

REPORT

OF THE

REGISTER

OF

STATE LAND OFFICE

TO THE

GOVERNOR OF IOWA,

OCTOBER 1, 1877.

DAVID SECOR, REGISTER.

DES MOINES:
R. P. CLARKSON, STATE PRINTER.
1877.

REPORT.

STATE LAND OFFICE, }
DES MOINES, IOWA, October 1, 1877. }

TO HIS EXCELLENCY, JOSHUA G. NEWBOLD, *Governor of Iowa:*

SIR:—In compliance with the provisions of Chapter 159, Acts of Sixteenth General Assembly, I have the honor to submit the following report of the transactions of this department for the biennial period beginning November 1, 1875, and ending September 30, 1877, together with such other information as I think to be of sufficient general interest to embody in this report.

The Hon. J. A. Harvey, in his report of this office, published in the year 1865, reviewed to that date the congressional and legislative enactments relating to the several grants. These reports are nearly exhausted, and as there appears to be an increased desire for information pertaining to land titles, to aid those in search of such information, I give a brief history of each grant.

The subjects of this report will be considered in the following order:

- 1st—The 500,000 Acre Grant.
- 2d—The Sixteenth Section Grant.
- 3d—The Mortgage School Lands.
- 4th—The University Grant.
- 5th—The Saline Grant.
- 6th—The Agricultural College Grant.
- 7th—The Des Moines River Grant.
- 8th—The Swamp Land Grant.
- 9th—The Railroad Grant.
- 10th—Miscellaneous.

1st.—THE 500,000 ACRE GRANT.

The State upon her admission into the Union became entitled to 500,000 acres of lands. These lands were granted by act of Sept. 4, 1841, for the purposes of internal improvements, but the State was admitted, by act of Congress of Dec. 28, 1846, with a provision in her constitution diverting these lands from the purposes of internal improvements, to the support of common schools throughout the State; Congress by said act of admission consenting to the diversion, and by a subsequent act of Congress approved March 2, 1849, assent to such diversion is expressly given. These lands were selected by Commissioners appointed by act of the General Assembly of February 25, 1847, and on September 12, 1854, were approved and certified to the State by the Department of the Interior.

There were about 35,473.54 acres in excess of the grant thus selected and approved—in this quantity is included 12,813.51 acres lying in Webster and Hamilton counties known as Des Moines river school lands. This excess was finally adjusted between the State and the General Government by the latter retaining, with the consent of the State and the Des Moines Valley Railroad Company, (the beneficiary of the Des Moines River grant of July 12, 1862,) an equal quantity of the Des Moines River indemnity lands due the State as per adjustment with the Department, the State accounting to said Railroad company, for said lands so retained at \$1.25 per acre. By act of the General Assembly of January 15, 1849, these lands were to be sold by the School Fund Commissioners, by direction of the Superintendent of Public Instruction.

The act of January 25, 1855, withdraws them from the supervision of the Superintendent of Public Instruction, and requires the School Fund Commissioner to offer and sell them.

The act of March 23, 1858, abolishes the office of School Fund Commissioner, requires the Superintendent to turn over to the State Auditor all his books and papers relating to the School Fund, and those relating to the School and University lands to the State Land Office; empowers the county judge and township trustees to control and sell the 16th Section lands, but makes no provision in regard to the 500,000 acre grant.

The act of April 3, 1860, gives the control of these lands, with the

16th Sections, to the boards of supervisors, and provides for their sale by the clerk of the district court, under direction of said boards. (See Revision 1860, page 348.)

The act of March 29, 1864, fixes the minimum price of School lands at \$1.25 per acre. Prior to this the law fixed no minimum price.

The act of April 7, 1868, creates the office of County Auditor, and provides that he shall perform all duties in respect to School lands and funds, then performed by the clerk of the district court; the county judge to be ex-officio Auditor from January 1, 1869, until the Auditor should be elected and qualified.

The act of March 21, 1870, (see Code of 1873, page 338,) fixes the minimum price of School lands at \$6.00 per acre, and provides that no School land shall be sold in any Congressional township of 36 Sections, until 25 legal voters reside therein; and a fractional township of less than 36 sections, must have a proportionate number of legal voters. It also makes provision for selling school lands for less than the minimum price in certain contingencies. The question of title to the 12,813.51 acres of these lands lying in Webster and Hamilton counties, known as *Des Moines River* School lands, is still before the courts, no decision having been reached.

Henry Fisher, who purchased of John Tolman, School Fund Commissioner of Webster county, the whf of se qr of section 15, and the nhf of the nw qr of section 23, township 87, range 26, surrendered his evidence of title, under the provisions of the act approved April 2, 1860, and the amount paid by him for said tracts, with interest, amounting to \$1,003.48 was refunded December 18, 1876.

Total number of acres certified to the State under the grant...\$535,473.54
Number of acres unpatented, about..... 35,936.48

The following is a statement of the quantity of lands of the 500,000 acre grant in the several counties patented since the last report of this office:

	ACRES.		ACRES.
Adams.....	170.00	Jackson.....	40.00
Allamakee.....	160.00	Jones.....	160.00
Bremer.....	360.00	Lucas.....	40.00
Chickasaw.....	120.00	Madison.....	160.00
Clarke.....	120.00	Muscatine.....	98.43
Clayton.....	80.00	Poweshiek.....	760.00
Decatur.....	196.43	Ringgold.....	114.36
Fayette.....	40.00	Story.....	80.00
Hardin.....	40.00	Union.....	15.00
Harrison.....	280.00		
Total.....		Total.....	3,034.22

*NOTE.—In this quantity is included the 12,813.51, known as *Des Moines River* School lands.

2ND.—THE SIXTEENTH SECTION GRANT.

The State acquired by act of Congress of March 3, 1845, on her admission into the Union, the 16th section in every township in the State, and where said sections had been otherwise disposed of, other lands in lieu thereof.

The act of the General Assembly of February 25, 1847, placed these lands under the control of the School Fund Commissioner and Township Trustees, and authorized their appraisal and sale.

The act of March 23, 1858, abolished the office of School Fund Commissioner, and gave the control of said lands to the County Judge in connection with the Township Trustees.

The act of April 3, 1860, which took effect the first Monday in January, 1861, gave the control and management of these lands to the Boards of Supervisors and Township Trustees, to be sold by the Clerk of the District Court, under direction of said boards.

We have noticed the legislation subsequent to the act of April 3, 1860, relative to the control and disposition of the school lands, under the head of "The 500,000 acre grant," and as it applies alike to both grants, it is unnecessary to repeat it here. The laws now in force regulating the management and disposition of the school lands and funds, are embodied in the Code of 1873, pages 338 to 349.

The proceeds of the sales of the 16th section and 500,000 acre lands the five per cent of the net proceeds of the sales of public lands in the State, and the proceeds of the sales of lands escheated to the State, constitute the permanent school fund of the State, the interest of which can only be used for the support of the common schools.

The act of March 24, 1864, required the clerks of the Boards of Supervisors to report, on May 1, 1864, and semi-annually thereafter, the allotments, appraisements and sales of school lands in their respective counties.

It appears that most of the counties complied with said law in the first year of its existence, but have given little heed to it since. It is, therefore, impossible for this office to report the amount of school lands unsold. This law was not embodied in the Code of 1873, and probably it is generally understood not to be in force.

Sec. 88 of the Code provides "that no patent shall be issued for any lands belonging to the State, except upon the certificate of the person or officer specially charged with the custody of the same, setting forth the appraised value per acre, name of the person to whom sold, date of sale, price per acre, amount paid, name of person making final payment, and of person who is entitled to the patent, and if thus entitled by assignment from the original purchaser, setting forth fully such assignment."

It frequently occurs that the certificate of final payment is not presented for patent until long after it is issued, and when finally presented the original purchaser to whom it was issued may be dead, and his interest transferred. Patents, in such cases, have been issued without a knowledge, at the time, of the death of the purchaser.

The law does not authorize this office to issue patent to any party but the one named in the certificate as being entitled thereto, and the courts hold that in the absence of any statutory provision, a patent to a dead person conveys no title. I would, therefore, respectfully suggest that this matter be presented to the next General Assembly, with a view to the passage of an act similar to that enacted by Congress to meet such cases, which provides that in all cases where patent has issued or shall issue to a dead person, title passes to the heirs or grantee, as the case may be, of such person.

The amount of lands inuring to the State under this grant is about 1,013,614.21 acres. The amount unpatented is about 254,086.83 acres.

STATEMENT

Of the Quantity of Lands of the Sixteenth Section Grant in the several Counties,
Patented since the last Report from this Office:

	ACRES.		ACRES.
Adair.....	2,849.60	Humboldt.....	320.00
Adams.....	1,240.00	Ida.....	320.00
Audubon.....	640.00	Jasper.....	480.00
Benton.....	160.00	Jones.....	200.00
Blackhawk.....	565.00	Keokuk.....	360.00
Boone.....	450.00	Lucas.....	20.00
Bremer.....	200.00	Madison.....	520.00
Buchanan.....	80.00	Marion.....	160.00
Buena Vista.....	600.80	Marshall.....	160.00
Butler.....	680.00	Mills.....	80.00
Calhoun.....	80.00	Mitchell.....	80.00
Cass.....	1,480.00	Monona.....	1,960.00
Cerro Gordo.....	2,500.50	Montgomery.....	820.00
Cherokee.....	1,080.00	Muscatine.....	300.00
Chickasaw.....	440.00	Page.....	880.00
Clarke.....	520.00	Palo Alto.....	379.48
Clayton.....	28.00	Plymouth.....	160.00
Clinton.....	40.00	Polk.....	745.00
Crawford.....	1,500.00	Pottawattamie.....	1,390.00
Dallas.....	960.00	Poweshiek.....	480.00
Decatur.....	320.00	Ringgold.....	300.00
Emmet.....	240.00	Sac.....	1,040.00
Fayette.....	840.00	Shelby.....	720.00
Floyd.....	410.00	Story.....	1,180.00
Franklin.....	160.00	Tama.....	480.00
Fremont.....	320.00	Union.....	1,120.00
Greene.....	920.00	Warren.....	120.00
Grundy.....	2,320.00	Washington.....	80.00
Guthrie.....	1,040.00	Wayne.....	120.00
Hamilton.....	960.00	Winnebago.....	320.00
Hancock.....	40.00	Woodbury.....	1,000.00
Hardin.....	360.00	Worth.....	400.00
Harrison.....	1,760.00	Wright.....	480.00
Henry.....	160.00		
Howard.....	1,440.00		
		Total.....	44,558.38

3RD.—THE MORTGAGE SCHOOL LANDS.

These lands do not belong to any of the grants. They are lands bid off on behalf of the State on foreclosures of mortgages given to secure loans of the school fund in the several counties of the State. They were created as a new class of school lands by the Act of April 8, 1862, and were by said act to be disposed of the same as other school lands; except that Section 11 of said act authorized the Clerk, when application was made to purchase any of them, to appoint appraisers, have them appraised and sell them at the appraisal, provided it equaled the amount of the judgment, interest and costs on which the same were bid in, and if it did not the Board of Supervisors might authorize the sale at such appraisal and report balance as loss to the fund.

The Act of March 21, 1870 repeals said Section 11 and again provides that the lands shall be sold in the same manner as other school lands.

The act of April 9, 1872, provides that on and after January 1, 1874, the several counties shall have sole control and management of all loans on mortgages then held or thereafter made. That foreclosures of mortgages shall be at the expense of the county, and that losses or gains upon foreclosures and re-sales of mortgaged property shall be made good by or inure to the benefit of the county, (see Code, p 348). Prior to the taking effect of this provision there were frequent losses to the School fund, which the State had to make good, occasioned by the insufficiency of security or by the depreciation of the real estate mortgaged.

Under the provisions of Sections 1917 and 1918 of the Code (See p. 355,) the Board of Supervisors has the authority to sell any real estate taken on account of a debt due the county, the proceeds to go to the fund to which the debt belonged, and that all the proceedings of the Board in regard to the sale must be entered on the minute book of the Board, including the resolution making sale, and the yeas and nays on its passage, and that a transcript of the same certified under the hand of the County Auditor and Seal of the Board shall be a *sufficient deed of Conveyance* by the county. This provision in connection with the Act of April 9, 1872, (See Section 1881, Code, p. 348,) seems to

conflict with the act of March 21, 1870, (See Section 1850, Code, p. 341,) which provides that "all lands bid in on execution founded on a judgment in favor of said fund shall be sold and patented the same as other school lands."

Under the act of April 8, 1862, it was the duty of the Clerk of the Board of Supervisors, to issue the certificate of final payment on this class of land, and this continued to be his duty until the creation of the office of County Auditor, when, it was made this officer's duty to issue certificates of final payment on *all* school lands.

The law required that these lands, when bid off and conveyed to the State, should be reported to the State Land Office, but this requirement is omitted in the Code.

The following is a statement of the real estate bid off by the State on foreclosure of Mortgages for the use of the school fund, and patented since our last biennial report :

COUNTIES.	ACRES.	LOTS.
Allamakee.....	120.00	.....
Benton.....	47.00	.....
Chickasaw.....	80.00	.....
Clarke.....	.....	3
Decatur.....	140.00	2
Fayette.....	.....	20
Jackson.....	40.00	.....
Johnson.....	13.00	.....
Muscatine.....	.....	1
Story.....	140.30	6
Wapello.....	40.00	5
Washington.....	77.00	.....
Wayne.....	.....	1
Total.....	697.30	38

4TH.—THE UNIVERSITY GRANT.

Congress, by act of July 20, 1840, authorized the Secretary of the Treasury to set apart and reserve within the Territory of Iowa, a quantity of lands not to exceed two entire townships for the support of a University when the Territory should become a State. The act entitled, "An act supplemental to the act for the admission of Iowa and Florida into the Union," approved March 3, 1845, again grants these lands to the State to be appropriated for such University in such manner as the legislature may prescribe. The secretary, in setting apart these lands, considered the grant as one for seventy-two sections of six hundred and forty acres each, or, 46,080 acres, and in making the selections he accounted fractional sections of more than six hundred and forty acres at their true value, and those of a less quantity than six hundred and forty acres, as full. The number of sections actually certified under this construction of the grant, was but seventy, whereas the grant calls for seventy-two sections.

According to the secretary's interpretation of the grant, the State has received all she is entitled to except 122.06 acres.

These lands are under the control and management of the Board of Regents of the State University at Iowa City.

For the laws regulating the sale of these lands and their management, see chap. 2, Code of 1873, page 295, and for prior laws relating thereto, see chap. 84, Rev. 1860, chap. 126, Acts 1862, and chaps. 59 and 78, Acts 1864.

The quantity of land actually certified under this grant is 45,928.84 acres. The quantity unpatented is 6,712.82.

The following is a statement of the lands of the University grant patented since the last report of this office :

	ACRES.
Appanoose county.....	40.00
Boone ".....	80.00
Davis ".....	80.00
Decatur ".....	80.00
Hardin ".....	108.59
Jasper ".....	320.00
Lucas ".....	160.00
Polk ".....	760.00
Story ".....	360.00
Union ".....	78.15
Warren ".....	208.96
Total.....	2,275.70

5TH.—THE SALINE LANDS.

By the act of Congress approved March 3d, 1845, being "An Act supplemental to the Act for the admission of the States of Iowa and Florida into the Union," there was granted to the State *the use* of the Salt Springs therein, not to exceed twelve, with six sections of lands contiguous to each.

These springs and lands were relinquished to the State by act of Congress entitled "An Act to relinquish to the State of Iowa the lands reserved for Salt Springs therein." Approved May 27, 1852. This act gave the State the fee-simple title to said lands, and provided that the same be disposed of by direction of the legislature. (See chapter 42, 1st session 32 Congress).

The quantity of lands approved and certified to the State under this grant is 46,202.53 acres. The quantity unpatented, about 3,118.29 acres.

The following is a synopsis of the legislation of the State relative to these lands :

The Act approved February 24, 1847, directs the method of selecting them.

The Act approved February 5, 1851, provides that these lands shall be sold "by the same officer as though they were a part of the Des Moines River lands:" (*Register Des Moines River Improvement*), that the proceeds shall constitute a fund for founding a lunatic asylum. It also provides for pre-emptions of said lands. It appears that no sales were made under this act.

The Act approved January 23, 1853, provides that these lands shall be sold as though they formed part of the School lands, and that the proceeds shall be paid into the State Treasury.

The Act approved January 25, 1855, relates to selling the Saline, School and University lands, and provides for transferring moneys, notes and other papers belonging to the University, or Saline funds that are in possession of the State Treasurer, to the Treasurer of the State University.

The Act approved July 14, 1856, again appropriates the proceeds of these lands to the Insane Asylum.

The act of March 28, 1858, repeals that part of the act of July 14, 1856, which appropriated the proceeds of Saline lands to the Insane Asylum.

The act of March 26, 1860, (see Revision 1860, page 345,) confers on the County Judge and County Treasurer, the same powers in regard to Saline lands which were vested in the School Fund Commissioner by act of January 25, 1855.

The act of April 2, 1860, (see Revision 1860, page 346,) makes the Saline lands and funds, a part of the permanent fund of the State University, and requires the proceeds of the lands to be paid over to the Treasurer thereof.

