patent the same to Mahaska county, in pursuance of the said act of March 2, 1855.

On March 23, 1867, the United States patented the south half of the northeast quarter of 29-95-30 to the state of Iowa under the swamp land act of September 23, 1859, and the state did, on the 17th day of May, 1867, patent the same to Kossuth county.

THE SWAMP LANDS.

The swamp lands consist of lands which have been acquired by the state under the act of congress, approved September 23, 1850, known as the "Swamp Land Grant," and the acts of congress, approved March 2, 1855, and March 3, 1857, acts amendatory of and supplemental to the act making the grant.

Since the date of the grant the state has selected about 4,572,778.12 acres of swamp lands. The department of the interior has held that a large amount of the lands embraced in these selections was not of the character defined and granted by the act of 1850. The state has acquired 871,159.98 acres of swamp lands in place, and 321,976.98 acres of indemnity swamp lands; and has received cash indemnity for about 471,035.94 acres. The state has received in lands and cash only about 1,664,172.85 acres out of the 4,572,778.12 acres selected.

The following statement shows the status of the swamp land grant accounted to the state by the general government:

1. Total quantity of swamp lands in place and swamp land cash and land indemnity in Iowa, selected, approved and patented, from September 23, 1850, to June 30, 1905:

Selected	4,572,778.12 acres.
Approved—Lands in place	941,522.35 acres.
Patented—Lands in place	871,159.98 acres.
Approved—Cash indemnity (\$587,421.71) on basis of	471,035.94 acres.
Approved—Land indemnity	341,632.97 acres.
Patented—Indemnity lands	321,976.98 acres.

2. Total quantity of swamp land selections rejected from July 1, 1903, to June 30, 1905:

Number of acres	392,400
-----------------	---------

3. Total quantity of swamp land selections remaining unadjusted on June 30, 1905:

Swamp lands in place—claims	(not compiled).
Swamp lands indemnity claims	550,605.77 acres.

SWAMP LANDS PATENTED.

During the biennial period ending June 30, 1905, 1,364.54 acres of swamp lands in place have been patented to the state, all of which have been in turn patented by the state to the counties entitled thereto. The following is a descriptive list of the lands so patented:

TABLE No. 19.

Descriptive list of swamp lands patented to the state by the United States and patented by the state to the counties entitled thereto, during the biennial period ending June 30, 1905:

Parts of Section.	Sec.	Twp.	Range	Acres.	County.	Date of U. S. Patent.		Date of State Patent.	
						Mo.	Day	Mo.	Day
ne of ne	26	N	W	40.00	Webster	Oct.	15, 1903	Nov.	14, 1903
nw of nw and se of nw	5	86	23	77.01	Webster	Mar.	4, 1904	June	3, 1905
se of nw	3	86	29	40.00	Webster	Mar.	4, 1904	June	3, 1905
nw of nw	5	86	29	36.69	Webster	Mar.	4, 1904	June	3, 19 0
w half of ne and nw of sw	9	87	29	120.00	Webster	Mar.	4, 1904	June	3, 1905
ns of nw	32	87	29	40.00	Webster	Mar.	4, 1904	June	3, 1905
ne of ne	11	87	30	40.00	Webster	Mar.	4, 1904	June	3, 1905
se of se	2	84	31	40.00	Greene	Oct.	28, 1904	Nov.	11, 1904
se of nw	24	85	31	40.00	Greene	Oct.	28, 1904	Nov.	11, 1904
lot 6	28	95	32	4.00	Palo Alto	Oct.	28, 1904	Nov.	11, 1904
unsurveyed part of	14	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
unsurveyed part of	15	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
unsurveyed part of	22	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
unsurveyed part of	23	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
unsurveyed part of	24	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
unsurveyed part of	25	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
unsurveyed part of	26	88	23		Hamilton	Dec.	7, 1904	Dec.	23, 1904
Total				1,364.54					



Under date of November 28, 1904, the commissioner of the general land office informed this department that the ne of sw of section twenty-two (22) in township eighty-nine (89) north, of range thirty-three (33) west of the 5th p. m., containing forty (40) acres, had been decided to be swamp land within the meaning of the act of congress, approved September 28, 1850. This tract will be patented to the state as swamp land within a few months.

### SWAMP LAND—LAND INDEMNITY.

During the biennial period ending June 30, 1905, the United States patented to the state of Iowa, under the provisions of the act of March 2, 1855, the following lands located in Kossuth county, Iowa: Lot 1, of section 15, township one hundred (100) north, of range twenty-nine (29) and the north half of the southeast quarter and the southwest quarter of the southeast quarter of section eighteen (18) in township one hundred (100) north, of range thirty (30) west of the fifth principal meridian, Iowa, containing one hundred and thirty-one acres and seventy-five hundredths of an acre. The above described lands were selected with special certificate No. 94, issued to the state of Iowa by the commissioner of the general land office and authorizing the location of 1,840 acres of land in lieu of the swamp lands located with land warrants or scrip in Guthrie county. The above described lands were patented to Guthrie county by the state under date of May 25, 1905.

The following special swamp land indemnity certificates (or script) are deposited in this office, which authorize the location of 12,727.23 acres as lands in lieu of swamp lands located with land warrants or script in the following counties, to wit:

	Acres.
Greene county (certificate No. 91) .....	10,658.22
Guthrie county (certificate No. 94) .....	1,840.00
Marion county (certificate No. 16).....	120.00
Chickasaw county (supplemental certificate No. 83).....	109.00

There have been located 131.75 acres of land under certificate No. 94 (Guthrie county) so the total acreage yet to be located under these certificates is 12,595.47 acres.

The several counties credited with these certificates are entitled to the indemnity, but the location of these certificates is confined to vacant lands within the state of Iowa subject to sale at \$1.25 per acre. As there are no lands in the state upon which these certificates can be located, congress should either allow the locations outside of the state of Iowa, or provide for payment of the indemnity due the state in cash.

Under date of August 29, 1905, the acting commissioner of the general land office at Washington, D. C., wrote the governor and the secretary of state of the state of Iowa, stating that the state of Iowa would be allowed thirty days from the receipt of said letter within which to show cause why its claims to swamp land land indemnity, under the acts of congress, approved March 2, 1855 and March 3, 1857, remaining unadjusted, should not be rejected, for the reason that there are no vacant public lands in the state with which to satisfy such claims, if after investigation it was found that the lands on the basis of which indemnity is claimed, or any part thereof, were swamp lands. The governor, under date of September 24, 1904, requested the commissioner of the general land office to grant the state more time, so as to give its officers a chance to investigate the matter and arrive at some conclusion as to what action the state should take. The commissioner of the general land office had not replied to the governor's letter up to June 30, 1905. As no notice of any further action taken by the department of the interior has been received from the commissioner of the general land office, the matter no doubt is still pending.

The following are copies of the letters relating to this matter:

Copy of letter from the commissioner of the general land office addressed to the secretary of state.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE.

WASHINGTON, D. C., August 29, 1904.

THE SECRETARY OF STATE, Des Moines, Iowa.

Str.—There is pending, as shown by the records of this office, an apparent claim, under the swamp land indemnity laws, for about 670,000 acres of land located with warrants or scrip between September 20, 1850, and March 3, 1857, and the lands have been

patented to the locators. The same lands were either embraced in the lists of swamp lands reported to this office by the United States surveyor general or placed of record under the act of March 5, 1872 (17 Stat., 37), or filed in this office by the various county agents as claims for indemnity.

The claim of the state varies in amount in the different counties; thus the claim on the basis of lands in Marion county is on one 40-acre tract only, while that of Grundy county is on 1,000 tracts, equal to about 43,000 acres. The greater part of the claims filed in this office by county agents were filed by Mr. J. M. Baily, Jr. (deceased), now represented principally by Messrs. Isaac R. Hitt, J. N. Prouty and Joseph Satchell.

During the half century that swamp land claims have been under adjudication there has been allowed the state of Iowa, according to the annual report of this office, for the year ended June 30, 1904—

Swamp lands in place, patented .....	870,189.09 acres.
Cash indemnity paid (\$534,284.53) on .....	468,521.71 acres.
Land indemnity certified .....	341,632.97 acres.

Total .....

1,680,343.77 acres.

There being no public lands in the state of Iowa subject to location with swamp land indemnity certificates, it follows that it would be needless for the state and the general government to be put to the expense of investigating and adjusting the claim on the basis of swamp lands located with warrants or scrip as provided by section 2 of the act of March 2, 1855 (10 Stat., 634).

The matter was submitted to the secretary of the interior and, under date of August 15, 1904, he directed this office to call upon the state to show cause, within thirty days after receipt of notice, why all of its said claim for swamp land land indemnity should not be rejected.

In accordance with the instructions of the secretary (copy herewith) the state of Iowa is hereby allowed thirty days from receipt hereof within which to show cause why its claims to swamp land land indemnity remaining unadjusted should not be rejected, for the reason that there are no vacant public lands in the state with which to satisfy such claims if after investigation it was found that the lands on the basis of which indemnity is claimed, or any part thereof, were swamp lands.

A similar notice has this day been sent to the governor of the state

Very respectfully,

J. H. FIMPLE,

Acting Commissioner.

Copy of the letter of the Secretary of the Interior addressed to the Commissioner of the General Land Office.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, August 15, 1904.

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

Str.—Referring to your office letter 'K' of the 1st instant, relative to the swamp land indemnity claims of the state of Illinois, I have to direct, as suggested in your said letter, that you call upon the state of Illinois to show cause, within thirty days after receipt of notice, why all of its said claims for swamp land indemnity should not be rejected. You will also pursue a like course in the case of the swamp land indemnity claims of the states of Ohio, Indiana and Iowa.

You will advise the department of the action taken on these instructions and on receipt of the reply of the states named to the said notice, you will transmit the same to the department with your recommendations in the premises.

Very respectfully,

THOS. RYAN,

Acting Secretary.

Copy of the letter of the Governor of Iowa, addressed to the Commissioner of the General Land Office.

DES MOINES, Iowa, September 24, 1904.

Str.—Referring to your notice that thirty days would be allowed to show cause why various claims for land indemnity under several acts of congress should not be rejected, I beg to request an extension of time for sixty days. I am not familiar with the history



of these matters, and have asked the secretary of state, in whose charge our land department now is, to do whatever is necessary to protect our interests, but I fear that neither he nor myself can become sufficiently advised to act intelligently within the time that you have named.

Yours very truly,

ALBERT B. CUMMINS.

Commissioner General Land Office,  
Washington, D. C.

SWAMP LAND CASH INDEMNITY.

The following lists, furnished by the commissioner of the general land office, show the swamp lands on which indemnity has been paid during the biennial period ending June 30, 1905.

TABLE No. 20.

Lists of lands on the basis of which swamp land cash indemnity has been paid to the state of Iowa, during the period from July 1, 1903, to June 30, 1905.