The act of March 31, 1862, which became a law without approval, extended the time for claimants to prove up and purchase certain Saline lands.

The act approved March 25, 1864, places these lands and proceeds thereof, and all notes, contracts, and other securities therefor under the control of the Board of Trustees of the State University; authorizes the board to sell the lands and make certificates of final payment, upon which patents will issue and legalizes patents previously issued on certificates of the Treasurer of said University and of the Clerk of Lucas county.

By mistake, section 36, township 70, range 17, in Appanoose county, was placed on the Tract Book of Saline lands in this office, and the greater portion of the same sold by the officers of Appanoose county having charge of the sale of Saline lands in said county. This matter was brought before the General Assembly at its Eleventh Session, when a law was passed providing for refunding the money to the purchasers of said lands. (See chapter 17, Acts 1866, page 14, approved March 3, 1866.)

By act of the Thirteenth General Assembly, approved April 11, 1870, these lands were placed under the control of a Board of Regents. (See Chap. 87, Acts 1870, p. 88.)

The following described tracts, to-wit: The s hf of section 13 and ne qr of section 23, township 70, range 16, were selected as Saline lands and approved and certified to the State, as such, by the Department of the Interior; they have been treated by the State as part of said grant ever since such approval, and a portion sold by the authorities of the State. Said tracts were subsequently approved by the Secretary of the Interior, to-wit: on February 23, 1869, as issuing to the Burlington & Missouri River Railroad Company, and are claimed by said company as part of their lands. We addressed a letter to the Commissioner of the General Land Office, in regard to said tracts, and he replied stating that the approval of the same as Saline lands was revoked by the Secretary of

the Interior, December 15, 1855, for the reason "that five full sections contiguous, had been approved, irrespective of this tract."

The General Assembly, by act approved March 17, 1876, authorized the Auditor of State to negotiate with the Burlington & Missouri River Railroad Company, for the purchase of that portion of said tracts sold by the State, with a view to confirming title in the grantees of the State. The price not to exceed the amount for which said tracts were sold by the State, with ten per cent. interest from date of sale.

Nothing has been done under said act relative to a negotiation with the railroad company.

This grant, as hereinbefore stated, is for twelve salt springs with six sections contiguous to each, making seventy-two sections, or 46,080.00 acres, provided none of the sections were fractional. On account of some of the sections being fractional, the quantity as approved and certified to the State, exceeds that amount by one hundred and twenty acres. This list, as approved and certified to the State describes just six sections as contiguous to salt spring number four; the quantity given in these is 3,869.67 acres. Two of these sections are fractional, which makes the quantity 29.67 acres more than if there were no fractional sections. The $s\frac{1}{2}$ sec. 13, and $ne\frac{1}{4}$ of sec. 23, tp. 70, r. 16 aforesaid, is a part of said six sections. Hence, the reason for revoking their approval as saline lands is not apparent.

The following is a statement of the saline lands patented since the last report of this office :

	ACRES.
Appanoose county.....	480.00
Decatur ".....	80.00
Lucas ".....	120.00
Wayne ".....	200.00
Total.....	880.00

6TH.—THE AGRICULTURAL COLLEGE GRANT.

By act of July 2, 1862, Congress donated to each State which might provide a college or colleges, for the benefit of Agriculture and the Mechanic arts, an amount of the public lands equal to thirty thousand acres for each Senator and Representative in Congress to which the States respectively were entitled by the apportionment of the census of 1860, in the following terms :

SEC. 2. That the land shall not be selected in less than quarter sections. That where there are public lands in a State subject to private entry at \$1.25 per acre, its share shall be selected therefrom, and when there are no such lands in a State, the Secretary of the Interior shall issue scrip in the required amount, said scrip to be sold and the proceeds applied to the purposes specified in the act. That no State can locate scrip in any other State or Territory, but that the same can be located by their assigns. That not more than one million acres can be located in any one State, and that no location shall be made within a year from the passage of the act.

SEC. 3. That all expenses, including taxes, from date of selection of the lands shall be paid by the State, so that the proceeds of sale of said lands may be kept entire.

SEC. 4. That the moneys derived from sale of lands on scrip, shall be invested in United States' or State Stocks, or some other safe stocks yielding not less than five per cent., and shall constitute a permanent fund, (except as provided in Section 5,) the interest to be used for the support of at least one college, where shall be taught such branches as are related to agriculture and the mechanic arts, including military tactics, but not excluding other scientific and classical studies.

SEC. 5. That the grant is made on the following conditions:

1st. The State shall make good any loss of principal or interest, and the annual interest shall be regularly applied to the purposes mentioned, except the legislature may authorize the appropriation of ten per cent. thereof for the purchase of lands for sites for experimental farms.

2d. That neither principal or interest of said fund shall be applied directly or indirectly, under any pretense whatever, to the purchase, erection, preservation or repair of any building or buildings.

3d. That the State claiming the benefit of this act shall provide at least one college, and if not provided in five years the grant to such

State shall cease, and the money for lands sold be refunded, but the title of purchasers from the State shall be valid.

5th. Lands selected from double minimum priced lands are to be accounted at double the quantity which they actually contain.

6th. That no State while in rebellion or insurrection against the government shall have the benefit of this act.

7th. That no State shall have the benefit of this act unless within two years from date of its approval the legislature shall accept the same.

SEC. 6. That the land scrip cannot be located until after January 1, 1863.

SEC. 7. That the local government land officers shall receive the same fees for locating scrip as are allowed for locating bounty land warrants.

SEC. 8. That in the States to which scrip is issued, the governors shall report annually to congress all sales made of same, until the whole is disposed of, showing the amount received and disposition of proceeds.

By act of the extra session of the Ninth General Assembly, approved September 11, 1862, the grant was accepted upon the conditions of the act of Congress, and the Governor was required to appoint an agent to select and locate the lands, and report; the Governor to lay the list of selections before the Trustees of the Agricultural College for their approval. One thousand dollars were appropriated to carry out the provisions of the act. No lands claimed by any county as swamp, were to be selected.

The agent appointed to select the lands, (Peter Melendy,) made the selections in the months of August, September and December, 1863, and the selections were approved to the State by the Secretary of the Interior, December 13, 1864.

The State was entitled, in accordance with the terms of the grant, to 240,000 acres of lands—having eight Senators and Representatives in Congress.

The actual quantity of land approved to the State under said grant, was 204,309.30 acres, but 35,691.66 acres being within the railroad limits, were approved at double their quantity, making the amount 240,000.96 acres.

The Agricultural College and Model Farm were established by act of March 22, 1858, and placed under the control and management of a Board of Trustees. (See chapter 91, Acts 7th General Assembly).

The proceeds of the five sections of lands in township 78, range 20, in Jasper county, granted by act of Congress of March 3, 1845, for the erection of public buildings, were by the said act of the General Assembly, donated to said College, provided Congress should assent to the diversion.

In response to a joint resolution of the General Assembly of March 22, 1858, Congress, by act approved July 11, 1862, authorized the State to make such disposition of said lands as was deemed best, thereby consenting to the diversion.

By act of the Tenth General Assembly, approved March 29, 1864, the Trustees of the college and farm were authorized to sell all lands acquired, granted, donated or appropriated for the benefit of the college, and to invest the proceeds. Said act provides that not more than ten per cent. of the lands granted shall be sold previous to April 1, 1866; also, for issuing patents to purchasers.

By act of the General Assembly, approved March 29, 1866, the appraisalment of the lands granted by Congress was raised fifty per cent. above that made by the Trustees of the college, in the year 1865, and said Trustees were authorized to sell *all* of the said lands, or lease them in amounts not to exceed one hundred and sixty acres to any one individual; the lessee to have the privilege of purchasing the land at or before the expiration of the lease at such advanced appraisalment.

This act provides that the money arising from the sales of lands shall be paid into the State Treasury, and that the State Treasurer shall invest the same in bonds of the State or United States Registered Bonds, and that the interest on the leases be paid over to the Trustees of the college, to be loaned on good security until needed to defray expenses of the college.

The Trustees are further authorized by this act to appoint agents, or to do any other act to carry out the provisions of the law.

The provisions of this act are incorporated in the Code of 1873. (See Chap. 3, Title 12.)

That portion of said law requiring the State Treasurer to invest the proceeds of the sale of said lands, was amended by act of the Sixteenth General Assembly. (See Chap. 91, p. 74, Acts 1876.) This act provides that the State Treasurer shall invest said funds, subject to the approval of the Executive Council, "in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum on the par value of said stocks, as directed by the act of Congress granting said lands; and the money arising from the interest on

said stocks, on the deferred payments, and on the leases of said lands, as rental thereof, shall be paid over to the Board of Trustees and may be loaned by said Board of Trustees on good and sufficient security, when not needed to defray such expenses of the college as said moneys are legally applicable thereto."

An act was passed by Congress on July 23, 1866, extending the time for States to comply with the act of July 2, 1862, granting lands for Agricultural Colleges.

A portion of the interest money arising from leases of the lands granted by Congress for the college, was invested by the Trustees in the purchase of Agricultural College scrip of other States, which scrip was located in the name of James C. Cusey, as the agent of the college, and was afterwards deeded to the State by said Cusey for the benefit of the college.

The certificates of purchase for said lands were turned over to this office, and I have recently procured patents for all the lands, except for the nw qr. sec. 29, tp. 98, r. 47. I have written to the Commissioner of the General Land Office in regard to this tract, but have received no reply as yet. The certificate of purchase will be held until notice is received that patent is ready for delivery.

This investment of interest money was not such as the law of the State contemplated, but was undoubtedly a much safer and a more profitable investment than "loaning it (at 10 per cent.) on good security," and so far as I know no exceptions have been taken to it.

The following is a statement of the quantity of lands received for the benefit of the Agricultural College, by grant, purchase, and by private donations; also, the total amount of each the State has patented:

CLASS.	No. of acres received.	No. of acres patented.
Granted by Congress July 2, 1862.....	204,309.30	28,548.42
Five Section Grant.....	3,200.00	3,200.00
Donated in Boone county.....	280.00	220.00
Donated in Story county.....	1,297.88	630.00
Located by James C. Cusey.....	15,023.18	800.00
Total.....	224,110.36	33,398.42

In addition to these lands there have been donated two lots in Boonsboro, Boone county, and six lots and one block in New Philadelphia, Story county. Of these, one lot, in Boonsboro, has been patented.

According to the best information I have, nearly all these lands have either been sold or leased by the agents of the College.

The following is a statement of the quantity of lands of the Agricultural College grant in the several counties patented since the last report of this office:

	ACRES.		ACRES.
Calhoun.....	160.00	Hamilton.....	1,219.58
Cherokee.....	480.00	Humboldt.....	372.40
Clay.....	602.38	Kossuth.....	5,381.25
Dickinson.....	160.00	Palo Alto.....	960.00
Emmet.....	160.00	Webster.....	800.00
Greene.....	160.00	Wright.....	320.00
Total.....			10,775.61

There has also been patented since the last report of this office, of the lands donated for the Agricultural College and Farm, twenty acres situated in Story county.

7TH.—THE DES MOINES RIVER GRANT.

The act of August 8, 1846, granted to the Territory of Iowa, for the improvement of the navigation of the Des Moines river from its mouth to the Raccoon fork, "one equal moiety in alternate sections of the public lands, remaining unsold and not otherwise disposed of, incumbered or appropriated, in a strip five miles in width on each side of said river, to be selected within said territory by an agent or agents to be appointed by the Governor thereof, subject to the approval of the Secretary of the Treasury of the United States."

This act further provided that when the territory should be admitted as a State, the lands should be the property thereof, whenever the legislature accepted the grant for said purpose.

The State accepted the grant by joint resolution of January 9, 1847.

The State elected to take the odd numbered sections; and this choice was approved by the Secretary of the Treasury.

The agents appointed by the Governor to select the lands, selected the undisposed of odd numbered sections within the five miles limits of the river, from its mouth to the north line of the State.

A Board of Public Works was created by act of the General Assembly of February 24, 1847, to have charge of the improvement, with authority to sell the lands to pay for the work.

There were conflicting opinions between the government officials as to the extent of the grant.

Commissioner Richard M. Young, on February 23, 1848, held that the grant was throughout the whole extent of the river in Iowa.

The Secretary of the Treasury, R. J. Walker, March 2, 1849, gave a similar opinion.

The Commissioner of the General Land Office, on June 1, 1849, directed the local Government Land Office to withhold from sale all lands in the odd numbered sections, above the Raccoon forks, within five miles limits of the river;—the surveys only then extending in that direction to township 83, range 26.

The Secretary of the Interior, Mr. Ewing, on April 6, 1850, reversed the decision of Secretary Walker, but directed that the lands be withheld from sale until Congress could pass an explanatory act.

An appeal was taken to the President, who referred the matter to the Attorney General, (Mr. Johnson.) His opinion coincided with

that of Secretary Walker, that the grant extended throughout the extent of the river in Iowa.

In consequence of the death of President Taylor, and the formation of a new cabinet, this opinion was not published, and no further action was taken.

The question was again referred to the Attorney-General, (Mr. Crittenden) who, on June 30, 1851, gave an opinion that the grant did not extend above the Raccoon fork.

The Secretary of the Interior, (Mr. Stuart) favored this decision, but consented to bring the matter before the president and cabinet, who decided in favor of the State's selections.

Following this decision, several lists of lands above the forks were approved and certified, amounting in the aggregate to 271,572.24 acres.

In this quantity were included 12,813.51 acres of lands that had been approved under the act of Sept. 4, 1841, (the 500,000 acre grant) but which approval was rejected by the Secretary of the Interior, because of the same being within the five miles' limits of the river. This rejection was disapproved of by the Secretary of the Interior in 1866, and the title to the lands affirmed under act of Sept. 4, 1841.

On June 9, 1854, the commissioner of the Des Moines river improvement and assistant commissioners, under authority of an act of the General Assembly, made a contract with the Des Moines Navigation and Railroad company, agreeing to sell all lands donated to the State by act of August 8, 1846, which the State had not sold prior to Dec. 23, 1853, for \$1,300,000; said sum to be expended on the improvement of the river, and in payment of the debts then due. This contract is published in the appendix to the House Journal of 1855.

On March 21, 1856, the Commissioner of the General Land Office decided that the grant was limited to the Raccoon fork, and the matter was again brought before the Secretary of the Interior, and by him referred to the Attorney-General, (Mr. Cushing). He held that as regarded the selections already approved the action was final, and that the government was bound by it. He also advised that Secretary Stuart's decision be accepted as final on the part of the Department, provided the State would accept it, and that the residue of the lands to the northern boundary of the State should be approved and certified. The Secretary concluded to be governed by the advice of the Attorney-General, and approved the lists, but directed that they be withheld until a contract was filed by the State relinquishing all claim to lands in Minnesota. This was not done by the State.

In accordance with the terms of a joint resolution of the General Assembly approved March 22, 1858, a settlement was effected between the State and the Des Moines Navigation and Railroad Company, under which the State deeded to said company all the lands certified under said grant, not previously sold or disposed of, amounting to some 266,239.04 acres. These deeds, fourteen in number, were dated May 3 1858, and described the land by section, township and range. There was, also, a deed made May 18, 1858, which described the lands in general terms, without particular description, and was, no doubt, intended to cover any tracts that may have been omitted or overlooked.

The Supreme Court of the United States, at the December term, 1859 decided that the grant was limited to the Raccoon fork, and declared all certificates for land above the fork issued without authority and void.

By a joint resolution of Congress, of March 2, 1861, the lands improperly certified above the Raccoon fork, which were held by bona fide purchasers from the State, were relinquished to the State.

As the act of Congress of September 28, 1850, granted all the swamp and overflowed lands to the State, and as the grant by said act was held by the Supreme Court of the United States to be a present grant, did the relinquishment by this joint resolution include any legal sub-division, the greater part of which was so far swamp or overflowed as to be too wet for cultivation?

By act of July 12, 1862, the grant was extended from the Raccoon fork to the northern boundary of the State.

Said act also provided that indemnity be given for all of said lands sold by the Government. The lands so granted to be held and applied for the purposes of the original grant, except, that consent was given to apply a portion of them to aid in the construction of the Keokuk, Ft. Des Moines & Minnesota Railroad, (otherwise the Des Moines Valley Railroad.)

Under this act there have been approved and certified to the State :

Lands in place.....	213,700.41 acres.
Indemnity lands	298,919.45 acres.

The quantity of indemnity lands here given is taken from the list certified by the Department to the State, but it is not strictly correct, as fractional sections on the north and west lines of townships are accounted as full, whereas they are usually less than 640 acres.

The State has disposed of these lands as follows:

Patented and certified to the Des Moines Valley R. R. Co.....	493,346.22 acres.
Patented to S. H. Taft.....	6,363.48 acres.
Patented to settlers	1,429.13 acres.
Released to United States.....	320.00 acres.
Lands in place withheld on account of conflicts.....	11,161.03 acres.

The Des Moines Valley Railroad Company, the successor to the Keokuk, Ft. Des Moines & Minnesota Railroad Company, having assumed and paid the existing liabilities on account of work done on the Des Moines River Improvement, was, under the provisions of the act of the General Assembly of March 31, 1868, entitled to these lands, or the proceeds when any had been disposed of to other parties; the money, therefore, received from S. H. Taft, and from the settlers, was paid over to said Company.

In accordance with law, Mr. Taft received his lands at \$1.25 per acre, and the settlers theirs at \$2.50 per acre.

After the decision of the Supreme Court was rendered, that the grant only extended to the Raccoon fork, and that the certification of lands above that point was erroneous and void, the Department of the Interior considered that these lands had passed to the State under the act of May 15, 1856, (the railroad grant), and accordingly approved and certified them to the State under said act.

In the Walcott case decided at the December term 1866, of the Supreme Court of the United States, it was held that these lands did not pass under the Railroad grant of May 15, 1856, because of the reservation by the Secretary of the Interior for the purposes of the river improvement, and that title had passed to the State and its grantees under the Joint Resolution of March 2, 1861, that the certification under the Railroad grant was void.

In May, 1866, while these lands were held to be a part of the railroad grant of 1856, Hon. J. A. Harvey, commissioner for the State, made an adjustment with the commissioner of the general land office of this grant, which was approved by the State Census Board on June 20, 1866, by which the State was awarded indemnity for said lands amounting to 298,921.06 acres. The State, by her agent, Hon. D. W. Kilbourne, subsequently selected the amount of lands due under this award, which were approved and certified to the State by the department, and by the State conveyed to the Des Moines Valley Railroad Company. But, as it was held by the court in the Walcott decision,

that these lands *in place* inured to the State and its grantees under the joint resolution of March 2, 1861, therefore the State was not entitled to this indemnity award, and no title passed by the certification of these indemnity lands to the State.

Congress, however, by an act approved March 3, 1871, confirmed the title to said lands in the State and her grantees. (See also the decision of the Supreme court in the case of "The Iowa Homestead Company, vs. The Des Moines Navigation and Railroad Company, Samuel G. Walcott, et. al.," Dec. term, 1872.)

The title to the lands above the Raccoon fork, certified to the State many years since for the improvement of the Des Moines river, has been finally settled by the supreme court of the United States, said court holding that title to said lands passed to the State and her grantees,—the Des Moines Navigation and Railroad Company and others—except as to the 12,813.51 acres of lands known as Des Moines River School lands, the title to which is still in litigation.

There are several hundred patents in this office for Des Moines river lands sold by the State to individuals, which will be delivered free of charge, upon surrender of the receipt or certificate of purchase held by the purchaser.

A STATEMENT

In brief, of the Lands approved and certified to the State by the Department, under the Des Moines River Grant, and of the disposition of the same by the State :

Certified under act of August 8, 1846 :

Below the forks	321,188.33 acres.
Above the forks	271,572.24 acres.

Patented by the State to Des Moines Navigation and R. R. Company :

Below the forks.....	53,680.69 acres.
Above the forks	212,558.35 acres.

Patented by the State to individuals *under said grant* :

Below the forks.....	267,507.64 acres.
Above the forks.....	59,013.89 acres.

Certified under act of July 12, 1862 :

Lands <i>in place</i>	213,700.41 acres.
Indemnity lands.....	298,919.45 acres.

These were disposed of as follows:

Patented and certified to the D. V. R. R. Co.....	493,346.22 acres.
Patented to S. H. Taft.....	6,363.48 acres.
Patented to settlers	1,429.13 acres.
Released to United States.....	320.00 acres.
Withheld from patent on account of conflicts.....	11,161.03 acres.

8TH.—THE SWAMP LAND GRANT.

The act of September 28, 1850, granted to the State of Iowa all of the swamp and overflowed lands within its limits made unfit thereby for cultivation, which remained unsold at that date, and made it the duty of the Secretary of the Interior to make an accurate list and plats of same, and transmit them to the governor, and at his request to issue patent therefor; the patent to vest in the State the fee simple title to said lands, subject to the disposal of the legislature of the State. The lands and the proceeds thereof to be applied as far as necessary to the purpose of reclaiming them by means of levees and drains.

The act defines said lands to be all legal sub-divisions of the public lands, the greater part of which are wet and unfit for cultivation.

Subsequent to the passage of said act, a large quantity of these lands were entered at the local government land offices, with cash bounty land warrants and scrip, and to relieve the purchasers and indemnify the State for the loss of these lands, an act was passed by Congress, approved March 2, 1855. This act provides that the purchasers of said lands, from the government, shall have patents for the same, and that the State should receive the purchase money for such tracts as were entered with cash, and for such as had been located with warrant or scrip, should be authorized to locate a like amount on any public lands subject to entry, at one dollar and a quarter per acre, or less, and receive patents therefor.

The act of March 3, 1857, continues said act in force up to that date, and confirms all selections of swamp and overflowed lands that had been made and reported to the Commissioner of the General Land Office, and provides that they shall be approved and patented to the State, except such tracts as have been disposed of as aforesaid for cash, warrant or scrip.

The act of March 2, 1860, limits the time for selecting these lands to two years from the adjournment of the next legislature after said act, as to lands that have been surveyed, and as to lands not surveyed within two years from the adjournment of the Legislature after the Secretary of the Interior has notified the Governor that the surveys have been completed.

The Department never furnished the State with *plats* of the swamp and overflowed lands as required by the act making the grant.

The following gives, in brief, the legislation of the State relative to said grant:

The act approved February 5, 1851, authorizes the Commissioner of the State Land Office to take such steps as he thinks necessary to secure the swamp and overflowed lands to the State, to sell the same, and after defraying the expenses of selecting and reclaiming, pay the balance into the State treasury; requires the Governor to discharge the duties of the commissioner aforesaid until such commissioner can be elected and qualified, and gives the county surveyor authority to contract for levees and drains, (subject to the Governor's approval.)

The act approved January 12, 1853, grants these lands to the several counties and provides for their protection and reclamation.

The act approved January 26, 1853, requires the selecting agent to report to the Secretary of State and the Secretary to forward report to Surveyor-General.

The act approved January 25, 1855, authorizes the Governor to draw from the United States the Swamp indemnity money, also to take such steps as he thinks best to secure the swamp lands to the State. (Acts 1855, Chap. 138, p. 261.)

Another act approved January 25, 1855, provides that the Swamp lands in the unorganized counties shall not be disposed of until title is perfected in the State, that when perfected, title shall be transferred to such counties provided they refund to the State the expenses of selecting them; that organized counties may apply the proceeds of irreclaimable lands to the erection of public buildings; that the Drainage Commissioner in such cases shall pay over the proceeds to the County Treasurer, and that swamp lands shall not be sold for less than \$1.25 per acre. (Acts 1855, p. 173.)

And still another act approved January 25, 1855, provides for preventing waste or trespass on Swamp lands. (Acts 1855, p. 228.)

The Act approved July 15, 1856, requires Swamp land funds to be paid into the County Treasury, to be paid out only on the order of the County Judge and Swamp Land Commissioner. Also, for loaning the Swamp land fund.

The act approved January 24, 1857, repeals all laws granting pre-emption rights on swamp lands.

The act approved January 27, 1858, authorizes the Governor to appoint an agent to go to Washington for the purpose of effecting a settlement of the swamp land business with the United States; also, to appoint two or more agents to complete selections in unorganized coun-

ties; makes an appropriation for expenses, and provides for refunding the same to the State with interest.

The act approved March 22, 1858, extends the time for proving up and perfecting pre-emptions, to persons who had valid claims on September 5, 1857, (Acts 1858, p. 198).

Another act approved March 22, 1858, authorizes the counties to use the proceeds of swamp lands for the erection of buildings for educational purposes, building roads, bridges and railroads, after the question has been voted upon by the citizens. It also provides that they may be sold for the purposes mentioned, the purchaser taking them on the conditions of the grant of September 28, 1850, and releasing the State and county from all liability. (Acts 1855, p. 256).

The act of 1862, chapter 77, amends this act by further giving to the several counties authority to devote the proceeds of these lands to the permanent school fund.

The act approved April 8, 1862, provides for the appointment by the Governor of general agents to settle swamp land matters with the Commissioner of the General Land Office, but not to receive any moneys from the government; their compensation to be \$4.00 per day, to be paid by the counties in proportion to the amount of money and lands received; for the reception and location of swamp land indemnity scrip; requires the locating agent to report to State Land Office; provides for appointment by the Governor, of special agents upon the recommendation of the board of supervisors, to settle with the Commissioner of the General Land Office; also, that they may receive the proceeds of such settlement for their respective counties, the costs, expenses and compensation to be paid by the counties; requires the swamp land indemnity money, when received, to be paid into the State Treasury, and only to be paid out to the duly authorized agent of the county. (Acts 1862, p. 186).

The act approved March 22, 1864, provides that the Boards of Supervisors may have the swamp and overflowed lands appraised, and that they may sell the same either at public or private sale for not less than the appraisement.

The act approved March 30, 1866, appoints Hon. Josiah A. Harvey a Commissioner to adjust with the General Government the swamp land matters and claims for the State, compensation to be \$2.00 per day and necessary expenses.

Mr. Harvey made a report to the Governor as such Commissioner, in which he gives among other information an important tabular state-

ment of the *status* of the swamp claim of each county at that date. This act was amended by act of April 7, 1868, which allows five dollars per day and necessary expenses to such Commissioner while engaged in the performances of his duties, and provides for filling the vacancy in case the position should from any cause become vacant. Mr. Harvey made a second and very able report as such Commissioner on March 14, 1872, which terminated his connection with the office.

Soon after Mr. Harvey resigned said office, John Cleghorn, of Sioux City, was appointed to fill the vacancy. He entered upon the discharge of his duties May 28, 1872, and continued to hold the office until it was abolished by act of March 18, 1874. He made a report of his doings, October 28, 1873, which is published in the Report of this office for that year.

Two decisions of importance affecting titles to swamp lands have been rendered by the Supreme Court of the United States. (See 9 Wallace, pp. 89-100.) The first of these is in the case of the Burlington & Missouri River Railroad Company vs. Fremont county. The railroad company claimed title to certain lands under the Act of May 15, 1856, and the county, as grantee of the State, claimed under Act of September 28, 1850. The lands had been certified under the railroad grant. The county was plaintiff and the railroad company defendant.

It was held by the court that the lands were reserved from the operations of the Act of May 15, 1856, on account of the prior grant, and by reason of the proviso of reservation contained in the Act itself. And further, that as said lands had been selected and reported to the Commissioner of the General Land Office prior to the location of said road on the ground, they were therefore confirmed to the State and her grantees by the Act of March 3, 1857.

This decision is averse to the theory and practice of the Department of testing by the field notes and plats of Government surveys the selections of swamp and overflowed lands made and reported to the Commissioner of the General Land Office, prior to March 3, 1857, notwithstanding the confirmatory act of Congress of that date.

The second decision is in the case of the Hannibal & St. Joseph Railroad Company vs. Smith. The latter was the defendant and claimed title under the swamp grant. The Railroad Company was the plaintiff and claimed title under an act of Congress of June 10, 1852, granting lands to the State of Missouri for railroad and other purposes.

The court in this case held that the swamp land grant of September

28, 1850, was a present grant, vesting title in the State to "such legal subdivisions of the public lands, the greater part of which were so far swamp and overflowed as to be too wet for cultivation." That to defeat plaintiff's title it was only necessary to prove that the land in controversy was swamp, within the meaning of the grant. (The grant under which plaintiff claimed, also contained a proviso of reservation like that of the act of May 15, 1856.) That a failure on the part of the Secretary of the Interior to make the selection did not defeat the State's title, as "her rights did not depend on his action, but on the act of Congress."

There were a number of counties that made selections of swamp and overflowed lands and transmitted them to the Surveyor General in accordance with the instructions from the Commissioner of the General Land Office, which said Commissioner directed should not be forwarded to his office because they did not comply with instructions subsequently given, and which widely differed from the instructions under which the selections were made, and notwithstanding the decision of the Supreme Court herein referred to, constantly refused to take them up and pass upon them. The attention of Congress was finally called to the matter, and an act was passed March 5, 1872, as follows: "That the Commissioner of the General Land Office is hereby authorized and required to receive and examine the selections of swamp lands in Lucas, O'Brien, Dickinson, and such other counties in the State of Iowa as formerly presented their selections to the Surveyor-General of the district including that State, and allow or disallow said selections and indemnity provided for, according to the acts of Congress in force touching the same at the time such selections were made, without prejudice to the legal entries or the rights of bona fide settlers under the homestead and pre-emption laws of United States, prior to the date of this act."

On July 7, 1875, the Commissioner of the General Land Office decided that when lands claimed by the State, as swamp or overflowed, had been certified under the railroad grant, an investigation would be allowed to determine as to the swampy character of the same, (unless the State formally abandoned her claim,) and if upon such examination any of such lands should be found to be swamp or overflowed, within the meaning of the grant, they would be approved and patented as such, notwithstanding the former certification under the railroad grant.

The Secretary of the Interior has since reversed said decision, as follows:

Decision of the Secretary of the Interior, relative to considering the swamp claim to lands, approved under railroad or other grants:

"DEPARTMENT OF THE INTERIOR, }
WASHINGTON, August 24, 1876. }

SIR: I have considered the case of the State of Iowa vs. The Cedar Rapids & Missouri River, Dubuque & Sioux City, and Iowa Falls & Sioux City Railroad Companies, involving the right to certain lands, certified to the State and to said railroad companies, under various grants, and now claimed by the State as swamp lands under the act of September 28, 1850, on appeal from your decision of July 7, 1875.

You held that if said lands were swamp and overflowed at the time of the passage of the act aforesaid, the State is now entitled to them, notwithstanding the former certification, that an investigation should be made to determine their character at that time, and if it is shown that they were swamp and overflowed lands, they would be certified to the State as such, and upon request of her Governor, patents would issue to the State therefor.

From this decision an appeal was taken by the above named railroad companies, and they now urge the following objections:

First—That the State is estopped by her own acts and the acts of her authorized agents from asserting any claim to the lands in question.

Second—That said lands having been once duly certified to the State or to said companies under grants made to aid in the construction of certain railroads, have passed beyond the jurisdiction of this Department.

Particular attention is called to the grant made by the act of Congress approved May 15, 1856, (11 Stats. page 9), and I will consider it, and the acts of the State thereunder, upon the first objection urged.

By said act there was granted to the State of Iowa to aid in the construction of certain lines of railroads therein mentioned, "every alternate section of land, designated by odd numbers, for six sections in width on each side of said roads."

It was further provided that if at the time the lines or routes of said roads were definitely fixed, the United States had sold any of the lands so granted or if the right of pre-emption had attached to the same, that other lands should be selected in lieu thereof by agents appointed by the Governor of said State, subject to the approval of the Secretary of the Interior.

This grant, the State of Iowa, by an act of her General Assembly, dated July 14, 1856, accepted upon the terms and conditions therein specified, and by the same act granted said lands to the several roads therein mentioned.

After the lines and routes of the several railroads mentioned in the act of July 14, 1856, aforesaid, became definitely fixed, the State, through her duly authorized agent, procured the lands inuring to said grant, including the lands in question to be certified to her, and then transferred them to the companies entitled thereto respectively. It further appears that the State, by act of her General Assembly, authorized the said Companies to make

such disposition of said lands, by mortgage or deed of trust, as might by them be deemed proper, in order to secure means to aid in the construction of said roads, and that they were mortgaged for that purpose. It further appears that the State has insisted on her right to tax said lands as the property of the respective railroads, since they were transferred to them for State, County, and all other purposes, which taxes the Companies have been compelled to pay.

In view of the facts thus appearing, I am of the opinion that the objection is well taken.

A State may be estopped by her own acts or the acts of her authorized agents:

Com. vs. Andre, 3d Pick. 224.

Bransen vs. Wirth, 17 Wall 42.

Nieto vs. Carpenter, 7 Cal. 528.

Bigelow on Estoppel, 246.

Upon the question raised by the second objection, I am of the opinion that the rule laid down by Secretary Thompson in his decision of February 8, 1860, that "when the Department has fully executed one grant, its officers should cease all action under another grant of the same land to the same grantee," should be followed in this and all similar cases. While I am not prepared to admit that the Department loses jurisdiction to act in every case where lands have been certified or patented, I am of the opinion that it should be exercised only in extreme cases, where without its exercise the party entitled to the land would be remediless. The reason for this rule is clearly stated in the decision of my predecessor in the case of *Latimer et al vs. the B. & M. River R. R. Co.* (Copp's Land Laws, page 402.) "It is of the utmost importance that titles given by the Department should rest on a firm and substantial basis; that they should be accepted and recognized as final adjudications by the Department of the rights on which they are founded; that persons holding them should be secure in their possession, and the public generally should have confidence in their stability."

If the State of Iowa had any rights to the lands now claimed by her, which she has not granted or forfeited, she has a complete remedy therefor in the courts without the aid of this Department.

You call attention to the act of March 5, 1872, (17 Stats. page 37), and hold in effect, that lands certified to railroads are not excluded from the operation of that act. The act defines your duties as to certain lands "without prejudice to legal entries," &c.