Parts of Section.	Section.	Town.	Range.	Acres.	Price per acre.	Amount
<b>DALLAS COUNTY, LIST No. 5, APPROVED AUGUST 22, 1904.</b>						
e half of sw	5	79	26	80.00	\$1.25	\$ 100.00
ne of ne	4	80	26	55.72	1.25	69.65
sw of se	9	80	27	40.00	1.25	50.00
ne of se	34	80	27	40.00	1.25	50.00
sw of se	18	81	27	40.00	1.25	50.00
nw of nw, se of nw, nw of se	25	81	27	120.00	1.25	150.00
ne of sw	24	79	28	40.00	1.25	50.00
ne of sw	27	79	28	40.00	1.25	50.00
se of sw	5	80	28	40.00	1.25	50.00
ne of se	8	80	28	40.00	1.25	50.00
sw of nw, ne of se	9	80	28	80.00	1.25	100.00
se of ne	19	80	28	40.00	1.25	50.00
nw of ne	20	80	28	40.00	1.38	54.40
nw of ne	28	80	28	40.00	1.25	50.00
se of nw	6	81	28	40.00	1.25	50.00
nw of se	7	81	28	40.00	1.25	50.00
ne of se	8	81	28	40.00	1.25	50.00
sw of ne	10	81	28	40.00	1.25	50.00
nw of nw	24	81	28	40.00	1.25	50.00
nw of nw	26	81	28	40.00	1.25	50.00
nw of nw	36	81	28	40.00	1.25	50.00
nw of ne	10	80	29	40.00	1.25	50.00
sw of nw	35	80	29	40.00	1.25	50.00
nw of sw	2	81	29	40.00	1.25	50.00
ne of ne	21	81	29	40.00	1.25	50.00
ne of se	23	81	29	40.00	1.25	50.00
<b>Total</b>				<b>1,215.72</b>		<b>\$ 1,524.05</b>

TABLE No. 20—CONTINUED.

Parts of Section.	Section.	Town.	Range.	Acres.	Price per acre.	Amount
<b>GRUNDY COUNTY, APPROVED AUGUST 22, 1904.</b>						
ne of nw	23	87	15	40.00	1.25	50.00
ne of nw	8	88	15	40.00	1.25	50.00
w half of sw	13	88	15	80.00	1.25	100.00
nw of nw	15	88	15	40.00	1.25	50.00
se of ne	23	88	15	40.00	1.25	50.00
se of nw	24	88	15	40.00	1.25	50.00
nw of ne	30	87	16	40.00	1.25	50.00
se of se	34	86	17	40.00	1.25	50.00
se of sw	35	86	17	40.00	1.25	50.00
ne of nw	25	86	18	40.00	1.25	50.00
se of se	29	86	18	40.00	1.25	50.00
ne of se	34	86	18	40.00	1.25	50.00
<b>Total</b>				<b>\$ 520.00</b>		<b>\$ 650.00</b>
<b>JASPER COUNTY, LIST No. 2, APPROVED NOVEMBER 7, 1903.</b>						
se of ne, nw of ne	31	80	17	80.00	1.25	100.00
nw of sw	9	80	18	40.00	1.25	50.00
w half of ne	10	78	19	80.00	1.25	100.00
sw of sw	11	78	19	40.00	1.25	50.00
se of ne	19	79	19	40.00	1.25	50.00
s half of nw	29	79	19	80.00	1.25	100.00
se of sw	11	79	20	40.00	1.25	50.00
nw of sw, s half of nw, sw of ne, n half of se	13	79	20	240.00	1.25	300.00
se of sw	29	80	20	40.00	1.25	50.00
sw fr of nw fr, nw fr of sw fr	31	80	20	85.88	1.25	107.10
e half of se, sw of se	31	80	20	120.00	1.25	150.00
ne fr of ne, nw fr of nw	1	79	21	92.63	1.25	115.79
sw of nw and sw	3	79	21	200.00	1.25	250.00
ne of ne	31	80	21	40.00	1.25	50.00
ne of sw, s half of sw	33	80	21	120.00	1.25	150.00
nw of se	36	80	21	40.00	1.25	50.00
se of nw	26	81	21	40.00	1.25	50.00
<b>Total</b>				<b>1,418.81</b>		<b>1,772.89</b>
<b>JASPER COUNTY No. 3, APPROVED AUG. 22, 1904.</b>						
e half of nw	29	78	18	80.00	1.25	100.00
se of sw	29	79	19	40.00	1.25	50.00
<b>Total</b>				<b>120.00</b>		<b>150.00</b>
<b>JOHNSON Co., LIST No. 2, APPROVED AUG. 25, 1904.</b>						
se of nw	13	77	6	40.00	1.25	50.00
e half of ne	13	78	6	80.00	1.25	100.00
sw of se	35	79	8	40.00	1.25	50.00
nw fr of ne	2	80	8	37.49	1.25	46.86
sw of ne fr	5	80	8	40.00	1.25	50.00
<b>Total</b>				<b>237.49</b>		<b>\$ 296.86</b>
<b>POWESHIEK Co., LIST No. 3, APPROVED, JAN. 28, 1905.</b>						
sw of se	35	78	14	40.00	1.25	50.00
nw of sw	7	80	14	42.34	1.25	52.92
se of sw	17	78	16	40.00	1.25	50.00
<b>Total</b>				<b>122.34</b>		<b>\$ 152.92</b>
<b>Grand total</b>				<b>3,033.86</b>		<b>4,546.72</b>



LANDS ON WHICH INDEMNITY CLAIM IS HELD FOR REJECTION.

TABLE No. 21.

The following is a list of lands claimed as swamp and overflowed in the several counties therein named, upon which the claims for indemnity, under acts of congress of March 2, 1855, and March 3, 1857, are rejected, or held for rejection by the commissioner of the general land office. The list is copied from notices received from the commissioner during the last two years; the quantities were not carried out in the notices.

Table with 4 columns: Parts of Section, Section, Town, Range. Title: BOONE COUNTY, DECISION OF JANUARY 11, 1904. Lists various land parcels with their corresponding section, town, and range.

TABLE No. 21—CONTINUED.

Table with 4 columns: Parts of Section, Section, Town, Range. Title: BOONE COUNTY, DECISION OF AUGUST 11, 1904. and DALLAS COUNTY, DECISION OF AUGUST 18, 1903. Lists various land parcels with their corresponding section, town, and range.



TABLE No. 21—CONTINUED.

Parts of Section.	Section.	Town.	Range.
DALLAS COUNTY—Continued.			
w half of nw and se of nw.....	24	N	W
se of se.....	25	80	27
se of sw.....	34	80	27
nw of sw and nw of se.....	35	80	27
ne of nw.....	36	80	27
se of se.....	2	81	27
n half of ne and se of ne.....	3	81	27
nw of sw.....	4	81	27
ne of se, sw of se and ne of sw.....	5	81	27
se of se.....	7	81	27
se of sw.....	8	81	27
se of se.....	9	81	27
sw of ne and ne of sw.....	10	81	27
nw of nw, se of se and sw of sw.....	12	81	27
n half of ne, sw of ne, sw of nw and w half of sw.....	14	81	27
ne of nw.....	17	81	27
se of ne, ne of se and se of sw.....	18	81	27
se of nw and sw of sw.....	19	81	27
ne of sw.....	22	81	27
ne of nw and se of nw.....	23	81	27
nw of ne and ne of nw.....	24	81	27
nw of nw and se of sw.....	26	81	27
nw of se.....	27	81	27
se of nw and se of sw.....	29	81	27
ne of sw.....	30	81	27
se of nw.....	32	81	27
ne of ne, se of ne, nw of ne and ne of sw.....	35	81	27
se of ne.....	36	81	27
se of sw.....	6	79	28
nw of ne, and s half of ne.....	11	79	28
sw of ne, s half of nw, nw of se and sw.....	18	79	28
sw of se.....	22	79	28
se of sw.....	23	79	28
nw of nw, n half of se, sw of se, se of sw and nw of sw.....	24	79	28
sw of sw.....	27	79	28
s half of ne, se of nw and sw of nw.....	33	79	28
nw of ne and se of ne.....	1	80	28
nw of ne.....	4	80	28
sw of nw.....	5	80	28
ne of ne and sw of se.....	6	80	28
ne of ne, sw of ne and se of se.....	7	80	28
ne of nw, nw of se and se of sw.....	8	80	28
nw of nw, e half of sw and nw of sw.....	9	80	28
sw of ne.....	12	80	28
se of se and sw of sw.....	14	80	28
ne of se, s half of se and se of sw.....	15	80	28
n half of ne and se of nw.....	17	80	28
ne of se and nw of sw.....	18	80	28
nw of ne.....	19	80	28
sw of nw, n half of se and se of se.....	20	80	28
e half of nw and e half of sw.....	21	80	28
sw of nw and ne of sw.....	26	80	28
sw of nw.....	29	80	28
nw of se and n half of sw.....	32	80	28
s half of se, ne of sw and sw of sw.....	34	80	28
n half of ne.....	35	80	28
nw of nw.....	36	80	28
se of ne and nw of sw.....	1	81	28
sw of se.....	3	81	28
sw of se.....	4	81	28
e half of ne and s half of sw.....	5	81	28
w half of nw, nw of se and s half of se.....	6	81	28
ne of se.....	7	81	28
sw of ne, ne of nw, ne of se and sw of se.....	9	81	28
sw of nw, e half of se, nw of se and n half of sw.....	11	81	28
se of sw.....	12	81	28
w half of sw.....	14	81	28
s half of se.....	15	81	28
se of se.....	17	81	28
sw of sw.....	18	81	28
nw of nw, s half of nw, w half of se and se of sw.....	19	81	28
se of se.....	20	81	28

TABLE No. 21—CONTINUED.

Parts of Section.	Section.	Town.	Range.
DALLAS COUNTY—Continued.			
se of ne, e half of nw, ne of se, sw of se and ne of sw.....	21	N	W
ne of ne and sw of ne.....	22	81	28
ne of se.....	23	81	28
s half of nw and se of sw.....	24	81	28
e half of nw.....	25	81	28
ne of nw, sw of nw and ne of sw.....	26	81	28
se of ne.....	27	81	28
se of ne.....	28	81	28
ne of sw.....	31	81	28
ne of ne.....	35	81	28
nw of sw and s half of sw.....	36	81	28
s half of se and e half of sw.....	1	79	29
nw of ne.....	5	79	29
nw of se and ne of sw.....	9	79	29
se of ne.....	12	79	29
nw of sw.....	13	79	29
s half of sw.....	18	79	29
ne of ne and sw of ne.....	1	80	29
se of se.....	2	80	29
se of nw, nw of se and sw of sw.....	5	80	29
n half of ne and se of se.....	6	80	29
nw of se and se of sw.....	7	80	29
se of sw and sw of se.....	8	80	29
s half of ne.....	10	80	29
nw of sw and s half of sw.....	12	80	29
sw of ne, sw of nw, ne of se, s half of se, ne of sw and sw of sw.....	17	80	29
ne of nw.....	19	80	29
nw of sw.....	20	80	29
nw of se.....	22	80	29
ne of se.....	23	80	29
e half of se and ne of sw.....	24	80	29
e half of ne, ne of se, sw of se and ne of sw.....	25	80	29
w half of ne and ne of sw.....	26	80	29
se of nw and nw of sw.....	27	80	29
sw of nw, sw of se and e half of sw.....	23	80	29
sw of sw.....	29	80	29
se of ne.....	30	80	29
se of ne and ne of se.....	31	80	29
e half of nw.....	32	80	29
se of sw.....	33	80	29
n half of ne, sw of ne, se of nw and ne of se.....	36	80	29
ne and se of nw.....	1	81	29
nw of nw.....	3	81	29
se of ne and ne of se.....	4	81	29
nw of ne.....	5	81	29
ne of ne.....	6	81	29
sw of ne and sw of sw.....	7	81	29
sw of ne, ne of se and s half of se.....	8	81	29
sw of ne, ne of sw and s half of sw.....	9	81	29
e half of ne and s half of nw.....	11	81	29
sw of ne, se of se and e half of sw.....	13	81	29
nw of nw, nw of se and sw of sw.....	14	81	29
ne of ne, n half of nw and se.....	15	81	29
n half of ne, sw of ne and nw of se.....	17	81	29
sw of ne, n half of se and sw of se.....	18	81	29
ne of ne and ne of se.....	19	81	29
n half of nw, sw of nw, se of se, nw of sw and se of sw.....	20	81	29
sw.....	21	81	29
ne of nw, nw of se and se of se.....	22	81	29
n half of nw and se of se.....	23	81	29
ne of ne.....	27	81	29
se of se.....	31	81	29
ne of se.....	36	81	29
FREMONT COUNTY, DECISION OF JANUARY 7, 1905.			
s half of ne, se, ne of sw, and s half of sw.....	7	68	40
ne of sw.....	8	68	40
sw of sw.....	2	69	43
se of ne and lot 2.....	5	70	43
lots 1, 2 and 3, and se of se.....	7	70	43
nw of ne and ne of nw.....	9	70	43
lots 1 and 2, and se of nw.....	31	70	43



TABLE No. 21—CONTINUED.

Parts of Section.	Section.	Town.	Range.
GREENE COUNTY, DECISION OF SEPTEMBER 23, 1904.			
ne of se.....	28	N 84	W 31
GRUNDY COUNTY, DECISION OF AUGUST 16, 1904.			
sw of ne.....	3	87	17
HOWARD COUNTY, DECISION OF DECEMBER 8, 1904.			
sw of nw.....	14	97	11
ne of nw.....	15	97	11
se of ne and ne of se.....	7	98	11
se of nw.....	9	98	11
se of ne.....	17	98	11
se of ne.....	17	97	12
s half of nw.....	36	99	12
se of se.....	4	97	13
w half of ne and nw of se.....	18	97	13
n half of ne.....	3	98	13
sw of ne.....	4	98	13
e half of ne and ne of se.....	18	97	14
sw of sw.....	3	98	14
nw of ne.....	4	98	14
JACKSON COUNTY, DECISION OF OCTOBER 19, 1904.			
lot 4.....	12	N 85	E 5
JOHNSON COUNTY, DECISION OF OCTOBER 19, 1904.			
sw of se.....	17	N 79	W 5
MONONA COUNTY, DECISION OF DECEMBER 29, 1903.			
ne of se.....	11	84	46
MONTGOMERY COUNTY, DECISION OF JANUARY 9, 1905.			
e half and se of nw.....	4	71	36
ne of nw.....	14	71	36
w half of nw.....	26	71	36
w half of ne.....	33	71	36
nw of ne.....	34	71	36
e half of se.....	25	72	36
e half of sw.....	28	72	36
se of nw.....	33	72	36
e half of ne.....	36	72	36
sw of sw.....	28	73	36
ne of se.....	29	73	36
se of se.....	20	71	37
sw of ne.....	17	72	38
nw of sw.....	20	71	39
ne of se.....	36	71	39
SAC COUNTY, DECISION OF OCTOBER 18, 1904.			
se of ne.....	5	87	35
SAC COUNTY, DECISION OF FEBRUARY 10, 1905.			
ne of ne.....	22	89	36
SAC COUNTY, DECISION OF DECEMBER 5, 1904.			
se of sw.....	2	86	35
nw of sw.....	12	86	35
se of ne.....	33	87	35
sw of ne.....	33	87	35
SIOUX COUNTY, DECISION OF FEBRUARY 3, 1905.			
e half of sw.....	31	96	47

TABLE No. 21—CONTINUED.

Parts of Sections.	Section.	Town.	Range.
STORY COUNTY, DECISION OF JANUARY 9, 1904.			
ne of se.....	33	N 84	W 21
ne of se.....	8	82	22
sw of se.....	9	82	22
ne of ne.....	17	83	22
se of ne.....	25	83	22
sw of se.....	31	84	22
nw of sw.....	9	82	23
sw of nw.....	13	83	23
se of ne and ne of sw.....	19	83	23
e half of nw.....	30	83	23
nw of se.....	19	84	23
sw of ne.....	7	85	23
nw of ne.....	15	82	24
nw of sw.....	3	83	24
nw of ne, sw of ne and se of se.....	13	83	24
se of se.....	1	84	24
se of sw.....	7	84	24
w half of se.....	26	84	24
se of se.....	29	84	24
sw of se.....	33	84	24
n half of ne and ne of se.....	35	84	24
nw of sw.....	4	82	21
nw of ne, s half of ne, se of nw, nw of sw, n half of se and sw of se.....	6	82	21
sw of nw and sw of sw.....	8	82	21
sw of ne.....	11	82	21
se of se.....	14	82	21
se of ne.....	17	82	21
ne of ne.....	18	82	21
nw of sw.....	19	82	21
s half of ne, nw of se.....	21	82	21
nw of se.....	27	82	21
nw of ne.....	29	82	21
e half of se.....	34	82	21
sw of nw and w half of sw.....	35	82	21
ne of se.....	7	83	21
sw of sw.....	8	83	21
ne of nw.....	17	83	21
se of ne and sw of sw.....	20	83	21
nw of ne.....	28	83	21
sw of se.....	29	83	21
nw of ne and sw of sw.....	32	83	21
nw of ne.....	3	84	21
sw of ne and nw of nw.....	18	84	21
nw of sw.....	20	84	21
ne of sw.....	21	84	21
sw of nw.....	29	84	21
ne of ne.....	30	84	21
se of ne.....	31	84	21
se of se.....	6	85	21
se of nw and se of se.....	11	85	21
sw of sw.....	12	85	21
se of nw.....	14	85	21
se of ne, sw of nw and n half of sw.....	1	82	22
se of se.....	2	82	22
ne of ne.....	11	82	22
ne of sw and nw of se.....	12	82	22
ne of ne.....	15	82	22
sw of nw and ne of se.....	18	82	22
w half of nw, ne of sw, sw of se and se of nw.....	20	82	22
nw of nw.....	21	82	22
se of ne and ne of se.....	24	82	22
se of ne.....	25	82	22
w half of nw and nw of sw.....	1	83	22
e half of sw.....	2	83	22
nw of sw and se of sw.....	4	83	22
se of se.....	5	83	22
nw of se.....	8	83	22
ne of nw.....	12	83	22
sw of nw and nw of sw.....	15	83	22
nw of nw.....	18	83	22
nw of sw.....	21	83	22
sw of sw.....	24	83	22



TABLE No. 21—CONTINUED.

Parts of Section.	Section.	Town.	Range.
STORY COUNTY—Continued.			
ne of ne and nw of nw	25	N	W
se of se	28	83	22
ne of ne	36	83	22
se of ne	5	84	22
sw of se	9	84	22
sw of ne, ne of sw, se of sw and e half of se	10	84	22
sw of se	11	84	22
ne of ne	18	84	22
w half of ne	14	84	22
e half of ne and nw of nw	19	84	22
ne of ne, e half of nw and ne of se	20	84	22
n half of nw and sw of nw	21	84	22
nw of nw	26	84	22
ne of se	30	84	22
ne of ne	31	84	22
nw of se	32	84	22
ne of nw and ne of se	34	84	22
nw of nw	26	85	22
sw of se	28	85	22
sw of sw	29	85	22
se of se	30	85	22
ne of ne, nw of nw and se of se	32	85	22
nw of nw	33	85	22
e half of sw	4	82	23
nw of ne	23	82	23
w half of nw	3	83	23
e half of se	5	83	23
sw of sw	9	83	23
se of se	12	83	23
s half of ne	13	83	23
sw of sw and nw of se	23	83	23
ne of nw	27	83	23
sw of ne and se of nw	35	83	23
sw of nw	9	84	23
ne of ne	11	84	23
ne of sw	19	84	23
sw of se	20	84	23
ne of ne	21	84	23
e half of ne and sw of nw	22	84	23
w half of sw	25	84	23
nw of nw, se of nw and ne of sw	27	84	23
ne of nw	28	84	23
sw of ne	2	85	23
w half of nw, w half of sw and se of se	6	85	23
se of ne and ne of sw	7	85	23
nw of nw	8	85	23
se of se	13	85	23
se of nw and se of se	19	85	23
nw of sw	20	85	23
sw of ne and s half of nw	21	85	23
ne of se	23	85	23
s half of nw	26	85	23
nw of sw and sw of se	29	85	23
se of sw	30	85	23
nw of ne and sw of se	32	85	23
n half of se and se of se	2	82	24
nw of se	3	82	24
ne of nw	4	82	24
sw of nw	5	82	24
nw of ne and ne of ne	6	82	24
ne of ne, s half of ne, se of nw, se of sw and sw of se	7	82	24
nw of se	10	82	24
n half of nw and s half of sw	18	82	24
sw of ne, ne of nw and se of se	19	82	24
s half of ne, sw of sw, and sw of se	27	82	24
w half of nw	30	82	24
n half of ne, se of ne and se of sw	36	82	24
w half of ne	3	83	24
se of se	7	83	24
nw of sw and se of se	19	83	24
nw of sw	24	83	24
s half of nw	28	83	24

TABLE No. 21—CONTINUED.

Parts of Section.	Section.	Town.	Range.
STORY COUNTY—Continued.			
sw of ne and nw of nw	29	N	W
s half of ne and ne of ne	30	83	24
e half of se	32	83	24
ne of nw	34	83	24
nw of nw and se of nw	2	84	24
ne of se	9	84	24
ne of sw	10	84	24
nw of ne	14	84	24
ne of ne	20	84	24
w half of nw	3	85	24
ne of se, s half of se, ne of nw, s half of nw, nw of sw and s half of sw	11	85	24
se of sw	13	85	24
n half of se	22	85	24
ne of nw	23	85	24
w half of ne and e half of nw	25	85	24
sw of ne	26	85	24
STORY COUNTY, DECISION OF SEPTEMBER 7, 1904.			
s half of sw	5	82	24
ne of ne	6	82	24
TAMA COUNTY, DECISION OF OCTOBER 19, 1904.			
n half of nw	13	82	14
TAYLOR COUNTY, DECISION OF JANUARY 10, 1905.			
se of sw	19	67	32
nw of nw	23	67	32
w half of sw	17	67	33
lot 3	18	67	33
nw of nw	29	67	33
nw of sw	8	68	33
sw of ne and sw of sw	21	70	33
sw of ne	3	67	34
se of ne	4	67	34
se of ne and se of sw	9	67	34
sw of ne	20	68	34
nw of se and ne	34	68	34
ne of ne	35	68	34
e half of sw	18	69	34
se of nw and w half of sw	14	70	34
se of se and s half of sw	21	70	34
sw of nw	22	70	34
n half of nw	28	70	34
ne of ne	29	70	34
nw of se	34	70	34
e half of sw	3	68	35
ne of se	9	68	35
se of se	22	68	35
sw of sw and sw of nw	6	69	35
nw of ne and se of ne	10	69	35
nw of se	15	69	35
se of nw	25	69	35
ne of sw	35	69	35
ne of se	13	70	35
sw of sw	17	70	35
ne of ne and se of se	30	70	35
nw of se	31	70	35



**THE RAILROAD LANDS.**

The railroad lands of Iowa consist of all lands granted by the various acts of congress to aid in the construction of certain railroads in the state of Iowa. Lands which inured to the state under these grants have either been patented or certified to the state by the proper government officials, and in turn were granted to the railroad companies entitled thereto by the legislature of Iowa. The lands inuring to the railroad companies, under the act of congress, approved June 2, 1864, were certified and approved direct to the said companies by the commissioner of the general land office and the secretary of the interior. Certified copies of lists of lands approved under this act are of record in the state land office.

The biennial report of this department for the year 1901 contained a complete list of all the acts of congress; and of all the acts of the general assemblies of Iowa relative to the railroad lands. Copies of this report can be obtained either in the state land office or in the document room of the secretary of state.