You hold that the word "entry" means a purchase with money, or a location under or by virtue of some kind of warrant or scrip. It undoubtedly has the meaning you give it, but I think as used in said act, it should have a more general meaning, and be construed so as to include any and every lawful appropriation of lands. Lands certified to railroads in accordance with the terms of the grant are thus appropriated. In my opinion, this act does

not prescribe any duty to be performed in connection with the lands in question.

After careful examination of the questions presented in this case, I am of the opinion that no examination or certification of the lands in question should be made, and I therefore reverse your decision, and herewith return the papers transmitted with your letter "K," of October 5, 1875.

Very respectfully,

CHAS. T. GORHAM, *Acting Secretary.*

To the Commissioner of the General Land Office.

There are in this office, special swamp land indemnity certificates (or scrip) issued in lieu of swamp lands located with warrants or scrip, in the following named counties, to-wit:

Greene county.....	10,658.22 acres.
Chickasaw county.....	109.19 acres.
Marion county.....	120.00 acres.

But as in all probability there are no lands in the State of Iowa upon which these certificates can be located, it is useless to appoint agents for that purpose

Congress should, by act, either allow these certificates to be located outside of the State of Iowa, or provide for paying the indemnity, due the State, in cash.

There is a large amount of lands selected as swamp, or overflowed, since the confirmatory act of March 3, 1857, that the Department of the Interior holds not to be of that character, and which lands have been approved and certified to the State by said Department for railroad purposes. Some of the railroad companies have made application to this office for certified lists of such lands, for the purpose of vesting in them the title thereto. The Code, (Sec. 93), provides that in listing lands for certification to railroad companies the Register of the State Land Office "shall exclude all lands selected by the State or any county under the swamp land grant, and also exclude all lands claimed under the homestead or pre-emption laws of the United States, and which have been sold or disposed of and the entry or pre-emption canceled."

The law gives the Register no discretionary power in regard to such lands; he has no authority to list them for certification, though the proof is positive of their non-swampy character; his duty is simply to exclude them from the lists.

It would be advisable to have this law amended so as to give the

Register authority to list for certification to the railroad company entitled thereto, such of said lands as are found upon due proof, not to be swamp or overflowed, within the meaning of the act of Congress of September 28, 1850. The amendment should define the kind of proof to be required in establishing the character of the land.

Number of acres patented to the State as swamp lands	869,805.18
Number of acres patented to the State as indemnity for swamp lands located with warrant or scrip.....	324,234.18
Number of acres of swamp lands upon which indemnity in cash has been allowed.....	373,998.74
Total.....	1,568,038.10

The General Government has, inadvertently, conveyed to the State a few tracts of swamp lands the second time, and there are a few tracts of lands erroneously patented to the State as swamp, that have been released to the United States; this would slightly decrease the quantity patented to the State, as given in the foregoing figures.

BENTON COUNTY—CONTINUED.

LIST OF SWAMP LANDS

In the State of Iowa sold by the United States for CASH since the Swamp Grant, and prior to March 3, 1857, for which indemnity has been granted since May 14, 1873. ALL CASH INDEMNITY.

Benton.....	\$10,054.69	Guthrie.....	\$ 2,614.23
Blackhawk.....	10,056.09	Howard.....	3,512.59
Chickasaw.....	2,863.38	Jones.....	3,428.27
Clinton.....	5,088.40	Keokuk.....	396.60
Davis.....	2,325.12	Mitchell.....	8,477.57
Fayette.....	4,590.12	Monona.....	4,724.11
Floyd.....	1,702.92	Tama.....	14,745.34
Franklin.....	10,234.63	Winneshek.....	4,181.20
Grundy.....	4,139.39	Woodbury.....	9,416.30

BENTON COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
nw of ne.....	14	82	9	40	
se of se.....	15	82	9	40	
n hf of sw.....	19	82	9	82.45	
sw of ne.....	20	82	9	40	
nw of nw.....	21	82	9	40	
nw of nw.....	12	83	9	40	
nw of nw.....	14	83	9	40	
ne of sw.....	15	83	9	40	
ne of sw.....	21	83	9	40	
nw of ne.....	35	83	9	40	
ne of nw.....	5	84	9		Cash excess 1.03 acres.
se of se.....	13	84	9	40	
s hf of nw.....	1	85	9	80	
lot 8.....	9	85	9		
lot 5.....	10	85	9	103.50	
lots 7 and 8.....	10	85	9	127.20	
se of nw.....	11	85	9	40	
nw of se.....	11	85	9	40	
lot No. 4.....	11	85	9		Cash excess 7.20 acres.
lot No. 7.....	13	85	9	50.10	
sw of nw.....	28	85	9	40	
se of se.....	28	85	9	40	
se of ne.....	29	85	9	40	
se of nw.....	29	85	9	40	
ne of se.....	29	85	9	40	
ne of ne.....	33	85	9	40	
nw of nw.....	34	85	9	40	
ne of ne.....	2	86	9	41.59	
nw of se.....	2	86	9	40	
sw of ne.....	4	86	9	120	
s hf of nw.....	4	86	9	160	
n hf of sw.....	4	86	9	160	
n hf of se.....	5	86	9	80	
s hf of ne.....	5	86	9	80	

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
ne of sw.....	5	86	9	40	
w hf of se.....	10	86	9	80	
ne of sw.....	12	86	9	40	
w hf of se.....	12	86	9	80	
se of se.....	12	86	9	40	
sw of ne.....	13	86	9	40	
ne of nw.....	18	86	9	40	
nw of se.....	21	86	9	40	
sw of sw.....	22	86	9	40	
e hf of nw.....	23	86	9	40	
w hf of se.....	24	86	9	40	
ne of nw.....	26	86	9	40	
ne of ne.....	27	86	9	40	
nw of ne.....	27	86	9	40	
nw of nw.....	27	86	9	40	
ne of nw.....	29	86	9	40	
ne of ne.....	30	86	9	80	
sw of ne.....	30	86	9	40	
se of ne.....	30	86	9	40	
nw of se.....	18	82	10	40	
s hf of ne.....	18	82	10	80	
se of se.....	21	82	10	40	
se of se.....	24	82	10	40	
se of sw.....	24	82	10	40	
nw of ne.....	26	82	10	40	
sw of nw.....	26	82	10	40	
sw of ne.....	27	82	10	80	
ne of nw.....	27	82	10	80	
n hf of se.....	27	82	10	80	
se of ne.....	28	82	10	40	
se of ne.....	1	83	10	40	
se of nw.....	1	83	10	40	
ne of ne.....	5	83	10	39.66	
nw of ne.....	13	83	10	40	
se of sw.....	1	84	10	40	
se of se.....	2	84	10	40	
sw of nw.....	4	84	10	80	
nw of sw.....	4	84	10	80	
se of sw.....	24	84	10	80	
sw of se.....	24	84	10	80	
nw of nw.....	25	84	10	40	
se of ne.....	26	84	10	40	
sw of sw.....	26	84	10	40	
sw of nw.....	34	84	10	40	
s hf of sw.....	3	85	10	80	
lot No. 1.....	6	85	10	28.86	
sw of ne.....	12	85	10	40	
sw of nw.....	24	85	10	40	
lot No. 3.....	24	85	10	36.60	
ne of ne.....	2	86	10	45.59	
lot No. 1.....	4	86	10	6.92	
lot No. 1.....	5	86	10		Cash excess 1.03 acres.
lots 2 and 3.....	5	86	10		Cash excess 24.61 acres.
lot No. 6.....	5	86	10	51.13	
lot No. 8.....	5	86	10		Cash excess 2.32 acres.
ne of ne.....	6	86	10	42.33	

BENTON COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
nw of ne.....	6	86	10	.....	Cash excess 2.46 acres.....
lot No. 8.....	6	86	10	33.50	
sw of ne.....	8	86	10	40.00	
lot No. 1.....	9	86	10	8.30	
se of se.....	12	86	10	40	
se of ne.....	13	86	10	40	
ne of nw.....	19	86	10	40	
lot No. 6.....	20	86	10	65.25	
lot No. 4.....	21	86	10	39.87	
nw of nw.....	22	86	10	40	
nw of se.....	22	86	10	40	
nw of ne.....	27	86	10	40	
nw of ne.....	34	86	10	40	
n hf of nw.....	35	86	10	80	
n hf of ne.....	7	82	11	80	
n hf of nw.....	8	82	11	80	
nw of ne.....	8	82	11	40	
se of ne.....	8	82	11	40	
e hf of se.....	8	82	11	80	
n hf of nw.....	13	82	11	80	
ne of se.....	13	82	11	40	
sw of ne.....	14	82	11	40	
nw of sw.....	14	82	11	40	
sw of nw.....	14	82	11	40	
n hf of se.....	14	82	11	80	
se of ne.....	15	82	11	40	
nw of ne.....	17	82	11	40	
ne of se.....	18	82	11	40	
sw of sw.....	9	83	11	40	
nw of sw.....	23	83	11	40	
se of se.....	29	83	11	40	
ne of ne.....	32	83	11	40	
sw of nw.....	33	83	11	80	
sw of se.....					
ne of nw.....	3	84	11	45.11	
se of sw.....	11	84	11	40	
nw of sw.....	13	84	11	40	
sw of se.....	14	84	11	40	
n hf of ne.....	18	84	11	80	
ne of sw.....	23	85	11	40	
w hf of se.....	23	85	11	80	
s hf of ne.....	27	85	11	80	
e hf of se.....	27	85	11	80	
nw qr of nw.....	3	86	11	42.58	
e hf of ne.....	4	86	11	82.54	
ne of sw.....	4	86	11	40	
se of se.....	4	86	11	40	
nw of nw.....	5	86	11	40.21	
n hf of ne.....	6	86	11	79.87	
se of se.....	10	86	11	40	
ne qr.....	15	86	11	160	
n hf of sw.....	15	86	11	80	
se of sw.....	22	86	11	40	
s hf of se.....	22	86	11	80	
sw of nw.....	26	86	11	40	
se of sw, s hf of se.....	35	86	11	120	

BENTON COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
w hf of nw.....	15	82	12	81.40	
ne of sw.....	19	82	12	40	
w hf of se.....	30	82	12	80	
ne of ne.....	31	82	12	40	
sw of ne.....	31	82	12	40	
nw of ne, n hf of nw.....	32	82	12	120	
se of nw.....	33	82	12	40	
s hf of se.....	34	82	12	80	
sw of sw.....	13	83	12	40	
nw of nw.....	25	83	12	40	
nw of se.....	10	84	12	40	
s hf of sw.....	18	84	12	74.87	
sw of sw.....	19	84	12	35.44	
ne of sw.....	30	85	12	40	
ne of se.....	1	86	12	40	
sw of nw.....	2	86	12	40	
nw of sw, sw of ne.....	10	86	12	80	
nw of ne.....	10	86	12	40	
sw of sw.....	17	86	12	40	
Total.....				8,043.75	

BLACK HAWK COUNTY.

sw of ne.....	1	89	11	40	
se of nw.....	1	89	11	40	
e hf of sw.....	1	89	11	80	
n hf of ne.....	12	89	11	80	
se of ne.....	12	89	11	40	
nw of nw.....	12	89	11	40	
w hf of se.....	12	89	11	80	
se of nw.....	13	89	11	40	
nw of se.....	13	89	11	40	
ne of ne.....	1	90	11	41.80	
n hf of nw.....	1	90	11	81.03	
sw of ne, ne of sw.....	3	90	11	80	
nw of se.....	3	90	11	40	
nw of sw.....	3	90	11	40	
ne of ne, sw of ne.....	4	90	11	77.77	
nw of ne.....	4	90	11	37.34	
se of ne.....	4	90	11	40	
e hf of nw.....	4	90	11	71.91	
n hf of se.....	4	90	11	80	
sw of ne, nw of se.....	9	90	11	80	
nw of ne.....	10	90	11	40	
ne of nw.....	10	90	11	40	
nw of se, se of se.....	10	90	11	80	
sw of se.....	10	90	11	40	
n hf of sw.....	10	90	11	80	
se of sw.....	10	90	11	40	
se of ne.....	12	90	11	40	
ne of se.....	12	90	11	40	
ne of se.....	13	90	11	40	
sw of sw.....	14	90	11	40	
sw of se.....	15	90	11	40	

BLACK HAWK COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
ne of sw.....	15	90	11	40	
sw of sw.....	19	90	11	...	
nw of nw.....	30	90	11	69.24	
se of ne.....	20	90	11	40	
n hf of ne.....	22	90	11	80	
nw of nw.....	22	90	11	40	
sw of sw.....	22	90	11	40	
sw of se.....	22	90	11	40	
se of ne.....	23	90	11	40	
sw of ne.....	26	90	11	40	
nw of se.....	26	90	11	40	
ne of sw.....	26	90	11	40	
sw of ne.....	28	90	11	40	
nw of sw.....	28	90	11	40	
ne of nw.....	29	90	11	40	
nw of se.....	29	90	11	40	
ne of sw.....	29	90	11	40	
w hf of sw.....	29	90	11	80	
s hf of ne.....	30	90	11	80	
s hf of nw.....	30	90	11	74.70	
n hf of se.....	30	90	11	80	
ne of ne.....	34	90	11	...	
w hf of nw.....	35	90	11	120	
nw of sw, se of sw.....	35	90	11	80	
nw of sw.....	36	90	11	40	
sw of nw.....	4	87	12	40	
ne of nw.....	5	87	12	46.95	
w hf of nw.....	5	87	12	...	
ne fr qr.....	6	87	12	261.14	
se of nw.....	5	87	12	40	
ne of se.....	5	87	12	40	
sw qr.....	5	87	12	...	
nw of nw.....	8	87	12	200	
se qr.....	6	87	12	160	
se of sw.....	6	87	12	40	
n hf of sw, nw of se, n hf of sec.	7	87	12	441.11	
lot No. 1.....	11	87	12	23.15	
lot No. 3.....	13	87	12	28.69	
lot No. 3.....	14	87	12	54.38	
nw of nw.....	14	87	12	40	
lot No. 1.....	8	88	12	...	Cash excess 24.30 acres...
lot No. 1 ne qr.....	27	88	12	39.65	
sw of nw.....	32	88	12	40	
ne of sw.....	32	88	12	40	
se of ne.....	21	89	12	40	
ne of se.....	21	89	12	40	
n hf of sw.....	21	89	12	80	
sw of nw, se of ne, ne of se.....	22	89	12	120	
sw of nw, n hf of sw.....	23	89	12	120	
se of sw.....	23	89	12	40	
sw of nw.....	26	89	12	40	
e hf of nw.....	27	89	12	80	
lot No. 4.....	31	89	12	21.15	
lot No. 6.....	31	89	12	25.44	
n hf of nw.....	3	90	12	...	
ne of ne.....	4	90	12	86.22	

BLACK HAWK COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
se of sw.....	3	90	12	40	
nw of nw.....	15	90	12	40	
sw of ne.....	23	90	12	40	
nw of se, se of se.....	24	90	12	80	
sw of se.....	1	87	13	40	
se of sw.....	1	87	13	40	
sw of ne.....	2	87	13	40	
nw of nw, se of nw.....	2	87	13	85.29	
nw of se.....	2	87	13	40	
ne of ne.....	11	87	13	40	
se of se.....	11	87	13	40	
n hf of ne, se of ne, n hf of se, } n hf of nw, se of sw.....	12	87	13	320	
nw of ne, ne of nw.....	14	87	13	80	
nw of ne, ne of nw.....	15	87	13	80	
w frac'l hf of nw.....	6	88	13	.....	Cash excess 29.49 acres...
nw frac'l qr of sw.....	6	88	13	.....	Cash excess 14.07 acres...
ne of ne.....	10	88	13	40	
sw of sw.....	17	88	13	40	
se of ne.....	18	88	13	40	
ne of se.....	18	88	13	40	
w hf of nw.....	20	88	13	80	
n hf of se.....	20	88	13	80	
n hf of sw.....	20	88	13	80	
sw of nw.....	21	88	13	40	
sw of nw.....	27	88	13	40	
nw of sw se of se.....	27	88	13	80	
n hf of ne, se of ne.....	28	88	13	120	
ne of nw.....	28	88	13	40	
sw of ne.....	34	88	13	40	
ne of nw.....	34	88	13	40	
w hf of se.....	34	88	13	80	
lot No. 1.....	7	89	13	25.20	
lot No. 5.....	8	89	13	20	
lot No. 6.....	8	89	13	31.54	
lot No. 1.....	17	89	13	17.05	
nw of nw.....	17	89	13	40	
lot No. 2.....	22	89	13	.....	Cash excess 17.61 acres...
lot No. 3.....	22	89	13	22.40	
lot No. 4.....	23	89	13	31.68	
lot No. 7.....	23	89	13	30.50	
lot No. 8.....	25	89	13	19.50	
ne of ne.....	27	89	13	40	
se of nw.....	27	89	13	40	
sw of se.....	28	89	13	40	
se of ne.....	32	89	13	40	
ne of se.....	32	89	13	40	
nw of ne.....	33	89	13	40	
nw of nw.....	5	87	14	44.56	
ne of sw.....	12	88	14	40	
w hf of nw.....	13	88	14	80	
se of ne.....	14	88	14	40	
e hf of ne, nw of ne.....	23	88	14	120	
ne of sw.....	23	88	14	40	
nw of ne.....	20	90	14	40	
sw of nw.....	20	90	14	40	
Total.....				8,044.88	

CHICKASAW COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
a hf of sw	3	95	11	80	
nw of ne	10	95	11	40	
ne of nw	10	95	11	40	
nw of nw	4	96	11	31.18	
ne of ne	9	96	11	40	
ne of nw	32	96	11	40	
se of sw	20	97	11	40	
ne of sw	14	94	12	40	
nw of sw	34	94	12	40	
ne of ne	8	95	12	40	
sw of se, ne of sw	9	95	12	80	
nw of sw	15	95	12	40	
se of sw	15	95	12	40	
nw of nw	17	95	12	40	
nw of sw	25	95	12	40	
se of sw	25	95	12	40	
se of se	33	95	12	40	
sw of ne	36	95	12	40	
ne of nw	36	95	12	40	
se of ne	10	94	13	40	
nw of ne	10	94	13	40	
sw of ne, nw of sw	14	94	13	80	
se of sw, nw of sw	14	94	13		
ne of se	15	94	13	80	
ne qr	15	94	13	160	
se of se	15	94	13	40	
e hf of se	23	94	13	80	
nw of ne	23	94	13	40	
nw of ne	35	94	13	40	
ne of sw	18	95	13	40	
w hf of nw	7	96	13	61.70	
ne of sw	20	96	13	40	
sw of se	20	96	13	40	
nw of ne	29	96	13	40	
nw of se	29	96	13	40	
ne of nw	9	94	14	40	
sw of sw	32	94	14	40	
ne of nw	2	95	14	19.17	
se of ne	2	95	14	40	
ne of sw	12	95	14	40	
se of se	12	95	14	40	
sw of se	12	95	14	40	
e hf of ne	1	96	14	66.16	
ne of se	1	96	14	40	
ne of ne	5	96	14	32.50	
sw of sw	9	96	14	40	
nw of ne	35	96	14	40	
nw of ne	29	97	14	40	
sw of nw	29	97	14	40	
nw of ne	32	97	14	40	
Total				2,290.71	

CLINTON COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
lot No. 1	1	81	1	26.40	
unnumbered lot in sw qr	13	81	1	5.90	
lot No. 2	13	81	1	55.45	
lot No. 2	35	81	1	32.30	
n hf of se	2	82	1	80	
ne of ne	10	82	1	40	
nw of nw	14	82	1	40	
s hf of nw	15	82	1	80	
lot No. 5	17	82	1	31.35	
s hf of se	22	82	1	80	
se of sw	22	82	1	40	
lot No. 1	27	82	1		Cash excess 17.90 acres..
ne of ne	27	82	1	40	
s hf of nw	28	82	1	80	
n hf of se	33	82	1	80	
w hf of se	34	82	1	80	
sw of nw	27	83	1	40	
se of se	34	83	1	40	
lot No. 3	6	80	2	59.50	
lot No. 4	6	80	2		Cash excess 14.40 acres..
lot No. 4	8	80	2		Cash excess 11.80 acres..
se of nw	10	80	2	40	
lot No. 2	11	80	2	25.05	
unnumbered lot in ne qr	17	80	2	5.57	
nw of sw	6	81	2	39.38	
ne of sw	7	81	2	40	
sw of nw	7	81	2	40.71	
sw of nw	18	81	2	40.77	
sw of ne, w hf of se	7	82	2	120	
sw of nw	14	82	2	40	
sw qr	18	82	2	158.53	
nw of nw	19	82	2	39.14	
ne of nw	19	82	2	40	
nw of ne	19	82	2	40	
n hf of sw	20	82	2	80	
ne of se	21	82	2	40	
sw qr	22	82	2	160	
w hf of ne	22	82	2	80	
sw of ne, nw of se, e hf of se, s hf of nw	29	82	2	240	
ne of nw	33	82	2	40	
lots 3 and 4	1	80	3		Cash excess 31.38 acres..
lot 1	3	80	3		Cash excess 28.60 acres..
lot 2	3	80	3		Cash excess 27.15 acres..
lot 1	5	80	3	67.80	
lot 5	6	80	3	32	
w hf of se	3	82	3	80	
lot No. 2	1	80	4	39.86	
lot No. 3	1	80	4	36.61	
lot No. 1	2	80	4		Cash excess 28.76 acres..
lot No. 2	2	80	4	60	
lot No. 6	2	80	4	50.72	
unnumbered lot in nw qr	3	80	4	8.74	
unnumbered lot in ne qr	5	80	4	25.52	
unnumbered lot in nw qr	6	80	4	63.06	

CLINTON COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
		N. E.			
nw of sw.....	4	81	4	40	
ne of ne.....	5	81	4	36.88	
lots 2 and 3.....	32	81	4	81.22	
lot 2.....	33	81	4	35.53	
lot 1.....	34	81	4	49.85	
lot 2.....	35	81	4		cash excess, 3.40 acres...
n hf of se.....	31	82	4	80	
nw of sw.....	32	82	4	40	
s hf of se.....	32	82	4	80	
w hf of sw.....	33	82	4	80	
nw of sw.....	34	82	4	40	
se of ne, sw of nw.....	35	82	4	80	
lot no. 1.....	13	80	5	34.20	
lot no. 2.....	14	80	5	28.90	
lot no. 3.....	15	80	5		cash excess, 27.17 acres...
lot no. 5.....	15	80	5	36.70	
lot no. 2.....	17	80	5		cash excess, 25 acres.....
se of sw.....	4	81	5	40	
sw of nw.....	9	81	5	40	
ne of ne.....	18	81	5	40	
w hf of sw.....	29	81	5	80	
nw of ne.....	31	81	5	40	
sw of se.....	20	83	5	40	
lot no. 1.....	7	80	6	61.72	
lot no. 2.....	23	81	6	32.11	
lots 3 and 4.....	24	81	6	58.43	
lot no. 2.....	31	82	7	7.59	
lot no. 4.....	32	82	7	9.27	
unnumbered lot in se qr.....	17	83	7	14.85	
se of se.....	31	83	7	40	
Total.....				4,070.72	

DAVIS COUNTY.

lot no. 2.....	14	67	12	65.06	
ne of ne.....	15	67	12	40	
lot no. 3.....	17	67	12		cash excess, 5.47 acres...
nw of nw.....	1	68	12	46.29	
se qr.....	4	68	12	160	
ne of se.....	5	68	12	40	
ne of ne.....	6	68	12	42.96	
ne of nw.....	12	69	12	40	
se of se.....	31	69	12	40	
n hf of ne.....	30	70	12	80	
se of se.....	7	67	13	40	
lot no. 1.....	17	67	13		cash excess, 27.10 acres...
se of se.....	28	68	13	40	
ne of nw.....	28	68	13	40	
ne of ne.....	33	68	13	40	
sw of sw.....	35	68	13	40	
sw of ne.....	4	69	13	40	
sw of sw.....	26	69	13	40	
ne of nw.....	27	69	13	40	

DAVIS COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
nw of se.....	27	69	13	40	
n hf of sw.....	36	69	13	80	
nw of nw.....	1	67	14	40	
sw of nw.....	5	67	14	40	
nw of nw.....	5	67	14	40	
sw of nw.....	10	67	14	40	
ne of nw.....	15	67	14	40	
lot No. 4.....	15	67	14	39.24	
lot No. 1.....	15	67	14	36.54	
lot No. 2.....	15	67	14	37.44	
se of se.....	7	69	14	40	
sw of sw.....	10	69	14	40	
nw of nw.....	15	69	14	40	
nw of nw.....	17	69	14	40	
ne of se.....	17	70	14	40	
sw of se.....	17	70	14	40	
n hf of nw.....	1	67	15	80	
se of ne.....	1	67	15	40	
ne of ne.....	2	67	15	40	
se of sw.....	23	69	15	40	
se of nw.....	27	69	15	40	
se of se.....	23	70	15	40	
Total.....				1,860.10	

FAYETTE COUNTY.

sw qr.....	32	91	7	160	
nw of sw.....	34	92	7	40	
nw of sw.....	18	94	8	45.19	
nw of sw.....	30	94	8	45.04	
nw of nw, ne of ne.....	4	93	9	108.16	
se of ne.....	4	93	9	40	
sw of nw.....	4	93	9	40	
sw of sw.....	10	94	9	40	
ne of ne.....	19	94	9	40	
sw of ne.....	19	94	9	40	
n hf of nw.....	20	94	9	80	
se of sw, sw of se.....	21	94	9	80	
sw of sw.....	25	94	9	40	
n hf of nw.....	28	94	9	80	
n hf of nw.....	29	94	9	80	
sw of ne.....	31	94	9	40	
ne of nw.....	32	94	9	40	
w hf of nw.....	34	94	9	80	
se of ne.....	5	95	9	40	
nw of ne.....	5	95	9	53.95	
ne of nw.....	5	95	9	53.25	
nw of sw.....	5	95	9	40	
w hf of nw.....	15	95	9	80	
ne of ne.....	17	95	9	40	
ne of nw.....	18	95	9	40	
sw of sw.....	4	91	10	40	
ne of ne.....	8	91	10	40	
nw of ne, se of ne.....	9	91	10	80	

FAYETTE COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
sw of ne.....	9	91	10	40	
w hf of sw.....	10	91	10	80	
sw of ne.....	18	93	10	40	
nw of se.....	18	93	10	40	
ne of nw.....	19	93	10	40	
w hf of se.....	19	93	10	80	
se of se.....	30	93	10	40	
ne of se.....	9	94	10	40	
s hf of se.....	9	94	10	80	
sw qr.....	14	94	10	160	
e hf of sw, w hf of se.....	15	94	10		
w hf of ne.....	22	94	10	240	
n hf of se.....	17	94	10	80	
ne of nw.....	18	94	10	40	
ne of ne, w hf of ne.....	20	94	10	120	
se of nw.....	21	94	10	40	
se of ne, n hf of ne.....	23	94	10	120	
se of nw.....	23	94	10	40	
e hf of nw.....	1	95	10	94.28	
w hf of nw.....	1	95	10		
se of ne.....	2	95	10	134	
se of sw.....	1	95	10	40	
ne of se.....	2	95	10	40	
ne of ne.....	3	95	10	54.64	
ne of se.....	3	95	10	40	
n hf of ne.....	4	95	10		Cash excess, 27.58 acres.
se of ne.....	10	95	10	40	
ne of nw.....	11	95	10	40	
sw of ne.....	14	95	10	40	
e hf of ne.....	14	95	10	80	
se of sw.....	17	95	10	40	
n hf of ne.....	18	95	10	80	
nw of se.....	28	95	10	40	
Total.....				3,672.09	

FLOYD COUNTY.

e hf of ne.....	7	94	15	80	
n hf of ne.....	23	94	15	80	
ne of se.....	19	96	15	40	
nw of sw, s hf of sw.....	20	96	15	120	
sw of sw.....	34	96	15	40	
n hf of nw.....	2	94	16	77.08	
ne of ne.....	3	94	16	38.66	
nw of se, se of se.....	18	94	16	80	
nw qr.....	4	95	16	186.46	
w hf of ne.....	4	95	16	93.26	
sw of nw.....	6	95	16	31.97	
s hf of sw.....	14	95	16	80	
se of se.....	1	96	16	40	
n hf of sw.....	19	96	16	65.62	
se of nw.....	25	96	16	40	
nw of nw.....	25	96	16	40	
sw of sw.....	33	96	16	40	

FLOYD COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
ne of se.....	27	97	16	40	
nw of se.....	1	95	17	40	
nw of sw.....	14	96	17	40	
n hf of ne.....	3	96	18	69.27	
Total.....				1,362.32	

FRANKLIN COUNTY.

se of sw.....	18	90	19	40	
sw of se.....	18	90	19	40	
nw of ne.....	25	90	19	40	
sw of ne.....	27	90	19	40	
se of nw.....	27	90	19	40	
e hf of se.....	33	90	19	80	
se of ne.....	33	90	19	40	
se of ne.....	34	90	19	40	
se of nw.....	36	90	19	40	
s hf of sw.....	8	91	19	80	
s hf of se.....	8	91	19		
s hf of sw.....	9	91	19	160	
s hf of se.....	9	91	19	80	
se of se.....	12	91	19		Cash paid for one hf. or 20 a. val. M. B. L. scrip.
se of sw.....	17	91	19	40	
n hf of nw.....	17	91	19	80	
n hf of ne.....	17	91	19	80	
sw of ne.....	18	91	19	40	
ne of ne.....	18	91	19	40	
ne of nw.....	20	91	19	40	
se of sw.....	1	92	19	40	
sw of ne.....	2	92	19	40	
nw of se.....	2	92	19	40	
e hf of nw.....	2	92	19	94.25	
w hf of nw.....	2	92	19		Cash excess 14.22 acres.
se of se.....	12	92	19	40	
nw of se.....	12	92	19	40	
ne of se.....	19	92	19	40	
n hf of ne.....	25	92	19	80	
ne of se.....	26	92	19	40	
sw of ne.....	27	92	19	40	
se of nw.....	27	92	19	40	
nw of se, s hf of se.....	29	92	19	120	
se of nw, nw of nw.....	29	92	19	80	
s hf of sw.....	29	92	19	80	
ne of ne.....	33	92	19	40	
nw of nw.....	34	92	19	40	
sw of ne.....	35	92	19	40	
se of se.....	18	93	19	40	
nw of se.....	18	93	19	40	
ne of nw.....	18	93	19	40	
ne of ne.....	19	93	19	40	
ne of sw.....	20	93	19	40	
s hf of sw.....	22	93	19	80	

FRANKLIN COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
n hf of sw.....	28	93	19	120	
se of ne.....	29	93	19		
ne of se.....	29	93	19	40	
w hf of ne.....	29	93	19	80	
ne of ne.....	32	93	19	40	
ne of nw, sw of ne.....	34	93	19	80	
e hf of se.....	34	93	19	80	
nw of ne.....	34	93	19	40	
se of ne.....	5	90	20	40	
ne of ne, nw of sw.....	8	90	20	80	
nw of nw.....	9	90	20	40	
se of nw.....	12	90	20	40	
ne of ne.....	18	90	20	40	
e hf of nw.....	21	90	20	80	
se of ne.....	21	90	20	40	
se of sw.....	22	90	20	40	
nw of nw.....	26	90	20	40	
nw of nw.....	28	90	20	40	
e hf of sw.....	30	90	20	80	
sw of se.....	30	90	20	40	
ne of nw.....	31	90	20	40	
nw of ne.....	31	90	20	40	
se of ne.....	33	90	20	40	
nw of se.....	34	90	20	40	
sw of nw.....	34	90	20	40	
ne of sw.....	34	90	20	40	
s hf of ne.....	34	90	20	80	
sw of nw.....	35	90	20	40	
sw of nw.....	36	90	20	40	
nw of sw.....	36	90	20	40	
sw of sw.....	3	91	20	40	
se of se.....	4	91	20	40	
s hf of se.....	5	91	20	80	
se of sw.....	5	91	20	40	
n hf of ne.....	8	91	20	80	
se of nw.....	9	91	20	40	
ne of se.....	10	91	20	40	
nw of sw.....	11	91	20	40	
nw of nw.....	25	91	20	40	
sw of sw.....	28	91	20	40	
nw of sw.....	30	91	20	38.30	
ne of se.....	9	92	20	40	
sw of sw.....	10	92	20	40	
ne of nw.....	13	92	20	40	
se of se.....	14	92	20	40	
se of sw.....	14	92	20	40	
sw of nw.....	19	92	20	43.07	
se of se.....	19	92	20	40	
sw of sw.....	20	92	20	40	
n hf of nw.....	24	92	20	80	
nw of ne.....	24	92	20	40	
se of nw.....	25	92	20	40	
n hf of ne.....	25	92	20	80	
n hf of ne.....	26	92	20	80	
n hf of nw.....	26	92	20	80	
n hf of ne.....	27	92	20	80	

FRANKLIN COUNTY—CONTINUED.