The railroad land grants have been practically all adjusted by the department of the interior, and there are but a few tracts yet to be approved under the grants. These are mostly tracts which have been held up by the department on account of conflicts with other grants. During the biennial period just closed, 280 acres of land were certified and approved direct to the railroad companies by the United States, and 47,547.38 acres of land were certified by the state to the railroad companies.

**RAILROAD LANDS PATENTED OR APPROVED.**

The following tract was approved and certified by the department of the interior, under act of June 2, 1864, directly to the Chicago, Rock Island & Pacific Railroad company as required by said act as the same appears by the certified copy of the original list furnished the state by the commissioner of the general land office.

TABLE No. 22.

Chicago, Rock Island & Pacific Railroad Company Lands.

Parts of Section.	Section.	Town.	Range.	Acres.	County.	Date of Approval.	Railroad Limit.
ne of ne	2	N 79	W 33	40.00	Guthrie	January 7, 1904	Indemnity.

The following tracts were approved and certified by the department of the interior under act of June 2, 1864, directly to the Cedar Rapids & Missouri River Railroad company, as required by said act, as the same appears by certified copy of the original list furnished the state by the commissioner of the general land office:

TABLE No. 23.

Cedar Rapids & Missouri River Railroad Company Lands.

Parts of Section.	Section.	Town.	Range.	Acres.	County.	Date of Approval.	Railroad Limit.
sw of ne	2	N 84	W 31	40.00	Greene	December 21, 1903	Indemnity.
ne of sw and nw of se	23	85	43	80.00	Monona	December 21, 1903	Indemnity.
se of nw	26	87	41	40.00	Ida	December 21, 1903	Indemnity.
se of sw and sw of se	4	84	44	80.00	Monona	December 21, 1903	Indemnity.
Total				240.00			

**CHAPTER 193.**

**RELINQUISHMENT OF CERTAIN LANDS IN DICKINSON COUNTY TO THE UNITED STATES.**

S. F. 256.

AN ACT to authorize and empower the governor of Iowa to relinquish and re-convey to the United States, certain lands in Dickinson county, Iowa, granted to the state of Iowa by the act of congress entitled, "An act for a grant of land to the state of Iowa in alternate sections to aid in the construction of a railroad in the state of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act.

WHEREAS, By an act of the General Assembly of the state of Iowa, the same being chapter 107 of the laws of the 19th General Assembly, all unearned lands granted to the Sioux City and St. Paul Railway company, by act of congress May 12, A. D. 1864, were absolutely and entirely resumed by the state of Iowa and the same absolutely vested in said state as if the same had never been granted to said railroad company; and,

WHEREAS, By act of the general assembly of the state of Iowa, the same being chapter 71 of the laws of the 20th General Assembly, the governor of the state of Iowa was authorized and directed to certify to the secretary of the interior all lands which had heretofore been patented to the state to aid in the construction of said Sioux City and St. Paul railroad, excepting the lands situated in the counties Dickinson and O'Brien; and,

WHEREAS, All of section fifteen (15) and the northwest quarter (N. W. ¼) of section seventeen (17) in township ninety-eight (98) north of range thirty-eight (38) west of the 5th P. M. Dickinson county, Iowa, had been at the dates of the acts of the general assembly hereinbefore referred to, patented by the United States to the state of Iowa; and,

WHEREAS, By decree of the supreme court of the United States, dated October 21, 1895, and reported in the 159th United States reports, page 349, said court decreed said lands to belong to the United States; therefore,

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

SECTION 1. Authority to relinquish. That the governor of the state of Iowa is hereby authorized and directed to certify and relinquish to the secretary of the interior all of section fifteen (15), and the northwest quarter (N. W. ¼) of section seventeen (17) in township ninety-eight (98), north of range thirty-eight (38), west of the 5th P. M., Dickinson county, Iowa.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Spirit Lake Beacon, a newspaper published at Spirit Lake in Dickinson county, Iowa, and the Register and Leader, a newspaper published in Des Moines, Iowa.

Approved March 31, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader, April 2, 1904, and the Spirit Lake Beacon, April 8, 1904.

W. B. MARTIN,  
Secretary of State.

In accordance with the provisions of the foregoing act, the governor relinquished the following described lands to the United States under date of May 27, 1904.

Parts of Section.	Section.	Town.	Range.	Acres.	County.
all of	15	98	38	640.00	Dickinson.
nw of	17	98	38	160.00	Dickinson.
Total				800.00	



The following tables give the description of tracts of land which were certified by the state to the Dubuque & Sioux City and the Cedar Rapids & Missouri River Railroad companies, under the provision of section 82, chapter 2, title 2, of the 1897 code. These lands were all approved to the state of Iowa December 27, 1858, under the act of congress, approved May 15, 1856.

Giving a description of lands certified by the state to the Cedar Rapids & Missouri River Railroad company during the biennial period ending June 30, 1905.

Parts of Section.	Section.	Town.	Range.	Acres.	Date of Approval by Governor.
<b>CARROLL COUNTY.</b>					
w half of se.....	35	84	34	80.00	April 17, 1905.
<b>GREENE COUNTY.</b>					
nw of nw.....	17	85	80	40.00	April 28, 1905.
Total.....				120.00	

Giving description of land certified by the state to the Dubuque & Sioux City Railroad company during the biennial period ending June 30, 1905.

Parts of Section.	Section.	Town.	Range.	Acres.	Date of Approval by Governor.
<b>HUMBOLDT COUNTY.</b>					
n half of sw and se.....	15	91	27	240.00	August 22, 1904.
<b>BUENA VISTA COUNTY.</b>					
e half of ne.....	23	90	36	80.00	March 11, 1905.
all of .....	1	90	35	629.06	April 28, 1905.
all of .....	3	90	35	619.16	April 28, 1905.
all of .....	5	90	35	610.64	April 28, 1905.
all of .....	7	90	35	645.98	April 28, 1905.
all of .....	9	90	35	640.00	April 28, 1905.
all of .....	11	90	35	640.00	April 28, 1905.
all of .....	13	90	35	640.00	April 28, 1905.
all of .....	15	90	35	640.00	April 28, 1905.
all of .....	17	90	35	640.00	April 28, 1905.
all of .....	19	90	35	649.22	April 28, 1905.
all of .....	21	90	35	640.00	April 28, 1905.
all of .....	23	90	35	640.00	April 28, 1905.
all of .....	25	90	35	640.00	April 28, 1905.
all of .....	27	90	35	640.00	April 28, 1905.
all of .....	29	90	35	640.00	April 28, 1905.
all of .....	31	90	35	655.14	April 28, 1905.
all of .....	33	90	35	640.00	April 28, 1905.
all of .....	35	90	35	640.00	April 28, 1905.
all of .....	1	91	35	652.10	April 28, 1905.
all of .....	3	91	35	650.02	April 28, 1905.
s half and nw .....	5	91	35	484.20	April 28, 1905.
ne.....	5	91	35	164.60	April 28, 1905.
all of .....	7	91	35	660.84	April 28, 1905.
all of .....	9	91	35	640.00	April 28, 1905.
all of .....	11	91	35	640.00	April 28, 1905.
all of .....	13	91	35	640.00	April 28, 1905.
all of .....	15	91	35	640.00	April 28, 1905.
all of .....	17	91	35	640.00	April 28, 1905.
all of .....	19	91	35	652.60	April 28, 1905.
all of .....	21	91	35	640.00	April 28, 1905.
all of .....	23	91	35	640.00	April 28, 1905.
all of .....	25	91	35	640.00	April 28, 1905.
all of .....	27	91	35	640.00	April 28, 1905.
all of .....	29	91	35	640.00	April 28, 1905.
all of .....	31	91	35	644.44	April 28, 1905.
all of .....	33	91	35	640.00	April 28, 1905.
all of .....	35	91	35	640.00	April 28, 1905.
all of .....	1	92	35	659.28	April 28, 1905.
all of .....	5	92	35	669.62	April 28, 1905.
all of .....	7	92	35	692.14	April 28, 1905.

Description of Land—Continued.

Parts of Section.	Section.	Town.	Range.	Acres.	Date of Approval by Governor.
all of .....	9	92	35	640.00	April 28, 1905.
all of .....	11	92	35	640.00	April 28, 1905.
all of .....	13	92	35	640.00	April 28, 1905.
all of .....	15	92	35	640.00	April 28, 1905.
all of .....	17	92	35	640.00	April 28, 1905.
all of .....	19	92	35	688.68	April 28, 1905.
all of .....	21	92	35	640.00	April 28, 1905.
all of .....	23	92	35	640.00	April 28, 1905.
all of .....	25	92	35	640.00	April 28, 1905.
all of .....	27	92	35	640.00	April 28, 1905.
all of .....	29	92	35	640.00	April 28, 1905.
all of .....	31	92	35	675.98	April 28, 1905.
all of .....	33	92	35	640.00	April 28, 1905.
all of .....	35	92	35	640.00	April 28, 1905.
all of .....	19	93	35	685.92	April 28, 1905.
all of .....	21	93	35	640.00	April 28, 1905.
all of .....	25	93	35	640.00	April 28, 1905.
all of .....	27	93	35	640.00	April 28, 1905.
all of .....	29	93	35	640.00	April 28, 1905.
all of .....	31	93	35	677.98	April 28, 1905.
all of .....	33	93	35	640.00	April 28, 1905.
all of .....	1	90	36	604.54	April 28, 1905.
e half of ne and e half of se.....	11	90	36	160.00	April 28, 1905.
all of .....	13	90	36	640.00	April 28, 1905.
e half of se.....	23	90	36	80.00	April 28, 1905.
all of .....	25	90	36	640.00	April 28, 1905.
e half of ne and e half of se.....	35	90	36	160.00	April 28, 1905.
all of .....	1	91	36	647.80	April 28, 1905.
e half of ne and e half of se.....	11	91	36	160.00	April 28, 1905.
all of .....	13	91	36	640.00	April 28, 1905.
e half of ne and e half of se.....	23	91	36	160.00	April 28, 1905.
all of .....	25	91	36	640.00	April 28, 1905.
e half of ne and e half of se.....	35	91	36	160.00	April 28, 1905.
all of .....	1	92	36	668.06	April 28, 1905.
e half of ne and e half of se.....	11	92	36	160.00	April 28, 1905.
all of .....	13	92	36	640.00	April 28, 1905.
e half of ne and e half of se.....	23	92	36	160.00	April 28, 1905.
all of .....	25	92	36	640.00	April 28, 1905.
e half of ne and e half of se.....	35	92	36	160.00	April 28, 1905.
s half of .....	13	93	36	320.00	April 28, 1905.
e half of ne and e half of se.....	23	93	36	160.00	April 28, 1905.
all of .....	25	93	36	640.00	April 28, 1905.
e half of ne and e half of se.....	35	93	36	160.00	April 28, 1905.
Total.....				47,427.88	



## SALE OF ABANDONED RIVER CHANNELS AND SAND BARS OR ISLANDS IN THE NAVIGABLE RIVERS OF THE STATE.

The Thirtieth General Assembly of Iowa passed an act providing for the survey, appraisalment and sale of all abandoned river channels and all land within such abandoned river channels, and all sand bars or islands in the navigable streams of the state, and also providing for the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states. The following is a copy in full of said act.

### CHAPTER 185.

#### SALE OF ABANDONED RIVER CHANNELS, SAND BARS OR ISLANDS— BOUNDARY COMMISSION.

H. F. 318.

AN ACT to enable the state of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the state, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states.

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

**SECTION 1. Abandoned river channels, sand bars or islands—sale authorized.** That all land between high water mark and the center of the former channel of any navigable stream, where such channel has been abandoned, so that it is no longer capable of use, and is not likely to again be used, for the purposes of navigation, and all land within such abandoned river channels, and all bars or islands in the channels of navigable streams, not heretofore surveyed or platted by the United States or by the state of Iowa, and all within the jurisdiction of the state of Iowa, shall be sold and disposed of as hereinafter provided.

**SEC. 2. Written application—deposit.** Any person desiring to purchase any such land shall be required to file written application therefor with the secretary of state, which application shall be accompanied with a deposit of not less than fifty cents per acre for the land so desired to be purchased, and which deposit, in the aggregate, shall in no event be less than twenty-five dollars (\$25), the total amount of the deposit to be fixed by the secretary of state, which sum, or so much thereof as may be necessary, shall be applied in the payment of the necessary expense of survey of such land, and appraisalment of the value thereof, as hereinafter provided.

**SEC. 3. Survey.** Upon receiving such application and deposit, it shall be the duty of the secretary of state to order a complete survey of such land to be made by the county surveyor of the county wherein the land is situated, and in case of the refusal or inability of such county surveyor to make such survey then the secretary of state shall appoint some other competent surveyor to make such survey. When such survey is made a full report thereof, with field notes, shall be filed with the land commissioner, and recorded in a book prepared and kept for that purpose, in the office of the secretary of state, which report and field notes shall constitute the official survey of such land.

**SEC. 4. Appraisalment.** Upon the filing of such report, with the accompanying field notes, the secretary of state shall thereupon appoint a commission of three disinterested freeholders of the county wherein the land is situated, to view the land and make appraisalment of the value thereof, which appraisalment shall be returned and filed with the land commissioner in the office of the secretary of state. Notice of such appraisalment shall thereupon be given to such applicant, and upon payment of the balance required, as fixed by the appraised value, such person shall be entitled to a deed or patent therefor.

**SEC. 5. Fees.** The surveyor making such survey shall be entitled to receive the sum of five dollars per day for his services as such surveyor, and such additional amount as may be agreed upon and necessary for the expenses of chainmen and other attendants;

and the commissioners, for their services in making such appraisalment, shall each be entitled to receive the sum of three dollars per day, for the actual time employed.

**SEC. 6. Sale—how effected.** None of such land shall be sold for less than the appraised value thereof, except as hereinafter provided. If the person filing the original application shall be unwilling to pay the amount per acre, as fixed by the appraisers, he shall be permitted to deposit whatever amount he is willing to pay, in addition to his original deposit, for such land so desired to be purchased by him, and, if at the expiration of ninety days no other person has appeared and deposited and offered to pay a larger amount, he shall be entitled to a deed or patent for the land for the total amount deposited by him; but if before the expiration of such ninety days there shall be other applicants and bidders for said land, and the said original applicant shall still be unwilling to increase his total deposit to the amount of the appraisalment, or to an amount beyond that of the highest bidder, then the person making the highest bid and depositing the amount therefor, shall be entitled to a deed or patent for such land, and the money deposited by the original applicant shall be refunded. If the said original applicant shall increase his total deposit to the amount of the appraisalment, within said period of ninety days, such original applicant shall thereupon be entitled to a deed or patent for such land.

**SEC. 7. Application of occupant to have priority.** Any person who has in fact lived upon any such land and occupied the same, as a home for himself and family, continuously for a period of three or more years immediately prior to the time of the passage of this act, and such occupation has been in good faith for the purpose of procuring title thereto, whenever by law such title could be vested in him by purchase from the proper authority, shall be allowed ninety days from the date this act takes effect within which to file application as a proposed purchaser of such land. When any such application is filed, accompanied with the required deposit, it shall have priority over any or all other applications filed for such land and shall be treated as the first application therefor.

**SEC. 8. Deed or patent.** When upon full compliance with the provisions of this act, any person shall become entitled to a deed or patent for any such land, a deed or patent shall thereupon be executed and delivered to such person by the governor, on behalf of the state, duly attested with the seal of the state attached thereto, which deed shall, in addition to the usual formalities, also recite the name of the party making the first application to purchase such land, the amount of his deposit, the appraisalment, the name of the party making final payment, and entitled to a deed therefor, whether as original applicant by assignment, or as the highest bidder, and also that such deed is given for the purpose of conveying such title and interest in the land as the state may at the time own and possess, and has the right to convey. A record of such conveyance shall be made and kept by the land commissioner in the office of the secretary of state.

**SEC. 9. Previous survey.** Whenever any such land shall be found to have been previously surveyed under or by virtue of any order of a court of record, and the record of such survey has been duly made and preserved, then and in that event, in the discretion of the secretary of state, a duly certified transcript of such record, together with the field notes accompanying the same, if obtainable, may be filed with the land commissioner in the office of the secretary of state, and when so filed shall obviate the necessity for any further survey of such land except when such survey becomes necessary for the purpose of execution of conveyances thereof, and the record of such transcript, when filed, shall constitute the official survey of such land.

**SEC. 10. Boundary commission.** If, in any proceeding contemplated by the provisions of this act, it shall become necessary to determine the boundary line between the state of Iowa and either of the states adjoining, the matter shall then be at once referred to the executive council, who shall thereupon proceed to confer with the proper authority of such adjoining state, and if the co-operation of the proper authority of such adjoining state shall be obtained, then the executive council shall appoint a commission of three disinterested, competent persons, who shall, in conjunction with the parties acting for such adjoining state, have authority to ascertain and locate the true boundary line between the state of Iowa and such adjoining state, so far as the particular land under consideration at the time is concerned. The lines so ascertained and located shall constitute the true and permanent boundary line between the state of Iowa and such other state to the extent such line shall be so ascertained and located.

**SEC. 11. Commission—how constituted—compensation.** The members of such commission shall be selected with reference to their fitness for the duties required, and at least one of them shall be a competent surveyor and civil engineer. They shall receive for



their services such amount as the executive council may deem reasonable, to be paid out of the proceeds of the sale of land so surveyed.

**SEC. 12. Purchase money refunded—when.** If at any time within ten years from the date of any deed or patent, issued under the provisions of this act, the grantee therein, or his successors, administrators or assigns, shall cause to be filed with the secretary of state a duly certified transcript of a final decree of a court of record showing that the conveyance by the state passed no title whatever to the land therein described, because title thereto had previously, for any reason, been vested in others, then the money so paid for such conveyance shall be refunded by the state to the person or persons entitled thereto.

**SEC. 13. Purchase moneys turned into state treasury.** All moneys received for the sale or conveyance of any land under the provisions of this act, after the payment of the necessary expenses of survey and appraisalment thereof, shall be paid into the state treasury.

**SEC. 14. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in Register and the Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 11, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 13, 1904.

W. B. MARTIN,  
*Secretary of State.*

Nine applications in all have been made for the purchase of lands under the provision of the aforesaid act. The following statement gives the number of the application, date when filed, name of the party making the application, the description of the land, estimated area, and a short synopsis of what has been done towards survey, appraisalment, sale and patenting of the lands involved.

Application No. 1, filed April 14, 1904, made by Chas. R. Hannan, of Council Bluffs, Iowa, for the purchase of a certain sand bar or island in the channel of the Missouri river west of and opposite to sections ten (10) and fifteen (15) in township seventy-four (74) north, of range forty-four (44), west of the 5th P. M. Pottawattamie county, Iowa and north of section sixteen (16) in said section. Also all the land comprising the channel of the Missouri river and sand bars or islands in such channel in the north part of section twenty-eight (28) in township seventy-five (75) north, of range forty-four (44), west of the 5th P. M. Pottawattamie county, Iowa, and all such land north and northwest of said section, being all of the land comprising the channel of the Missouri river and the islands or sand bars in such channel in the bend made by such river in the north part and north and northwest of said section on and prior to the time of the so-called cut-off in said river channel in the spring of 1877, the same being a strip of land somewhat in the shape of a horseshoe. The tracts of land covered by this application contain in an estimated area of twelve hundred (1200) acres.

On May 4, 1904, the secretary of state appointed Thomas Tostevin county surveyor of Pottawattamie county, to survey the lands covered by said application No. 1. Mr. Tostevin, under date of June 28, 1904, wrote the secretary of state that prior engagements would not permit him to engage in the work of making the survey at this time. On July 19, 1904, L. P. Judson, surveyor, of Council Bluffs, Iowa, was appointed by the secretary of state to make the survey of the aforesaid lands. Mr. Judson commenced work July 21, 1904. On October 3, 1904, Smith McPherson, judge of the United States district court for the Southern district of Iowa, ordered the issuance of temporary writs of injunction, against W. B. Martin, secretary of state, and L. P. Judson, surveyor, doing anything further toward the completion of the survey of the lands covered by the application of Mr. Hannan, the appraisalment or the sale thereof. On January 13, 1905, the temporary writs of injunction were modified so as to permit Mr. Judson to complete the survey, but he was ordered not to file the field notes of the survey with or in the office of secretary of state of Iowa, or with or in the office of the land commissioner of Iowa. Mr. Judson has completed the survey of the island or sand bar in the channel of the Missouri river west of and opposite to section ten (10) and fifteen (15) in township seventy-four (74) north, of range forty-four (44) west of the 5th P. M., and probably has also completed the survey of the remainder of the lands covered by application No. 1, although he has not advised this department of such fact. The temporary injunctions are still in force.

Application No. 2, filed May 18, 1904, made by Henry Oehlerking of Woodbury county for the purchase of a portion of an island in the Missouri river, lying west of sections twenty-four (24) and twenty-five (25) in township eighty-eight (88) north, of range forty-eight (48) west of the 5th P. M., Woodbury county, Iowa, known as Brassfield's island. This application as finally amended covered an area of five hundred and thirty-three acres and thirty-three hundredths of an acre (533.33).

Martin Holmvig, county surveyor of Woodbury county, was appointed by the secretary of state July 12, 1904, to survey the lands covered by said application No. 2. Mr. Holmvig surveyed the whole island, and his report, field notes and plat of the survey were filed in the land department September 13, 1904. The appraisers were appointed by the secretary of state, December 5, 1904; and on the same day the platted lots of the whole island were appraised, the appraisalment running from \$2 to \$25 per acre and the entire amount of the appraisalment of the whole island being \$8,516.20. The total appraised value of the lots covered by application No. 2, was \$7,673.27. The report of the appraisers was filed in the land department, December 7, 1904. Mr. Oehlerking made a bid of \$301 on the 12th day of January, 1905, for lands covered by his application, the said lands being lots 1 and 2, of section 23; lots 1, 2 and 3, of section 24; lots 1 and 4 being partly in section 25 and partly in section 26; lots 2, 3, 5 and 6 of section 26, all in township eighty-eight (88) north, of range forty-eight (48) west of the 5th P. M., and containing 533.33 acres. On the 12th day of April, 1905, the last day for bidding on said lands, Mr. Oehlerking made the highest bid on each of the lots enumerated above, and they were sold to him at the following prices: Lot 1, of section 23, \$65; lot 2, of section 23, \$30; lot 1, of section 24, \$61; lot 2, of section 24, \$210; lot 3, of section 24, \$250; lot 1, of sections 25 and 26, \$1,300; lot 4, of sections 25 and 26, \$900; lot 2, of section 26, \$30; lot 3, of section 26, \$296; lot 5, of section 26, \$355; and lot 6, of section 26, \$114.40. The total price bid and paid for said lots being \$3,611.40. Patent was issued April 14, 1905, by the state of Iowa to Mr. Oehlerking, covering the aforesaid lots.

Application No. 3, filed September 10, 1904, made by J. R. McCabe, of Woodbury county, for the purchase of lots 7 and 8, of section twenty-six (26) in township eighty-eight (88) north, of range forty-eight (48) west of the 5th P. M., Woodbury county, Iowa, being located on Brassfield's island and containing seventy-seven acres and thirty-six hundredths of an acre.