PARTS OF SECTION	Sec.	Town.	Range.	Acres.	REMARKS.
n hf of sw.....	29	92	20	80	
ne of se.....	30	92	20	40	
ne of sw.....	34	92	20	40	
sw of nw.....	1	93	20	40	
nw of sw.....	1	93	20	40	
se of se.....	4	93	20	40	
se of ne.....	6	93	20	40	
sw of ne.....	9	93	20	40	
se of nw.....	9	93	20	40	
n hf of sw.....	10	93	20	80	
nw of nw.....	14	93	20	40	
ne of ne.....	15	93	20	40	
ne of nw.....	18	90	21	40	
nw of ne.....	18	90	21	40	
nw of ne.....	24	90	21	40	
nw of nw.....	24	90	21	40	
se of nw.....	26	90	21	40	
nw of sw.....	33	90	21	40	
sw of nw.....	12	91	21	40	
sw of ne.....	12	91	21	40	
se of ne.....	17	91	21	40	
e hf of se.....	20	91	21	80	
nw of sw.....	21	91	21	40	
sw of sw.....	28	91	21	40	
ne of se.....	24	92	21	40	
ne of ne.....	10	93	21	40	
sw of nw.....	12	93	21	40	
nw of ne.....	6	90	22	40.36	
w hf of nw.....	7	90	22	89.47	
e hf of sw.....	18	90	22	80	
w hf of sw.....	18	90	22	91.21	
n hf of se, se of se.....	19	90	22	120	
nw qr.....	19	90	22	171.22	
nw of ne.....	19	90	22	40	
se of ne.....	19	90	22	40	
nw of sw, s hf of sw.....	20	90	22	120	
s hf of sw.....	21	90	22	80	
sw of sw.....	26	90	22	40	
sw of ne.....	27	90	22	40	
se of nw.....	27	90	22	40	
n hf of nw.....	27	90	22	80	
n hf of nw.....	28	90	22	80	
n hf of ne.....	28	90	22	80	
n hf of nw.....	29	90	22	80	
ne of ne.....	29	90	22	40	
ne of ne.....	30	90	22	40	
se of se.....	35	90	22	40	
n hf of se.....	35	90	22	80	
se of nw.....	35	90	22	40	
sw of sw.....	36	90	22	40	
sw of sw.....	19	91	22		Cash excess 7.26 acres....
nw of nw.....	30	91	22	47.29	
sw of se.....	30	91	22	40	
nw of ne.....	31	91	22	40	
ne of nw.....	31	91	22	40	
nw of sw.....	31	91	22		Cash excess 5.68 acres....

FRANKLIN COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
sw of sw.....	31	91	22	45.36	
ne of se.....	8	93	22	40	
Total.....				8,187.71	

GRUNDY COUNTY.

se of ne.....	1	87	15	40	
se of sw.....	14	87	15	40	
ne of ne, ne of se.....	23	88	15	80	
w hf of sw.....	24	88	15	80	
nw of nw.....	25	88	15	40	
e hf of ne.....	26	88	15	120	
se of sw.....	1	89	15	40	
sw of nw.....	3	89	15	40	
n hf of ne.....	4	89	15	40	Cash excess over M. B. L.
se of nw.....	12	89	15	40	[Scrip 8.06 A.
sw of nw.....	12	89	15	40	
nw of sw.....	13	89	15	40	
se of ne.....	14	89	15	80	
n hf of se.....	14	89	15	80	
ne of ne.....	14	89	15	40	
sw of se.....	15	89	15	40	
s hf of sw.....	15	89	15	80	
sw of sw.....	10	87	16	40	
sw of sw.....	28	88	16	40	
ne of nw.....	30	88	16	40	
se of se.....	2	89	16	40	
sw of nw, nw of sw, s hf of sw.....	2	89	16	160	
sw of ne.....	4	89	16	40	
nw of se.....	6	89	16	40	
sw of sw.....	13	89	16	40	
w hf of ne, w hf of nw.....	17	89	16	160	
sw of ne.....	19	89	16	40	
ne of se.....	24	89	16	40	
nw of se.....	32	86	17	40	Cash excess over M. B. L.
ne of nw.....	19	87	17	40	[Scrip 20.00 A.
nw of nw, s hf of nw.....	3	88	17	119.31	
sw of se, sw qr.....	2	89	17	200	
se of nw.....	2	89	17	40	
ne of se, s hf of se.....	10	89	17	120	
se of ne.....	10	89	17	40	
nw of nw.....	15	89	17	40	
se of sw.....	15	89	17	40	
sw of ne.....	21	89	17	40	
nw of nw.....	22	89	17	80	
se of sw.....	28	89	17	40	
nw of sw.....	31	89	17	44.14	
nw of sw.....	33	89	17	40	
se of ne.....	15	86	18	40	
ne of ne.....	34	86	18	40	
se of sw.....	13	87	18	40	
nw of ne, ne of nw.....	24	87	18	40	
sw of nw.....	24	87	18	120	

GRUNDY COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
n hf of sw.....	24	87	18		
se of ne.....	23	87	18	120	
se of se.....	7	88	18	40	
nw of ne.....	8	88	18	40	
nw of nw.....	8	88	18	40	
nw of nw.....	9	88	18	40	
sw of nw.....	32	88	18	40	
s hf of se.....	32	88	18	80	
nw of ne.....	34	88	18	40	
n hf of nw, nw of sw.....	34	88	18	120	
n hf of se.....	8	89	18	80	
se of sw.....	8	89	18	40	
Total.....				3,311.51	

GUTHRIE COUNTY.

w hf of sw.....	29	79	30	80	
se of sw.....	33	79	30	40	
nw fr'l nw.....	7	79	31	46.58	
se qr.....	7	79	31	160	
e hf of sw.....	7	79	31	80	
se of ne.....	17	79	31	40	
w hf of ne, e hf of nw.....	17	79	31	160	
e hf of se.....	17	79	31	80	
nw of nw.....	17	79	31	40	
ne of ne.....	21	79	31	40	
nw of nw.....	21	79	31	40	
s hf of se, nw of se.....	23	79	31	120	
n hf of nw, nw of ne.....	25	79	31	120	
e hf of ne.....	25	79	31	80	
sw of ne.....	25	79	31	40	
ne of sw.....	25	79	31	40	
ne of ne.....	15	80	31	40	
n hf of nw.....	19	80	31	84.91	
sw of ne.....	19	80	31	40	
se of sw.....	29	78	32	40	
se of se.....	33	78	32	40	
ne of se.....	35	78	32	40	
n hf of ne.....	1	79	32	79.89	
se of ne.....	1	79	32	40	
ne of ne.....	13	79	32	40	
s hf of sw, w hf of se.....	11	80	32	160	
se of se.....	11	80	32	40	
s hf of nw, n hf of sw, nw of nw..	13	80	32	200	
nw of ne.....	27	81	32	40	
Total.....				2,091.38	

REPORT OF THE
HOWARD COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
n hf of ne, n hf of nw	3	97	11	107.20	
n hf of nw	5	97	11	55.89	
se of sw, nw of se	8	97	11	80	
sw of sw	8	97	11	40	
sw qr	17	97	11	160	
w hf of sw	18	97	11	53.59	
nw of ne	18	97	11	40	
nw of nw	9	98	11	40	
se of ne	14	98	11	40	
w hf of nw	3	97	12	62.79	
se of nw	3	97	12	40	
ne qr	6	97	12	124.03	
s hf of ne	8	97	12	80	
sw of se	8	97	12	40	
se of se	13	97	12	40	
e hf of se	17	97	12	80	
n hf of nw	17	97	12	80	
w hf of nw	7	97	13	62.34	
se of ne, ne of se	2	98	13	80	
w hf of nw	7	98	13	68.02	
s hf of nw, w hf of sw, se of sw	12	98	13	200	
n hf of nw	13	98	13	80	
ne of ne	13	98	13	40	
w hf of sw	24	98	13	80	
nw of nw	25	98	13	40	
sw of se, se of nw	25	98	13	80	
nw of nw	26	98	13	40	
sw of ne	4	97	14	40	
n hf of ne	6	97	14	60.73	
se of ne	6	97	14	40	
sw of nw	7	97	14	39.46	
s hf of sw	8	97	14	80	
nw qr	17	97	14	160	
se of sw	17	97	14	40	
nw of nw	5	98	14	37.07	
ne of ne	6	98	14	36.85	
w hf of sw	19	98	14		
ne of nw	30	98	14	114.72	
w hf of nw	19	98	14	74.80	
ne of se	20	98	14	40	
s hf of nw	30	98	14	76.84	
nw of sw	31	98	14	35.82	
Total				2,810.07	

JONES COUNTY.

se of sw	7	83	1	40	
w hf of nw	17	83	1	80	
ne of sw	17	83	1	40	
se of sw	17	83	1	40	
n hf of nw	18	83	1	81.60	
se of nw	18	83	1	40	
lot 1	18	83	1	35.55	
lot no. 1	19	83	1		cash excess 10.60 acres...

JONES COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
frac. on left bank river, or lot 4..	19	83	1	46.70	
nw of ne	20	83	1	40	
lot No. 1	20	83	1	35.05	
lot No. 9	20	83	1	34.15	
w hf of nw	21	83	1	80	
ne of se	21	83	1	40	
lot on right bank of river, e of lots 3 and 4	21	83	1	49.50	
lot No. 3	21	83	1	35	
lot No. 4	21	83	1		Cash excess 3.30 acres....
n hf of sw, se of sw	22	83	1	120	
lot No. 5	26	83	1	63.17	
lot No. 6	26	83	1	36.30	
lot No. 7	26	83	1	36.40	
lot No. 2	27	83	1	61.05	
lot No. 3	28	83	1	55.90	
lot No. 1	36	83	1		Cash excess on 10.40 a...
lot No. 2	36	83	1	33	
se of se	6	83	2	40	
se of sw	6	83	2	40	
ne of ne	7	83	2		
lot No. 2	13	83	2	33.20	
frac. on right bank of river, in nw qr	1	83	3	20	
sw of se	11	83	3	40	
lot No. 1	12	83	3	68.85	
lot No. 3	12	83	3	46.30	
lot No. 7	12	83	3	41.60	
lot No. 1	13	83	3	35.90	
ne of sw	14	83	3	40	
nw of ne, ne of nw	21	83	3	80	
n hf of sw, sw of sw	23	83	3	120	
se of nw	27	83	3	40	
sw of se	28	83	3	40	
n hf of se, se of se	11	83	4	120	
sw of se	11	83	4	40	
nw of sw	12	83	4	40	
se of sw	12	83	4	40	
w hf of nw	6	85	1	67.25	
ne of nw	8	85	1	40	
sw of se	2	85	2	40	
se of sw	2	85	2		
ne of se	3	85	2	80	
sw of sw	6	85	2	36.17	
nw of sw	7	85	2	36.98	
se of sw	12	85	2	40	
frac. on left bank of river, in ne nw of se, se of se	34	84	3	29.30	
ne of sw	1	85	3	80	
ne of se	14	85	3	40	
ne of se	21	85	3	40	
nw of nw	22	85	3	40	
se of sw, sw of se	28	86	3	80	
nw of ne	34	86	4	40	
se of se	35	86	4	40	
Total				2,742.62	

KEOKUK COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
ne of se.....	1	74	10	40	
n hf of ne.....	5	74	10		Cash excess 3.62 acres.....
ne of ne.....	11	74	10	40	
nw of nw.....	18	77	10		Cash excess 25.55 acres.....
nw of nw.....	6	75	11		Cash excess 3.45 acres.....
nw of ne.....	4	74	12		Cash excess 11.32 acres.....
se of sw.....	6	75	13	40	
w hf of sw.....	6	75	13	73.34	
e hf of nw.....	8	75	13	80	
Total.....				317.28	

MITCHELL COUNTY.

se of ne.....	5	97	15	40	
sw of ne, se of nw.....	1	98	15	80	
n hf of sw.....	1	98	15	80	
se of ne.....	32	98	15	40	
n hf of se.....	32	98	15	80	
sw of se.....	32	98	15	40	
se of se.....	32	98	15	40	
sw of se.....	1	99	15	40	
ne qr.....	2	99	15		Cash excess 31.02 acres.....
w hf of se, ne of sw.....	3	99	15	120	
ne of sw.....	6	99	15	40	
e hf of nw.....	7	99	15	80	
sw of sw.....	12	99	15	40	
ne of se.....	28	99	15	40	
nw qr.....	32	99	15	160	
ne of nw.....	34	99	15	40	
sw of sw.....	35	99	15	40	
nw frac'l qr.....	7	100	15		Cash excess 2.95 acres.....
sw of sw.....	23	100	15	40	
nw of sw.....	25	100	15	40	
nw of ne.....	26	100	15	40	
sw of sw.....	26	100	15	40	
s hf of se.....	36	100	15	80	
se of ne.....	11	97	16	40	
se of se.....	11	97	16	40	
sw of sw.....	13	97	16	40	
ne of se.....	14	97	16	40	
se of nw.....	15	97	16	40	
ne of sw.....	15	97	16	40	
nw of nw.....	2	98	16	35.96	
sw of se.....	3	98	16	40	
sw of ne.....	14	98	16	40	
w hf of sw.....	15	98	16	80	
sw of se.....	27	98	16	80	
n hf of ne, n hf of nw.....	1	99	16		Cash excess 5.10 acres.....
n hf of ne, n hf of nw.....	2	99	16		Cash excess 9.08 acres.....
n hf of ne, n hf of nw.....	3	99	16		Cash excess 17.70 acres.....
ne of sw.....	4	99	16	40	
se of ne.....	8	99	16	40	
ne of se.....	8	99	16	40	
w hf of sw.....	18	99	16	50.46	

MITCHELL COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
w hf of nw.....	19	99	16	51.95	
nw of se.....	23	99	16	40	
e hf of sw.....	31	99	16	80	
sw of se.....	31	99	16	40	
nw of sw.....	36	99	16	40	
sw of se.....	8	100	16	40	
se of se.....	8	100	16	40	
ne qr.....	10	100	16		Cash excess 7.94 acres.....
ne of sw.....	10	100	16		
se of nw.....	22	100	16	80	
ne qr, n hf of nw, se of nw.....	13	100	16	280	
se of nw.....	17	100	16	40	
ne of sw.....	17	100	16	40	
nw of sw.....	17	100	16	40	
sw of ne.....	18	100	16	40	
w hf of nw.....	18	100	16	48	
s hf of se.....	18	100	16	80	
nw of ne.....	19	100	16	40	
ne of sw.....	19	100	16	40	
nw of sw.....	21	100	16	40	
ne of se.....	23	100	16	40	
nw of se.....	27	100	16	40	
ne of ne.....	29	100	16	40	
sw of ne.....	29	100	16	40	
se of nw.....	29	100	16	40	
w hf of nw.....	30	100	16	50.76	
ne of ne.....	32	100	16	40	
ne of ne.....	33	100	16	40	
ne of sw.....	4	97	17	40	
nw of se.....	5	97	17	40	
w hf of ne, se of nw, w hf of sw.....	1	98	17	197.29	
n hf of nw, sw of nw.....	1	98	17	114.60	
s hf of ne.....	2	98	17	80	
ne of se.....	2	98	17	40	
se of se.....	2	98	17	40	
ne of se.....	4	98	17	40	
se of sw.....	11	98	17	40	
nw of nw.....	12	98	17	40	
se of se.....	13	98	17	40	
n hf of sw.....	19	98	17	40.66	
sw of ne.....	14	99	17	40	
ne of sw.....	14	99	17	40	
ne of sw.....	21	99	17	40	
sw of ne.....	22	99	17	40	
se of nw.....	22	99	17	40	
se of se.....	22	99	17	40	
se of ne, ne of se, sw of se, se of sw.....	24	99	17		
sw qr.....	36	99	17	320	
nw of ne, s hf of ne, ne of nw.....	25	99	17	160	
nw qr.....	26	99	17	160	
n hf of se.....	26	99	17	80	
ne of ne, s hf of ne.....	27	99	17	120	
se of sw, nw of se.....	27	99	17	80	
ne of sw.....	28	99	17	40	
ne of nw.....	32	99	17	40	

MITCHELL COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
se of nw	33	99	17	40	
ne of sw	34	99	17	40	
nw of nw	35	99	17	40	
se of nw	35	99	17	40	
w hf of ne	36	99	17	80	
nw of nw, nw of se	36	99	17	80	
ne of nw	13	100	17	40	
se of se	8	98	18	40	
sw of se	13	98	18	40	
sw of nw	19	98	18	36.93	
sw of sw	23	98	18	40	
nw of sw	30	98	18	38.65	
nw of ne, s hf of ne	4	99	18	116.66	
se of ne	5	99	18	40	
sw of sw	7	99	18	35.05	
nw of sw	18	99	18	35.18	
ne of sw	21	99	18	40	
e hf of ne	8	100	18	56.09	
nw of sw	9	100	18	40	
e hf of nw	14	100	18	80	
ne of sw, sw of sw	14	100	18	80	
nw of sw	14	100	18	40	
sw of ne	15	100	18	40	
se of nw	15	100	18	40	
nw of se	21	100	18	40	
nw of ne	22	100	18	40	
nw of nw	22	100	18	40	
ne of nw	23	100	18	40	
ne of sw	23	100	18	40	
Total				6,782.05	

MONONA COUNTY.

nw of sw	36	84	44	40	
all	1	83	45	636.20	
nw qr	4	84	45	170.91	
e hf of ne	5	84	45		cash excess 6.62 acres
w hf of ne, se of nw	5	84	45		cash excess 7.02 acres
w hf of nw, ne of nw	5	84	45		cash excess 15.22 acres
s hf	5	84	45	320	
nw of ne	6	84	45	47.40	
s hf of ne, ne of ne	6	84	45		cash excess 7.80 acres
se qr	6	84	45	160	
e hf	7	84	45	320	
n hf	8	84	45	320	
nw of se	8	84	45	40	
sw qr	8	84	45	160	
nw of ne	12	84	45	40	
e hf of nw	12	84	45	80	
sw of se	12	84	45	40	
nw qr	15	84	45	160	
s hf	15	84	45	320	
ne qr	22	84	45	160	
ne qr	27	84	45	160	