This land was surveyed and appraised along with the land covered by application No. 2. J. R. McCabe on January 6, 1905, filed a bid of \$2.15 per acre, or \$166.32 in all, for the said lots 7 and 8 of section 26. No other bids having been received on or prior to April 6, 1905, the secretary of state sold the lots to J. R. McCabe, and patent was issued therefor April 11, 1905.

Application No. 4, filed October 5, 1904, made by John Good of Woodbury county, for the purchase of lots 4 and 5 of section thirty-five (35) in township eighty-eight (88) north, of range forty-eight (48) west of the 5th P. M., Woodbury county, Iowa, being a part of Brassfield's island and containing forty-seven acres and two hundredths of an acre.

This land was surveyed and appraised at the time of the survey and appraisalment of the lands covered by application No. 2. The applicant, John Good, bid and paid the appraised value of the said lots, amounting to \$107.40, on the 21st day of December, 1904, and patent was issued to him the 30th day of December, 1904.

Application No. 5, filed October 17, 1904, made by George Coulthard, of Harrison county, for the purchase of the abandoned channel of the Missouri river, opposite section thirty-four (34) in township seventy-nine (79) north, of range forty-five (45) west of the 5th P. M., Harrison county Iowa, containing an estimated area of one hundred and sixty acres.

C. L. Huff, county surveyor of Harrison county, was appointed October 27, 1904, by the secretary of state, to survey the land covered by application No. 5. Mr. Huff filed his report, along with the field notes and plat of survey, in the land department November 14, 1905. The survey covered all of the abandoned river channel opposite the said section 34, township 79, range 45. The attorney-general decided that all the state had a right to convey was that part of the abandoned river channel between the old meander line of the Iowa shore and the middle of the old channel of the river. Mr. Huff was asked to re-plat the said survey showing the said middle line of the abandoned channel, and give the acreage of land between said line and old shore line. These corrections have been made. The land had not been appraised at the close of the biennial period.



Application No. 6, filed October 27, 1904, made by John C. Welling, of Chicago, Illinois, for the purchase of a strip of land 200 feet in width, being 100 feet on each side of the center line of the Dubuque & Sioux City railroad as now located over and across the abandoned channel of the Missouri river, known as "Big" or "Spring" Lake, as surveyed in the year 1851, and located on the southwest quarter of the southeast quarter of section 11, and the northwest quarter of the northeast quarter of section 14, and the northeast quarter of section 23, all in township 75 north, of range 44 west of the 5th P. M., Pottawattamie county, Iowa; also a strip of land 200 feet in width, being 100 feet on each side of the center line of the Dubuque & Sioux City railroad as now located, where the same passes over and across an abandoned channel of the Missouri river, originally known as "Boyer Lake," and along the east line of section twenty-one (21), and in and along the west line of section twenty-two (22), and in and along the west side of the northwest quarter of section twenty-seven (27), and the east side of the northeast quarter of section twenty-eight (28), all in township seventy-six (76) north, range forty-four (44) west of the 5th P. M., Pottawattamie county, Iowa, and extending the length of said abandoned channel of the Missouri river at said point and place.

On the 20th day of March, 1905, Thomas Tostevin, county surveyor of Pottawattamie county, was appointed by the secretary of state to survey the lands covered by application No. 6. Mr. Tostevin filed his report, along with field notes and plat of survey, in this department June 12, 1905. The appraisement had not been made at the close of the biennial period.

Application No. 7, filed April 11, 1905, made by Ira Chapman, of Woodbury county, for the purchase of lots 2 and 3 of section thirty-five (35) in township eighty-eight (88) north, of range forty-eight (48) west of the 5th P. M., Woodbury county, Iowa, being a part of Brassfield's island and containing an area of eighty-five acres and seventeen hundredths of an acre.

The lands covered by said application were surveyed and appraised at the time of the survey and appraisement of the lands covered by application No. 2. The appraised value of the two lots was \$287.29. Mr. Chapman bid and paid the appraised value of the lots at the same time he made his application, April 11, 1905. Patent was issued to Mr. Chapman covering the said lots April 11, 1905.

Application No. 8, filed April 13, 1905, made by W. L. Heald, of Woodbury county, for the purchase of Duncan Island, lying west of sections 2 and 11, in township eighty-seven (87) and section thirty-five (35) in township eighty-eight (88) north, of range forty-seven (47) west of the 5th P. M., containing an estimated area of three hundred and twenty acres.

Martin Holmwig, county surveyor of Woodbury county, was appointed April 25, 1905, by the secretary of state to survey the lands covered by Application No. 8. He had not filed his report on June 30, 1905.

Application No. 9, filed May 24, 1905, made by John Heer of Dubuque county, for the purchase of two sand bars or islands in the Mississippi river, one lying in sections fourteen (14) and fifteen (15) and the other lying in sections fourteen (14), twenty-three (23) and twenty-four (24), all in township eighty-eight (88) north, of range three (3), east of the 5th P. M., Dubuque county, Iowa, and containing an estimated area of from twenty-five to eighty acres, varying according to low or high water period. Mr. Heer was notified that he would have to increase the amount of his deposit before the survey of the above island could be ordered. He had made no reply on or before June 30, 1905.

## WILLOW ISLAND.

The Thirtieth General Assembly also passed an act authorizing the executive council to have surveyed and to convey an island newly formed by accretion in the Mississippi river off the southeastern portion of Green Bay township, being township 69 north, of range 3, west of the 5th P. M., Lee county, Iowa, and called Willow Island. Nothing had been done toward the survey and sale of this island up to June 30, 1905. The following is a copy of the act authorizing the sale.

### CHAPTER 188.

#### SALE OF AN ISLAND IN THE MISSISSIPPI RIVER, ADJACENT TO THE IOWA SHORE IN LEE COUNTY.

S. F. 142.

AN ACT authorizing the executive council to have surveyed, and to convey an island newly formed by accretion in the Mississippi river off the southeastern portion of Green Bay township, being township 69 north, range 3 west of the 5th P. M., in Lee county, Iowa.

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

**SECTION 1. Survey—appraisers—bids—conveyance.** That, whereas, an island has been formed by accretion in the Mississippi river, near the Iowa shore, off a part of the southeast portion of Green Bay township in Lee county, Iowa, which island is called Willow island (sometimes called Willow bay) and is located in or adjacent to sections 25, 26 and 35 in township 69 north, range 3 west of the 5th P. M. in said Lee county, Iowa; and,

WHEREAS, Said island is not needed by the state of Iowa for any specific purpose, and has not been otherwise disposed of; now, therefore, be it enacted that the executive council of the state of Iowa be and is hereby authorized and empowered to have said island surveyed and its location determined, and have same appraised by three disinterested persons; and have authority to receive bids for same and sell and convey to the highest cash bidder, all of the right, title and interest of the state in and to said island, and in no case to be sold for less than the appraisement.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 4, A. D. 1904.

I hereby certify that the foregoing act was published in the Daily Capital April 5, 1904, and the Register and Leader April 6, 1904.

W. B. MARTIN,  
Secretary of State.



## MEANDERED LAKES.

The Thirtieth General Assembly passed an act authorizing the executive council to survey and sell the meandered lakes and lake beds of the state whenever it was determined after examination by a competent engineer that it was to the best interests of the state and the general public to have such lakes drained and sold. L. E. Ashbaugh, of Ames, Iowa, was appointed engineer by Governor Cummins to examine the condition of lakes or lake beds, and ascertain whether their location is such that they can be drained and improved, and make a full report to the executive council of the area and depth of water and their general physical condition. In his capacity as engineer Mr. Ashbaugh has examined and reported on thirteen or fourteen lakes. One of the lakes examined, Island Lake in Hamilton county, has been disposed of under section 7 of the act, which authorizes the governor to issue deed to a bona fide purchaser from a county, who has paid to the county the reasonable value thereof and who has heretofore paid taxes or made valuable improvements in such lake bed. Another lake examined, Iowa Lake in Hamilton county, has in the meantime been patented to the state by the United States under the swamp land grant and by the state to Hamilton county, so further action on this lake has been suspended by the executive council.

The remainder are still under consideration by the executive council. For any information relative thereto or relative to the examination of other lakes or lake beds, address all communications to A. H. Davison, secretary of the executive council. The following is a correct copy of the act as the same appears in the published volume containing the laws of the Thirtieth General Assembly.

## CHAPTER 186.

## MEANDERED LAKES AND LAKE BEDS.

H. F. 277.

AN ACT relating to the meandered lake beds in the state, and authorizing the executive council to survey and sell the same.

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

**SECTION 1. Survey and sale authorized.** The executive council of the state is hereby authorized and empowered to survey the meandered lakes and lake beds within this state, and sell the same as hereinafter provided, and to determine what lakes shall be maintained as the property of the state and what meandered lake beds belonging to the state may be drained, improved, demised or sold.

**SEC. 2. Signed statements—survey—report.** Upon the presentation to the executive council of a statement signed by not less than fifty (50) freeholders, twenty of whom shall be actual residents of the township or townships in which said lake or lake beds are situated, of any county that any meandered lake or lake bed in such county is detrimental to the public health or the general welfare of the citizens of the county, and that it is unwise to maintain such meandered lake or lake bed as a permanent body of water and that the interest of the state will be subserved by draining and improving such lake bed, the governor shall, within thirty (30) days after the receipt of such statement, appoint a competent engineer who shall at once examine the situation and condition of such lake or lake bed, make a survey and plat thereof, and ascertain whether its location is such that it can be drained and improved, and make a full report to the executive council of the area and depth of water in the lake and of its general physical condition, which report shall be accompanied by his plat, field notes and profile of his survey.

**SEC. 3. Hearing—commissioner—notice.** Upon receipt of the report of the engineer, the executive council shall determine whether such lake or lake bed shall be maintained and preserved as the property of the state, or whether the same shall be drained, improved and the land included within the meander lines thereof sold in the manner hereinafter specified, and to that end they may hear evidence upon any question involved in such determination at such time and place within the county, or within the counties if more than one, as may be fixed by the council, and may appoint a commissioner to take

evidence in the county or counties, if more than one, in which the lake or lake bed is located, or at such other place or places within the state as may be directed by the executive council; and notice of the time and place of hearing by the council or by such commissioner shall be published once each week for four consecutive weeks in some newspapers within the county, or in a newspaper within each of the counties if more than one, where the lake or lake bed is located, the last publication being at least ten (10) days prior to the day fixed for such hearing. The compensation of such commissioner shall be fixed by the executive council, which compensation and the cost of the publication of such notice shall be paid from the state treasury upon the order of the council.

**SEC. 4. Preservation or sale—drainage.** If the executive council shall determine that such lake or lake bed ought not to be drained, demised or sold, the same shall be kept and maintained as the property of the state for the benefit of the general public. If the executive council shall determine that it is to the interest of the state and the general public that the lake or lake bed, as to which the statement is presented, be drained, improved, demised or sold, it may permit the same to be drained under the provisions of the drainage law of the state, and the land included within the meander lines of such lake, which belongs to the state, shall bear its just proportion of the expense of draining such lake and shall be assessed for such expense in the same manner as the lands of private individuals are permitted to be assessed under the drainage laws of the state.