MONONA COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
se qr	35	84	45	160	
sw qr	36	84	45	160	
sw of sw	31	85	45	37.67	
ne of ne	1	84	46	45.80	
w hf of ne	2	84	46	82.17	
e hf of nw, ne of sw	2	84	46		Cash excess 2.48 acres
sw of ne	11	84	46	40	
se of sw	2	84	46	40	
Total				3,779.29	

TAMA COUNTY.

ne of nw	1	82	13	39.08	
se of nw	1	82	13	40	
ne of sw	1	82	13	40	
s hf of sw	1	82	13	80	
ne of se	2	82	13	40	
nw of sw	6	82	13	53.24	
s hf of sw	6	82	13		Cash excess 14.20 acres
nw of ne, s hf of ne	7	82	13	120	
n hf of nw	7	82	13		Cash excess 14.34 acres
s hf of nw, n hf of sw	7	82	13	188.24	
s hf of sw	7	82	13	93.70	
se qr	7	82	13	160	
se of sw	8	82	13	40	
ne of nw	12	82	13	40	
ne of sw	13	82	13	40	
e hf of se	13	82	13	80	
n hf of nw	18	82	13	93.61	
sw of nw	18	82	13	53.72	
nw of sw	18	82	13	53.83	
s hf of sw	18	82	13	93.94	
nw of ne	20	82	13	40	
sw qr	22	82	13	160	
sw of ne	24	82	13	40	
se of sw	24	82	13	40	
nw of nw	3	83	13	35.93	
ne of ne	4	83	13	35.85	
e hf of ne, ne of se	9	83	13	120	
se of nw	15	83	13	40	
s hf of nw	23	83	13	80	
ne of sw, w hf of sw	23	83	13	120	
se of sw	23	83	13	40	
ne of ne	26	83	13	40	
nw of ne	26	83	13	40	
sw of ne	26	83	13	40	
se of ne	26	83	13	40	
ne of se	26	83	13	40	
ne of nw	36	83	13	40	
nw of nw	36	83	13	40	
sw of nw	36	83	13	40	
e hf of sw	36	83	13	80	
nw of nw	26	84	13	40	
ne of ne	27	84	13	40	

TAMA COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
se of ne.....	27	84	13	40	
sw of se.....	27	84	13	40	
ne of nw.....	34	84	13	40	
nw of ne, n hf of sw, sw of sw....	34	84	13	160	
se of sw.....	14	86	13	40	
sw of se.....	15	86	13	40	
sw of ne, se of nw.....	19	86	13	80	
se of ne.....	19	86	13	40	
sw of nw.....	19	86	13	45.14	
ne of sw.....	19	86	13	40	
nw of sw.....	19	86	13	45.16	
sw of sw.....	19	86	13	45.19	
n hf of se.....	19	86	13	80	
n hf of ne, ne of nw.....	22	86	13	120	
ne of nw.....	23	86	13	40	
nw of nw.....	23	86	13	40	
s hf of ne.....	24	86	13	80	
n hf of sw.....	24	86	13	80	
e hf of nw, n hf of ne, se of ne, sw qr.....	1	82	14	348.33	
nw of nw.....	1	82	14	34.15	
sw of nw.....	1	82	14	40	
n hf of ne.....	2	82	14	67.10	
w hf.....	2	82	14	306.54	
n hf of ne, n hf of nw.....	3	82	14	133.02	
n hf of ne, n hf of nw.....	4	82	14	137.74	
ne of sw.....	4	82	14	40	
nw of sw.....	4	82	14	40	
n hf of ne, n hf of nw.....	5	82	14	135.42	
ne of sw.....	5	82	14	40	
nw of sw.....	5	82	14	40	
ne of se.....	5	82	14	40	
nw of se.....	5	82	14	40	
n hf of ne, n hf of nw, sw of nw..	6	82	14	184.37	
se of sw.....	6	82	14	40	
w hf of sw.....	6	82	14	.....	Cash excess 1.92 acres....
sw of se.....	6	82	14	40	
se of ne.....	11	82	14	40	
nw qr.....	11	82	14	160	
n hf of sw.....	12	82	14	80	
se qr.....	12	82	14	160	
ne of ne, e hf of se.....	13	82	14	120	
se of nw.....	13	82	14	40	
ne of se.....	14	82	14	40	
ne of se, sw of se.....	19	82	14	80	
sw of nw.....	21	83	14	40	
nw of sw.....	21	83	14	40	
sw of sw.....	27	83	14	40	
ne of sw.....	31	83	14	40	
nw of sw.....	31	83	14	.....	Cash excess 3.59 acres....
s hf of sw.....	31	83	14	81.33	
s hf of se.....	31	83	14	80	
nw of ne, se of ne.....	33	83	14	80	
sw of ne.....	33	83	14	40	
s hf of nw.....	34	83	14	80	
sw of nw.....	35	83	14	40	

TAMA COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
nw of nw.....	3	85	14	44.75	
ne of sw.....	3	85	14	40	
w hf of sw.....	3	85	14	80	
n hf of ne.....	7	85	14	80	
s hf of nw.....	7	85	14	77.34	
sw of ne.....	7	85	14	40	
s hf of ne, nw of se.....	8	85	14	120	
n hf of nw, ne of sw.....	8	85	14	120	
s hf of nw.....	8	85	14	80	
ne of se.....	8	85	14	40	
ne of ne.....	9	85	14	40	
se of sw.....	23	86	14	40	
nw of se.....	23	86	14	40	
se of ne.....	24	86	14	40	
ne of sw.....	24	86	14	40	
se of ne, ne of sw.....	25	86	14	80	
se of sw.....	25	86	14	40	
sw of se.....	25	86	14	40	
ne of nw.....	26	86	14	40	
n hf of sw.....	27	86	14	80	
n hf of se.....	27	86	14	80	
sw of sw.....	28	86	14	40	
se qr.....	28	86	14	160	
se of se.....	29	86	14	40	
n hf of nw, se of nw.....	32	86	14	120	
s hf of sw.....	35	86	14	80	
n hf of se.....	35	86	14	80	
ne of nw.....	36	86	14	40	
sw of nw.....	36	86	14	40	
se of nw, nw of sw.....	36	86	14	80	
ne of ne.....	1	82	15	39.54	
nw of ne.....	1	82	15	39.90	
se of ne.....	1	82	15	40	
e hf of nw.....	1	82	15	.....	Cash excess 0.27 acres....
nw of nw.....	1	82	15	40.63	
ne of ne.....	2	82	15	40.54	
w hf of ne.....	2	82	15	.....	Cash excess 0.07 acres....
w hf of nw.....	2	82	15	79.12	
nw of sw.....	2	82	15	40	
n hf of nw.....	3	82	15	.....	Cash excess 3.20 acres....
ne qr.....	4	82	15	.....	Cash excess 5.36 acres....
sw of ne.....	20	82	15	40	
se of nw.....	20	82	15	40	
se of sw.....	21	82	15	40	
nw of se.....	21	82	15	40	
sw of se.....	22	82	15	40	
se of se.....	22	82	15	40	
sw of sw.....	23	82	15	40	
se of se.....	24	82	15	40	
se of ne.....	27	82	15	40	
nw of nw.....	27	83	15	40	
sw of sw.....	30	83	15	40	
ne of sw.....	32	83	15	80	
e hf of ne.....	32	83	15	40	
nw of ne.....	32	83	15	40	
ne of se.....	32	83	15	40	
nw of nw.....	30	84	15	.....	Cash excess 1.68 acres....

TAMA COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
nw of se.....	30	84	15	40	
se of se.....	30	84	15	40	
se of nw.....	2	85	15	40	
s hf of sw, s hf of se.....	9	85	15	160	
sw of sw.....	11	85	15	40	
se of sw.....	11	85	15	40	
w hf of se.....	11	85	15	80	
w hf of ne, se of ne.....	12	85	15	120	
ne of se, s hf of se.....	12	85	15	120	
n hf of nw.....	14	85	15	80	
n hf of ne.....	15	85	15	80	
n hf of ne.....	17	85	15	80	
n hf of nw.....	17	85	15	80	
n hf of ne.....	18	85	15	80	
nw of nw.....	18	85	15	45.19	
w hf of ne, se of ne.....	7	83	16	120	
ne of sw, ne of se.....	7	83	16	80	
se of sw, nw of se.....	7	83	16	80	
sw of sw.....	14	83	16	40	
sw of sw.....	15	83	16	40	
se of se.....	15	83	16	40	
se of nw.....	22	83	16	40	
ne of ne.....	25	83	16	40	
nw of nw.....	25	83	16	40	
sw of nw.....	25	83	16	40	
sw of ne, nw of se s hf of se.....	3	84	16	160	
ne of sw.....	3	84	16	40	
nw of sw.....	3	84	16	40	
se of ne.....	4	84	16	40	
ne of se.....	10	84	16	40	
w hf of sw.....	11	84	16	80	
sw of ne.....	14	84	16	40	
ne of ne.....	25	84	16	40	
ne of nw.....	13	85	16	40	
Total.....				11,796 27	

WINNESHEIK COUNTY.

nw of sw.....	8	98	9	40	
nw of se.....	11	99	9	40	
ne of nw.....	3	96	10	33.32	
n hf of ne, se of ne, n hf of nw. }	4	96	10		
sw of ne.....	5	96	10	211.86	
ne of nw.....	9	96	10	40	
w hf of nw.....	18	97	10	58.52	
se of sw.....	30	97	10	40	
nw of sw.....	35	97	10	40	
sw of sw.....	35	97	10	40	
se of se.....	26	98	10	40	
nw of ne.....	9	98	7	40	
se of sw.....	14	98	8	40	
ne of sw.....	20	96	9	40	
nw of se.....	27	96	9	40	
se of ne.....	32	96	9	40	

WINNESHEIK COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
sw of sw.....	32	96	9	40	
n hf of ne.....	12	97	9	65.24	
se of nw.....	12	97	9	40	
ne of sw.....	1	97	9	40	
ne of ne.....	1	98	9		Cash excess 1.32 acres.....
sw of sw.....	14	98	9	40	
sw of ne.....	22	98	9	40	
se of se.....	29	98	9	40	
nw of nw.....	30	98	9	40.22	
ne of ne.....	32	98	9	40	
se of nw.....	34	98	9	40	
ne of se.....	34	98	9	40	
n hf of sw.....	35	98	9	80	
s hf of se.....	35	98	9	80	
sw of sw.....	36	98	9	40	
se of se.....	36	98	9	40	
sw of sw.....	3	96	10	40	
s hf of se.....	3	96	10	80	
w hf of se, se of se.....	4	96	10	120	
w hf of se, se of se.....	5	96	10	160	
ne of ne.....	8				
s hf of nw.....	10	96	10	80	
sw of sw, e hf of sw, sw of se.....	10	96	10	160	
nw of nw.....	11	96	10	40	
sw of nw.....	12	96	10	40	
sw of nw.....	13	96	10	40	
ne of se.....	23	96	10	40	
sw of se.....	36	96	10	40	
ne of ne.....	8				
w hf of nw.....	9	97	10	2)	
ne of ne.....	11	97	10	40	
nw of ne.....	11	97	10	40	
sw of nw.....	7	98	10	32.85	
ne of sw.....	7	98	10	40	
nw of sw.....	7	98	10	31.99	
sw of sw.....	14	98	10	40	
sw of se.....	18	98	10	40	
se of ne.....	19	98	10	40	
w hf of ne, ne of nw.....	19	98	10	120	
sw of sw.....	19	98	10	29.64	
se of sw.....	19	98	10	40	
sw of sw.....	20	98	10	80	
se of nw.....	29	98	10	40	
ne of se.....	23	98	10	40	
ne of ne.....	25	98	10	40	
nw of nw.....	26	98	10	40	
se of sw.....	26	98	10	40	
sw of ne.....	29	98	10	40	
ne of se.....	29	98	10	40	
ne of ne.....	30	98	10	80	
sw of ne.....	30	98	10	80	
Total.....				3,344.96	

WOODBURY COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
e hf of sw.....	34	89 42	80		
ne of ne.....	6	86 43	42.60		
nw of ne.....	6	86 43	42.72		
ne of ne.....	7	86 43	40		
sw of sw.....	8	87 43	40		
nw of sw.....	18	87 43	32.60		
se of sw.....	31	87 43	40		
w hf of se.....	31	87 43	80		
nw of se.....	15	88 43	40		
ne of sw.....	28	88 43	40		
ne of ne.....	13	86 44	40		
ne of sw.....	13	86 44	40		
se of sw.....	13	86 44	40		
e hf of se, sw of se.....	13	86 44	120		
sw of ne.....	24	86 44	40		
ne of sw.....	24	86 44	40		
sw of sw.....	24	86 44	40		
se of sw.....	24	86 44	40		
nw of ne.....	25	86 44	40		
e hf of sw.....	25	86 44	80		
ne of ne.....	35	86 44	40		
se of ne, e hf of se.....	35	86 44	120		
nw of se.....	35	86 44	40		
sw of se.....	35	86 44	40		
sw of nw, w hf of sw.....	36	86 44	120		
sw of ne.....	26	86 45	40		
w hf of nw, w hf of sw.....	30	86 45		Cash excess 27.58 acres..	
s hf of ne.....	6	87 46	80		
w hf of nw, se of nw, sw qr, w hf of se.....	6	87 46	367.88		
se of ne.....	7	87 46			
sw of nw, w hf of se.....	8	87 46	160		
e hf of se.....	8	87 46	80		
w hf of sw.....	17	87 46	80		
ne of nw.....	23	87 46	40		
nw qr, e hf of sw, nw of sw.....	26	87 46		Cash excess on M. B. L	
w hf of ne.....	31	88 46	80	[scrip, 8.14 acres.	
e hf of sw.....	31	88 46	80		
se qr.....	31	88 46	160		
se of sw.....	4	86 47	40		
lots No. 3 and 4.....	8	86 47	93.32		
e hf of ne.....	9	86 47	80		
w hf of ne.....	9	86 47	80		
e hf of nw.....	9	86 47	80		
ne of se.....	9	86 47	40		
sw of nw.....	10	86 47	40		
lot No. 5.....	10	86 47	36.56		
lot No. 7.....	10	86 47	44.85		
lots 5 and 6.....	11	86 47		Cash excess 14.91 acres..	
lot No. 1.....	12	86 47	74.19		
sw of se.....	12	86 47	54.03		
lot No. 2.....	12	86 47	40		
nw of se.....	15	86 47	40		
lots 1 and 2.....	17	86 47	140.68		
lot No. 3.....	17	86 47	70.64		
lot No. 4.....	17	86 47	68.20		

WOODBURY COUNTY—CONTINUED.

PARTS OF SECTION	Sec.	Town.	Range.	Acres.	REMARKS.
lot 6, se of nw.....	23	86 47	104.33		
sw of nw.....	23	86 47	40		
n hf of nw.....	23	86 47	80		
lot no. 1.....	24	86 47	33.10		
lots 1 and 2.....					
se of sw.....	26	86 47		Cash excess 1.20 acres....	
lot no. 3, e hf of ne.....	26	86 47		Cash excess 19.10 acres...	
lot no 4.....	26	86 47	34.76		
lot no. 1, n hf of ne, sw of ne....	27	86 47	158.07		
lots 2 and 3.....	27	86 47	115.20		
lot no. 2.....	28	86 47	61.38		
lots 4 and 5.....					
lot no. 1.....	33	86 47		Cash excess 6.06 acres....	
nw of nw.....	34	86 47	40		
sw of nw.....	34	86 47	40		
ne of sw.....	34	86 47	40		
lots 4 and 5.....	34	86 47	65.35		
ne of nw.....	6	87 47	37.70		
nw of nw.....	6	87 47	42		
sw qr.....	6	87 47	156.52		
nw of se.....	6	87 47	40		
nw of se.....	17	87 47	40		
e hf of nw.....	19	87 47	80		
s hf of se.....	19	87 47	80		
sw of se.....	21	87 47	40		
nw of sw.....	27	87 47	40		
ne of se.....	27	87 47	40		
lot no. 1.....	28	87 47	62.24		
lot no. 2.....	28	87 47	39.60		
lot no. 4.....	28	87 47	55.48		
nw of ne.....	29	87 47	40		
w hf of nw.....	30	87 47	78.80		
lots 1 and 2.....	31	87 47	108.11		
lots 1 and 2.....	33	87 47		Cash excess 4.38 acres....	
w hf of nw.....	18	88 47	64.01		
nw of sw.....	18	88 47	32.61		
sw of ne.....	19	88 47	40		
se of sw.....	19	88 47	40		
w hf of se.....	19	88 47	80		
se of se.....	30	8 47	40		
ne of nw.....	32	88 47	40		
nw of nw.....	32	88 47	40		
se of nw.....	33	88 47	40		
sw of sw.....	12	89 47	40		
se of sw.....	22	89 47	40		
sw of ne.....	27	89 47	40		
ne of ne.....	1	87 48	44.58		
ne of sw, sw of sw.....	1	87 48	80		
sw of ne.....	2	87 48	40		
lot no. 2.....	3	87 48	48.10		
ne of ne.....	10	87 48	40		
nw of ne.....	10	87 48	40		
sw of ne.....	10	87 48	40		
se of ne.....	10	87 48	40		
se of sw, nw of se.....	10	87 48	80		
e hf of se.....	10	87 48	80		

WOODBURY COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	REMARKS.
sw of se.....	10	87	48	40	
lot No. 1.....	10	87	48	51.06	
se of ne, ne of se.....	13	87	48	80	
nw of se.....	13	87	48	40	
sw of se.....	13	87	48	40	
lot No. 2.....	13	87	48	29.75	
lot No. 1.....	14	87	48	63.37	
lot No. 2.....	14	87	48		
lot No. 4.....	15	87	48	131	
lot No. 4.....	14	87	48	37.14	
n hf of ne.....	15	87	48	80	
lot No. 3.....	15	87	48	60.96	
e hf of ne.....	13	88	48	80	
sw of nw.....	36	88	48	40	
w hf of sw, sw of se.....	36	88	48	120	
ne of se.....	36	88	48	40	
se of se.....	36	88	48	40	
lot No. 2.....	2	89	48	42.80	
lot No. 1.....	15	89	48		
lot No. 1.....	22	89	48	65.38	
Total.....				7,533.04	
Aggregate in List.....				82,041.62	

SWAMP AND OVERFLOWED LANDS.