**SEC. 5. Power to sell and convey—deed or patent.** Whenever the executive council shall determine that any lake or lake bed within the state should be drained, improved, demised or sold, it shall have the right, either before or after such lake or lake bed is drained, to sell and convey by deed or patent the land lying within the meander lines of such lake or lake bed and which belongs to the state; and express authority is hereby given to the executive council to make such sale or sales for and in behalf of the state, and to execute and deliver to the purchaser of such land the necessary deed or patent to insure to him title thereto, which deed or patent shall be executed by the governor in behalf of the state, and have the seal of the state attached thereto. But no sale of any of the lands composing any of the lake beds of the state shall be made by the executive council until a complete survey thereof has been made and the same subdivided to correspond with the government subdivisions of public land.

**SEC. 6. Appraisalment.** After such lake or lake bed has been surveyed and the land composing the same subdivided as hereinbefore required, and a plat of such survey filed with the secretary of state, and the county auditor of the county in which said lake or lake bed is situated, the lands belonging to the state which lie within the meander lines of the original government survey, and composing the lake beds, shall be appraised by a commission appointed by the governor, consisting of three (3) disinterested freeholders of the state, one of whom shall be a resident of the county in which the land is situated, who shall examine and appraise said land, and return a written report of such appraisalment to the governor, which report shall be filed in the office of the secretary of state.

**SEC. 7. Sale—abutting landowners—conveyance to counties, when.** After the report of the appraisers has been received and filed in the office of the secretary of state, the executive council shall offer the land belonging to the state and composing such lake bed, and included in such survey and appraisalment, for sale, and the persons owning lands abutting upon such lake or lake bed and contiguous to lands owned by the state therein, shall have the first right to purchase the lands offered for sale by the state, in an amount sufficient to make the lands owned by them which abut upon the lake or lake bed and are contiguous to lands of the state conform to the smallest government subdivisions of public lands, at the price fixed by the appraisers. All other lands included in such survey and composing the lake bed belonging to the state, which may be sold under the provisions hereof, shall be sold for the highest price obtainable; but no sale of any of said land shall be made at less than the appraised value thereof. Provided, however, that in any case where it is made to appear to the executive council by a duly certified copy of the deed, certified to by the recorder of deeds and the county auditor of the county in which the lake or lake bed is situated, and by the sworn statement of the present owner, that the board of supervisors of the county in which such lake or lake bed is situated has heretofore, in good faith, sold and conveyed by deed, any lake or lake bed in such deed named, specified and described, to a bona fide purchaser who has paid to the county the reasonable value of such lake or lake bed, and who has heretofore paid taxes or made valuable improvements in such lake bed; then and in such case the governor shall execute, or cause to be executed, to the county in which such lake or lake bed is situated, a deed or patent, under the seal of the state, conveying to said county all the right, title and interest of the



state of Iowa in and to such lake or lake bed, and the title so conveyed shall enure to the grantee of such lake or lake bed holding the same under title derived from the county in which such lake or lake bed is situated, in the manner in this section provided.

**SEC. 8. Cash sales—expenses.** All sales of land under this act, except as otherwise provided in section seven of this act, shall be for cash, and the purchase price thereof shall be paid to the secretary of state and by him paid over to the state treasurer. All expenses of the survey of the lakes and lake beds herein provided for, and the appraisal thereof, and all assessments made against the lands belonging to the state for draining such lakes or lake beds, shall be audited by the executive council, and by it certified to the auditor of state and paid out of the general fund of the state treasury upon the warrant of the auditor of state.

**SEC. 9. Net proceeds.** After deducting all costs and expenses connected with the survey, appraisal, drainage and sale of said lands, the net proceeds derived from the sale thereof shall be transmitted by the treasurer of state to the county treasurer of the county in which the land is situated, and the county treasurer to whom such proceeds are transmitted shall execute his receipt in duplicate for the same to the treasurer of state, and one of such receipts shall be filed in the office of the county auditor in the county where the land is located. The money received by the county treasurer shall be placed to the credit of the county road fund and expended under the direction of the board of supervisors in the same manner as other road funds.

**SEC. 10. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Register and Leader" and "Des Moines Daily Capital," newspapers published at the city of Des Moines, Iowa.

Approved April 29, 1904.

I hereby certify that the foregoing act was published in the Register and Leader May 4, 1904, and in the Des Moines Daily Capital May 8, 1904.

W. B. MARTIN  
Secretary of State.

## MISCELLANEOUS.

### SALE OF STATE SQUARE.

The Thirtieth General Assembly passed an act authorizing the executive council to sell the State Square. The council sold State Square (being block No. 27 in Stewart's addition to the city of Des Moines, Iowa,) to the school board of East Des Moines, for a consideration of \$8,500. The state executed deed for said property to the Independent School District of East Des Moines. The council used the proceeds of this sale in purchasing land just east of the capitol building. The following is a copy of the act authorizing the sale.

## CHAPTER 189.

### SALE OF STATE SQUARE.

H. F. 307.

AN ACT authorizing the executive council to sell the property known as "State Square," being block twenty-seven (27) in Stewart's addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.

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

**SECTION 1. Sale authorized—proceeds.** The executive council of the state of Iowa is hereby empowered to sell that tract of land belonging to the state of Iowa, known as "State Square," being block No. twenty-seven (27) in Stewart's addition to the City of Des Moines, Iowa, containing about two (2) and twenty-five hundredths (25/100) acres, and to use the proceeds of said sale in the purchase of any lot or lots facing the square upon which the Capitol is situated.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall be in force and take effect from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved March 24, A. D. 1904. Published March 25 and 26.

### SALE OF ISLANDS IN THE WATERS OF THE STATE.

In addition to providing for the sale of the islands, sand bars and abandoned river channels of the navigable rivers of the state, the Mississippi and the Missouri rivers, the Thirtieth General Assembly also passed an act, known as chapter 187, authorizing the executive council to sell or lease the islands belonging to the state which are within the meandered banks of rivers in the state, excepting the Mississippi and Missouri rivers. No application for the purchase of any islands had been made to the executive council up to June 30, 1905. The following is a copy of act:

## CHAPTER 187.

### SALE OF ISLANDS IN THE WATERS OF THE STATE.

S. F. 230.

AN ACT relating to islands in the waters of the state, and authorizing the executive council to sell or lease the same.

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

**SECTION 1. Sale or lease authorized.** That the executive council of the state be, and it is hereby, authorized and empowered to sell, convey, lease or demise any of the islands belonging to the state which are within the meandered banks of rivers in the state, and to execute and deliver a patent or lease thereof. Provided that nothing in this act shall be construed to apply to islands in the Mississippi or Missouri rivers.



**SEC. 2. Survey—appraisal—sale advertised—written bids.** Before a sale of any island is made under the provisions of section one (1) hereof, the executive council shall cause a survey and plat of such island to be made, showing its location and area, and the plat and notes of such survey shall be filed with the secretary of state. The land composing the island shall then be appraised by a commission appointed by the governor, consisting of three (3) disinterested freeholders of the state, who shall report their appraisement to the executive council. The sale of the island shall then be advertised once each week for four consecutive weeks in some newspaper of general circulation published in the county where the island is located, and proof of such publication filed with the executive council. The sale shall be made upon written bids addressed to the executive council of the state, and the advertisement shall fix the time when such bids will be received and opened. All bids shall be opened by the executive council at the time fixed, and the island may thereupon be sold to the highest bidder and at not less than its appraised value.

**SEC. 3. Lease—written bids.** If it shall be deemed expedient to lease any such island, a lease thereof may be made upon written bids addressed to the executive council, and the island proposed to be leased shall be surveyed and platted, and notice of the leasing thereof and of the receiving and opening of bids shall be published, in the manner provided in section two (2) hereof, but no appraisement shall be necessary. Upon the opening of the bids received by the executive council it may make a lease of such island to the highest bidder for such term as is deemed advisable.

**SEC. 4. Sales and leases for cash—expenses.** All sales and leases must be for cash, and the money received therefor shall be paid into the state treasury. All expenses incurred in making the survey, plat, appraisement, sale or lease of any such island shall be certified by the executive council to the auditor of state, who shall draw his warrant upon the state treasury for the amount, and the same shall be paid from the general fund.

**SEC. 5. Patent or lease.** When any sale or lease of any island belonging to the state is made by the executive council as herein provided, the governor shall execute and deliver to the purchaser or lessee a patent or a lease thereof, as the case may be, duly attested by the seal of the state of Iowa.

Approved April 29, A. D. 1904.

## SURVEYS.

The original field notes and plats of the government survey of the state of Iowa were turned over to the state by the general government when the office of surveyor-general was discontinued. Anyone desiring information relative to the original survey can obtain the same from this department. Certified copies of field notes and plats will be furnished for a reasonable fee.

The biennial reports of the state land office for the years 1897 and 1899 contain a synopsis of the acts of congress relative to surveys, and also the general rules prescribed by the department of the interior relative to surveys and the restoration of lost or obliterated corners. The supply of these reports is not entirely exhausted, and copies of the same can be obtained on application to this department.

## QUIETING TITLE.

### ACTS QUIETING THE TITLE TO CERTAIN LANDS IN DALLAS, MARION AND VAN BUREN COUNTIES, AND CERTAIN LOTS IN CEDAR FALLS, IOWA.

The following acts authorizing the issuance of patents or deeds by the Governor of Iowa, in order to quiet the title to the lands described therein, were enacted by the Thirtieth General Assembly, and patents and deeds were executed by the governor in accordance with the provisions of the said acts, during the biennial period ending June 30, 1905.

## CHAPTER 194.

### RELIEF OF GRANTEES OF FREDERICK M. STUMBO.

H. F. 155.

AN ACT for the relief of the grantees of Frederick M. Stumbo and for the purpose of having a patent issued in his name for a certain tract of land.

WHEREAS, On the 7th day of January, 1853, Frederick M. Stumbo purchased from the state of Iowa the north fractional half of the northwest quarter (N fr.  $\frac{1}{2}$  NW  $\frac{1}{4}$ ) of section one (1) township seventy-seven (77), north of range twenty-three (23) west of the 5th P. M. Iowa, and;

WHEREAS, By a mistake the duplicate certificate of purchase for same was issued to him describing the land as being in range twenty-two (22) instead of range twenty-three (23), said duplicate certificate being No. 3271, and

WHEREAS, The land in range twenty-two (22) was before the date of said purchase purchased by another party and later was patented to said party, and;

WHEREAS, It was the intention to issue to the said Frederick M. Stumbo a certificate for said tract of land describing it as in range twenty-three (23); and,

WHEREAS, The patent issued for said land to said Frederick M. Stumbo described the land as being in range twenty-two (22) instead of range twenty-three (23); and,

WHEREAS, The said Frederick M. Stumbo paid the state of Iowa in full for said land and was entitled to have a patent issued to him therefor for the north fractional half (N fr.  $\frac{1}{2}$ ) of the northwest quarter (NW  $\frac{1}{4}$ ) in section one (1) township seventy-seven (77) north of range twenty-three (23) west of the 5th P. M. Iowa, and,

WHEREAS The title to said land is still in the State of Iowa, therefore

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

**SECTION 1. Conveyance of title.** That the title to the north fractional half (N fr.  $\frac{1}{2}$ ) of the northwest quarter (NW  $\frac{1}{4}$ ) section one (1), township seventy-seven (77) north of range twenty-three (23) west of the 5th P. M. Iowa being a part of the Des Moines River land grant, does hereby pass from the state of Iowa to the said Frederick M. Stumbo and that the same vest in him pursuant to said purchase.

**SEC. 2. Patent.** That the governor of the state of Iowa and the secretary of state are hereby authorized and directed to issue to said Frederick M. Stumbo a patent for the tract described in section one of this act, in the usual form, and deliver the same to the present owner of said tract, to be recorded in said county of Warren.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved February 24, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, February 25, 1904, and the Register and Leader, February 27, 1904.

W. B. MARTIN,  
Secretary of State.



## CHAPTER 195.

## RELIEF OF THE GRANTEEES OF CHARLES M. DOWNS.

H. F. 235.

AN ACT for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land.

WHEREAS, On the 23rd day of July, 1856, one Charles M. Downs purchased from Leroy Lambert, school-fund commissioner, of Dallas county, Iowa, the west half ( $\frac{1}{2}$ ) of the southeast quarter ( $\frac{1}{4}$ ) of section sixteen (16) in township seventy-nine (79) north, of range twenty-six (26) west of the 5th P. M., Iowa, and,

WHEREAS, The said Charles M. Downs afterwards paid in full the purchase price of said land to the county of Dallas and state of Iowa, through its proper officers, and

WHEREAS, The said Charles M. Downs became entitled to receive a patent from the state of Iowa, for the said tract of land, and,

WHEREAS, By mistake of the officers of said county, the said real estate was improperly described in the certificate issued to said Charles M. Downs for a patent as the west half ( $\frac{1}{2}$ ) of the southeast quarter ( $\frac{1}{4}$ ) of lot eleven (11) in section sixteen (16) in township seventy-nine (79) north, of range twenty-six (26) west of the 5th P. M., Iowa, instead of the correct description as hereinbefore given, and

WHEREAS, A patent was issued by the state of Iowa in accordance with said erroneous description, and,

WHEREAS, The said Charles M. Downs has conveyed all his title to said tract of land, to wit: The said west half ( $\frac{1}{2}$ ) of the southeast quarter ( $\frac{1}{4}$ ) of section sixteen (16) in township seventy-nine (79) north, of range twenty-six (26) west of the 5th P. M., Iowa, and that his said title has passed through numerous intervening grantees and become vested in George S. Stall and Frances E. Stall, who are now the owners of said real estate, and,

WHEREAS, All of said facts have been certified to the secretary of state of the state of Iowa by the board of supervisors of said county with a request that a patent for said land, by the correct description, be issued as provided by law, and,

WHEREAS, The title to said land is still in the state of Iowa, therefore,

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

SECTION 1. **Conveyance of title.** That the title to the west half ( $\frac{1}{2}$ ) of the south-east quarter ( $\frac{1}{4}$ ) of section sixteen (16) in township seventy-nine (79) north, of range twenty-six (26) west of the 5th P. M., Iowa, does hereby pass from the state of Iowa, to said George S. Stall and Frances E. Stall, and that the same shall vest in them pursuant to said purchase.

SEC. 2. **Patent.** That the governor of the state and the secretary of state are hereby authorized and directed to issue to said George S. Stall and Frances E. Stall a patent for the tract described in section one of this act, in the usual form, and deliver it to said George S. Stall and Frances E. Stall, to be recorded in the proper county.

SEC. 3. **In effect.** This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader, a newspaper published in Des Moines, Iowa, and in the Dallas County News, a newspaper published in Adel, Iowa.

Approved March 7, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader, March 10, 1904, and the Dallas County News, March 16, 1904.

W. B. MARTIN,  
Secretary of State.

## CHAPTER 196.

## RELIEF OF GRANTEEES OF JOEL T. AVERY.

H. F. 238.

AN ACT empowering the governor to execute a quit claim deed to right and title claim and interest of the state of Iowa on lot four (4) of section seven and south part of lot three (3) of section seven (7) township seventy (70) north of range eleven (11) west of the fifth (5th) principal meridian.

WHEREAS, the United States of America by act of congress, approved August 8, 1846, entitled an act granting certain lands to the territory of Iowa to aid in the improvement and navigation of the Des Moines river in said territory, has granted to the state of Iowa one equal moiety in alternate sections of the public lands remaining unsold and not otherwise disposed of, encumbered or appropriated, in a strip five miles in width on each side of said river;

AND WHEREAS, Section seven (7) of township seventy (70) north of range eleven (11) west in Van Buren county, Iowa, was and is included in said grant;

AND WHEREAS, Joel T. Avery of the county of Van Buren and the state of Iowa did, on the 15 day of October, 1847, purchase of the board of public works at their office in Fairfield, Iowa, under the provisions of an act creating a board of public works and providing for the improvement of the Des Moines river, approved February 24, 1847, and of an act entitled an act providing for the reorganization of the board of public works, and repealing so much of the several acts relating thereto as conflicts with the provisions of this act, approved January 15, 1849, the north half ( $N\frac{1}{2}$ ) of the northeast quarter ( $NE\frac{1}{4}$ ) of section seven (7); and fractional lots three (3) and four (4) of section seven (7); all in township seventy (70) north of range eleven (11) west of the 5th P. M., and the southwest one-quarter ( $SW\frac{1}{4}$ ) of the southwest one-quarter ( $SW\frac{1}{4}$ ) of section five (5), township seventy (70), range eleven (11), containing in all 239.62 acres; and did make payment to the said board of public works and the state of Iowa for said lands in full;

AND WHEREAS, the governor of the state of Iowa, in pursuance of the act aforesaid, and in consideration of the acts and premises, did on the 1st day of March, A. D. 1851, attempt to execute a conveyance of said lands to said Joel T. Avery;

AND WHEREAS, it now appears that said conveyance contained an erroneous description, and that by reason thereof the south part of lot three (3) of said section, containing twenty-two and seventy hundredths (22.70) acres; and the south part of lot four (4) of said section, containing sixteen and ninety-two hundredths (16.92) acres, was not in fact conveyed at all by said conveyance, although intended to be conveyed therein;

AND WHEREAS, the said Joel T. Avery never had or received any title to said south part of lots three and four of said section, from the state of Iowa, although entitled to the same;

AND WHEREAS, the present owners of said land have no title to the same by reason of the error in the description in the conveyance from the state of Iowa to the said Joel T. Avery aforesaid;

AND WHEREAS, it now appears that Etta Baldwin is the present owner of said lot four (4) of said section; and that May Hinkle is the present owner of the south part of lot three (3) of said section, as described above: Therefore,

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

SECTION 1. **Quit claim deed.** That the governor of the state be, and he is hereby empowered, authorized and directed to execute to Etta Baldwin of Van Buren county, Iowa, a quit claim deed, conveying, quit claiming, and granting unto the said Etta Baldwin, all the right, title, claim and interest of the state of Iowa, in and to lot four (4) of section seven (7), township seventy (70), north of range eleven (11), west of the 5th P. M.

SEC. 2. **Same.** That the governor of the state be, and he is hereby empowered, authorized, and directed to execute to May Hinkle of Van Buren county, Iowa, a quit claim deed, conveying, quit claiming and granting to the said Mary Hinkle all the right, title, claim and interest of the state of Iowa, in and to the south part of lot three (3) of section seven (7), township seventy (70), north of range eleven (11) west, and described as follows, to wit: Commencing at a stake at the southwest corner of the northeast quarter of section seven (7), and running thence east eighty (80) rods to a stake in the division line between lots three (3) and four (4) of said section; thence south on said divis-



ion line to the Des Moines river; thence west along the north bank of said river to the division line between lots two (2) and three (3) of said section (7); and thence north on said division line to the place of beginning and containing twenty-two and seventy hundredths (22.70) acres.

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published in Des Moines, and in the State Line Democrat, a newspaper published at Keosauqua, Iowa, without expense to the state.

Approved February 29, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader, March 1, 1904, and the State Line Democrat, March 9, 1904.

W. B. MARTIN,  
Secretary of State.

## CHAPTER 197.

### ISSUANCE OF QUIT CLAIM DEEDS FOR CERTAIN LOTS IN CEDAR FALLS, IOWA.

H. F. 424.

AN ACT empowering the governor to execute quit claim deeds to all right, title and interest of the state of Iowa in and to lot No. six (6) of block No. eight (8); lot No. eight (8) of block No. fourteen (14); lot No. six (6) of block No. fifteen (15); and lot No. two (2) of block No. thirty-five (35); all in railroad addition to Cedar Falls, Iowa.

WHEREAS one John C. Cooley and wife executed a school fund mortgage to Black Hawk county, Iowa, March 26th, 1859, upon the following described real estate, viz:

Lot No. six (6) in block No. eight (8); lot No. eight (8) in block No. fourteen (14); lot No. six (6) in block No. fifteen (15); lot No. two (2) in block No. thirty-five (35); all in Railroad Addition to Cedar Falls, Iowa, securing the sum of one hundred and twenty-five dollars (\$125), and,

WHEREAS said mortgage was foreclosed and said premises were sold on the 20th day of April, 1865, and a sheriff's deed was duly executed on said date to the state of Iowa, conveying the premises aforesaid, and

WHEREAS said premises were sold by the treasurer of Black Hawk county for the taxes of 1858, 1859, 1860, 1861, 1862 and 1863 and a tax deed issued by said treasurer dated May 5th, 1868, and later said premises were again sold for the taxes of 1891 and 1892 and a tax deed issued by said treasurer dated September 6th, 1897, and

WHEREAS one C. A. Rownd is the present occupant and purchaser under said tax sales of lot No. six (6) in said block No. eight (8); and one John Merner is the occupant and owner as aforesaid of lot No. eight (8) in said block No. fourteen (14); and one Frank B. Bailey is the occupant and owner of lot No. six (6) in said block No. fifteen (15); and one Lydia A. Howe is the occupant and owner of lot No. two (2) in said block No. thirty-five (35); all residing in said city of Cedar Falls, Iowa, and

WHEREAS said occupants and owners as aforesaid, by themselves and their grantors, have been at all times in the continuous use and occupancy of said premises and are now in the open and notorious possession of the same under and by virtue of the said tax deeds and various mesne conveyances, and

WHEREAS said premises have at all times been taxed for state, county and municipal purposes and such taxes have been paid by the present occupants thereof or their grantors, and

WHEREAS the state of Iowa has never at any time asserted any right, title or interest in and to said premises and has never attempted to exercise any control over, or to take any possession thereof, but has permitted said occupants to continue in the uninterrupted use and possession of said premises and to improve the same, and

WHEREAS by reason of the foregoing a cloud is cast upon the record title of the present occupants and purchasers of said premises; therefore

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

SECTION 1. **Quit claim deed.** That the governor of the state be and he is hereby empowered, authorized and directed to execute to C. A. Rownd of Cedar Falls, Iowa, a quit claim deed, conveying, quitclaiming and granting unto the said C. A. Rownd, all the right, title, claim and interest of the state of Iowa in and to lot No. six (6) of block No. eight (8) in Railroad Addition to Cedar Falls, Iowa.

SEC. 2. **Same.** That the governor of the state be and is hereby empowered, authorized and directed to execute to John Merner of Cedar Falls, Iowa, a quit claim deed, conveying, quitclaiming and granting unto the said John Merner, all the right, title, claim and interest of the state of Iowa in and to lot No. eight (8) of block No. fourteen (14) in Railroad Addition to Cedar Falls, Iowa.

SEC. 3. **Same.** That the governor of the state be and is hereby empowered, authorized and directed to execute to Frank B. Bailey of Cedar Falls, Iowa, a quit claim deed, conveying, quitclaiming and granting unto the said Frank B. Bailey, all the right, title, claim and interest of the state of Iowa in and to lot No. six (6) of block No. fifteen (15) in Railroad Addition to Cedar Falls, Iowa.

SEC. 4. **Same.** That the governor of the state be and is hereby empowered, authorized, and directed to execute to Lydia A. Howe of Cedar Falls, Iowa, a quit claim deed, conveying, quitclaiming and granting unto the said Lydia A. Howe, all the right, title, claim and interest of the state of Iowa in and to lot No. two (2) of block No. thirty-five (35) in Railroad Addition to Cedar Falls, Iowa.

Approved April 13, A. D. 1904.



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