The following is a list of the Swamp and Overflowed Lands Patented to the State of Iowa by the United States, and by the State to the Several Counties in which the same are Situated, since the last Report of this Office.

BUENA VISTA COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.
nw of sw.....	3	93	35	
se of ne, ne of se.....	7	93	35	
e hf of sw, nw of sw.....	11	93	35	
ne of ne, nw of nw, w hf of sw.....	13	93	35	
nw of ne, nw of nw.....	15	93	35	480
w hf of ne fr., w hf of se.....	5	93	36	169.46
Total.....				649.46

CALHOUN COUNTY.

nw of sw, ne of nw.....	36	89	31	80
ne of sw.....	6	89	33	
nw of se.....	8	89	33	80
Total.....				160

CARROLL COUNTY.

e hf of ne, e hf of se.....	3	83	33	135.65
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CLAY COUNTY.

nw qr, ne of se, s hf of se.....	26	91	37	280
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DICKINSON COUNTY.

s hf of nw.....	1	98	35	
se of sw.....	11	98	35	
nw of se.....	13	98	35	
ne of ne, sw of se.....	15	98	35	
sw of ne.....	35	98	35	280
se of se.....	7	99	35	40
sw of sw, nw of se.....	11	98	36	
se of ne.....	13	98	36	
se of ne.....	15	98	36	
nw of ne.....	25	98	36	
nw of ne.....	27	98	36	240
sw of nw, se of sw.....	5	98	37	80
se of nw, sw of nw.....	11	99	38	
sw of se.....	23	99	38	
ne of ne, sw of ne, se of nw.....	29	99	38	
sw of sw.....	31	99	38	276.27
Total.....				916.27

EMMET COUNTY.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.
nw of sw.....	13	98 33	40	

GREENE COUNTY.

sw of nw.....	33	84 29	40	
w hf of sw, se of sw.....	23	85 29	120	
sw of ne.....	19	85 30	40	
sw of se, se of sw.....	30	83 31	80	
nw of se.....	29	84 31	40	
se of nw, nw of se, w hf of nw, w hf of sw.....	13	85 31		
se of se.....	23	85 31		
nw of ne, sw of se.....	26	85 31		
sw of se.....	29	85 31		
ne of se.....	35	85 31	440	
se of ne.....	9	82 32		
nw of nw.....	11	82 32		
ne of nw.....	14	82 32	120	
Total.....				880

HARDIN COUNTY.

w hf of nw.....	18	89 22	92.95	
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HUMBOLDT COUNTY.

sw of ne, ne of sw.....	4	93 27		
nw of sw.....	8	93 27	120	
e hf of sw.....	17	92 28	80	
ne of sw.....	2	93 30		
se of ne.....	4	93 30		
nw of ne, sw of ne.....	34	93 30		
nw of ne.....	36	93 30	200	
ne of se.....	11	93 27	40	
nw of se, sw of ne.....	3	93 30		
s hf of ne.....	25		160	
Total.....				600

KOSSUTH COUNTY.

nw of ne, nw of se.....	8	95 27		
se of se.....	10	95 27	120	
se of sw.....	24	96 27		
ne of ne, se of se.....	36	96 27	120	
nw of sw, sw of se.....	4	97 27		
sw of ne.....	8	97 27		
n hf of ne, n hf of nw.....	10	97 27		
sw of nw.....	14	97 27		

KOSSUTH COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.
sw of nw.....	20	97 27		
sw of se.....	30	97 27		
se of sw.....	36	97 27	440	
ne of se.....	4	98 27		
w hf of nw.....	12	98 27		
ne of ne, s hf of nw.....	26	98 27		
ne of se.....	28	98 27		
se of se.....	30	98 27		
e hf of nw.....	32	98 27	400	
s hf of ne.....	4	94 28		
sw of ne, ne of se.....	36	94 28	160	
ne of sw.....	36	95 28	40	
nw of ne.....	34	96 28	40	
nw of nw.....	34	97 28	40	
nw of nw.....	4	98 28		
se of sw.....	6	98 28		
ne of ne.....	10	98 28		
s hf of sw.....	14	98 28		
ne of sw.....	24	98 28		
se of nw.....	28	98 28		
sw of ne, se of nw.....	36	98 28	362.18	
se of sw.....	6	99 28		
sw of sw.....	8	99 28		
se of sw.....	10	99 28		
se of sw.....	22	99 28		
sw of nw.....	28	99 28	200	
lot no. 5.....	2	94 29		
s hf of sw.....	28	94 29		
ne of ne.....	32	94 29		
se of nw.....	34	94 29	214.40	
lots 5, 6, 7.....	36	95 29	88.30	
nw of ne.....	6	96 29		
se of se.....	22	96 29		
se of se.....	32	96 29	120	
ne of se.....	12	97 29		
nw of sw.....	32	97 29	80	
se of sw.....	6	98 29		
sw of nw.....	8	98 29		
sw of ne, sw of sw.....	30	98 29	160	
ne of ne.....	4	99 29		
w hf of nw.....	6	99 29		
ne of ne.....	8	99 29		
se of ne.....	12	99 29		
se of nw.....	24	99 29		
ne of se.....	32	99 29	297.76	
w hf of ne.....	26	94 30		
nw of ne.....	36	94 30	120	
ne of ne.....	20	95 30		
sw of sw.....	22	95 30		
nw of ne, se of sw.....	28	95 30		
ne of nw, se of sw, sw of se.....	32	95 30		
ne of nw, sw of nw, se of sw.....	34	95 30	400	
nw of se.....	10	96 30		
sw of nw.....	18	96 30	97.44	
se of nw, ne of sw.....	4	97 30	80	
sw of sw.....	10	98 30		

KOSSUTH COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town. Range.	Acres.
se of se.....	18	98 30	.....
ne of sw, sw of sw.....	26	98 30	160
ne of ne, sw of se.....	1	99 30	.....
se of ne, se of sw.....	3	99 30	.....
nw of sw.....	4	99 30	.....
nw fr'l of ne, ne of sw.....	5	99 30	.....
sw of ne, se of nw, se of sw.....	7	99 30	.....
s hf of sw.....	8	99 30	.....
sw of sw.....	9	99 30	.....
se of sw.....	10	99 30	.....
se of nw.....	11	99 30	.....
se of sw.....	13	99 30	.....
ne of sw.....	14	99 30	.....
w hf of se.....	15	99 30	.....
sw of nw.....	21	99 30	.....
w hf of se.....	22	99 30	.....
se of sw, sw of se.....	28	99 30	1,001.48
w hf of ne, e hf of nw, w hf of nw, ne of sw.....	7	100 30	.....
w hf of sw.....	7	100 30	.....
e hf of ne, e hf of nw.....	8	100 30	.....
se of ne.....	13	100 30	.....
sw of se.....	15	100 30	.....
w hf of nw, w hf of sw, se of sw.....	18	100 30	.....
e hf of se.....	20	100 30	.....
sw of se, sw of ne, nw of se.....	21	100 30	.....
sw of nw.....	24	100 30	.....
lot no. 5.....	28	100 30	.....
se of nw, sw of ne.....	31	100 30	926.69
ne of nw.....	19	95 27	40
ne of nw.....	25	96 27	40
sw of se, s hf of sw.....	1	97 27	.....
se of se.....	5	97 27	.....
se of nw.....	33	97 27	200
se of nw.....	7	94 29	40
ne of ne.....	31	95 29	40
sw of se.....	9	94 30	.....
ne of se.....	17	94 30	80
sw of nw.....	9	95 30	40
se of nw.....	13	97 30
se of ne.....	21	97 30	80
Total.....			6,228 28

MONONA COUNTY.

e hf of ne.....	29	85 46	80
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* O'BRIEN COUNTY.

PARTS OF SECTION.	Sec.	Town. Range.	Acres.
se of sw.....	14	94 39
ne of nw.....	34	94 39	80
sw of ne.....	22	95 39	.....
sw of se.....	27	95 39	80
sw of ne.....	10	94 41	.....
ne of se.....	10	94 41	.....
sw of se.....	10	94 41	.....
e hf of nw.....	20	94 41	.....
e hf of sw.....	20	94 41	.....
nw of ne.....	36	94 41	.....
ne of nw.....	36	94 41	360
Total.....			520

PALO ALTO COUNTY.

lot no. 3, ne of sw.....	4	94 31	.....
ne of nw.....	24	94 31	119.91
se of nw.....	14	95 31	.....
nw of ne, se of ne, se qr.....	26	95 31	.....
lot no. 9.....	30	95 31	343.10
nw of sw.....	8	96 31	.....
sw of nw.....	14	96 31	.....
ne of nw.....	24	96 31	.....
se of se.....	26	96 31	.....
sw of ne, se of se, nw of se.....	34	96 31	.....
w hf of nw.....	36	96 31	360
nw of se, se of sw.....	6	97 31	.....
w hf of ne, se of ne, w hf of sw, se of sw, nw of se, se of se	8	97 31	.....
sw of nw, se of ne.....	10	97 31	.....
e hf of se.....	14	97 31	.....
e hf of nw, se of ne.....	18	97 31	.....
s hf of sw.....	20	97 31	.....
n hf of ne, se of sw.....	24	97 31	.....
w hf of sw.....	26	97 31	.....
ne of nw, ne of sw.....	30	97 31	.....
w hf of sw.....	32	97 31	.....
e hf of ne.....	34	97 31	1,200
se of sw, sw of se.....	8	94 32	.....
s hf of ne.....	12	94 32	.....
ne of nw.....	20	94 32	.....
nw of nw.....	22	94 32	.....
sw of se, ne of sw.....	28	94 32	.....
e hf of ne.....	30	94 32	.....
sw of nw.....	34	94 32	440
se of sw, ne of sw.....	2	95 32	.....
w hf of ne, s hf of sw, ne of sw.....	12	95 32	.....
nw of nw.....	14	95 32	.....
lot no. 3.....	20	95 32	383.10
n fr'l hf of ne, se of ne.....	4	96 32	.....
ne of se.....	8	96 32	.....
sw of ne, n hf of se.....	14	96 32	.....
nw of ne, s hf of se.....	24	96 32	.....

* NOTE.—The lands in this, O'Brien county, list were patented to said county April 23, 1863, but the list has not been heretofore published in any report of this office.

PALO ALTO COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.
ne of nw, sw of se.....	32	96 32		468.44
ne of nw.....	6	97 32		
nw of nw.....	8	97 32		
ne of sw, sw of sw.....	12	97 32		
ne of se, se of se.....	14	97 32		
sw of ne, e hf of nw, ne of sw, w hf of se.....	22	97 32		
ne of se.....	24	97 32		
se of ne, e hf of se.....	26	97 32		
sw of nw, lot No 1.....	32	97 32		712.62
sw of sw.....	4	94 33		
e hf of nw, sw of ne, ne of sw.....		94 33		
sw of sw.....	8	94 33		
se of nw, sw of sw.....	14	94 33		
ne of ne.....	18	94 33		
nw of sw.....	20	94 33		
e hf of se, sw of se, n hf of sw.....		94 33		
sw of sw, se of ne.....	28	94 33		
sw of sw.....	34	94 33		
ne of sw.....	36	94 33		760
sw of nw.....	4	95 33		
e hf of nw.....	6	95 33		
n hf of se.....	36	95 33		212.98
s hf of ne.....	6	96 33		
ne of nw, sw of nw, sw of sw.....	18	96 33		
sw of nw, ne of se.....	20	96 33		
se of se.....	30	96 33		
nw of ne, se of ne.....	32	96 33		389.47
n hf of se.....	6	97 33		
e hf of sw.....	8	97 33		
nw of sw, s hf of nw.....	12	97 33		
w hf of sw, ne of ne, se of se.....	20	97 33		
sw of se.....	24	97 33		
w hf of sw.....	28	97 33		
ne of ne, sw of ne.....	30	97 33		640
sw of nw.....	5	95 32		
n hf of nw.....	33	95 32		120
sw of nw.....	23	94 33		40
sw of se, se of nw.....	29	96 33		80
nw of se, se of nw.....	15	95 34		80
se of se.....	11	96 34		40
nw of se.....	33	97 34		40
sw of nw.....	7	94 31		
nw of se.....	9	94 31		
se of sw.....	13	94 31		
nw of ne, nw of se.....	15	94 31		
nw of nw.....	19	94 31		235.42
e hf of ne, nw of sw.....	17	95 31		
w hf of se.....	23	95 31		
se of nw.....	29	95 31		240
se of se.....	3	94 32		
nw of se.....	13	94 32		
nw of ne, e hf of nw.....	17	94 32		
e hf of nw.....	21	94 32		
ne of ne.....	23	94 32		
e hf of sw.....	27	94 32		400
nw of ne.....	1	95 32		

PALO ALTO COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.
sw of nw, nw of sw.....	13	95 32		
w hf of sw, se of sw.....	15	95 32		
n hf of ne, n hf of se.....	19	95 32		
sw of se, se of sw.....	23	95 32		
se of se.....	27	95 32		
sw of sw.....	25	95 32		
w hf of ne, n hf of se.....	31	95 32		772.78
ne of nw.....	35	95 32		
nw of sw.....	3	94 33		
se of ne, ne of nw.....	29	94 33		120
e hf of nw, sw of nw, sw qr.....	1	95 33		293.26
sw of sw.....	3	96 33		
se of nw.....	5	96 33		
ne of sw.....	29	96 33		120
e hf of nw.....	17	97 33		
nw of nw.....	29	97 33		120
Total.....				9,031.08

POCAHONTAS COUNTY.

nw of nw.....	18	93 31		
sw of nw.....	22	93 31		79.88
nw of nw.....	2	92 32		
ne of ne.....	4	92 32		198.78
n frac'l hf nw qr.....				
n hf of sw.....	2	93 32		
ne of se, sw of sw.....	4	93 32		
se of se.....	6	93 32		
nw of se, se of se, w hf of sw.....	8	93 32		
sw of nw, e hf of sw.....	10	93 32		
se of ne.....	12	93 32		
ne of nw.....	18	93 32		
ne of ne, w hf of ne, se of nw.....	20	93 32		
ne of se, sw of se.....	28	93 32		
sw of nw, ne of se.....	32	93 32		
w hf of se.....	34	93 32		
sw of nw.....	36	93 32		1,600
se of ne.....	24	90 33		
sw of sw.....	32	90 33		
sw of se.....	34	90 33		120
sw of sw.....	32	91 33		
se of sw.....	36	91 33		80
w hf of ne, s hf of nw.....	6	92 33		
sw of sw.....	8	92 33		
sw of nw.....	18	92 33		
ne of sw.....	34	92 33		298.92
se of ne.....	10	93 33		
se of ne, nw of nw.....	14	93 33		
sw of nw, nw of sw.....	20	93 33		
n hf of ne, nw of sw.....	26	93 33		
se of ne.....	28	93 33		
sw of ne, ne of se.....	30	93 33		
se of se, sw of sw.....	32	93 33		520

POCAHONTAS COUNTY—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.
s hf of sw.....	1	93	32	
se of ne.....	3	93	32	120
ne of nw.....	1	92	33	51.53
sw of nw, ne of sw.....	11	93	33	
nw of se.....	23	93	33	120
Total.....				2,589.11

SAC COUNTY.

nw of se.....	34	86	35	40
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UNION COUNTY.

e fr' l hf of ne fr' l.....	6	72	28	75.34
n fr' l hf of nw fr' l.....	31	73	28	78.93
se of ne.....	25	71	30	40
ne of ne.....	23	71	31	40
Total.....				234.32

WINNEBAGO COUNTY.

nw of sw.....	24	99	26	40
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WOODBURY COUNTY.

sw of nw.....	25	89	42	40
se of se.....	17	89	44	
ne of ne.....	31	89	44	80
w hf of ne.....	35	86	45	80
sw of se, e hf of se.....	1	89	47	120
Total.....				320

WRIGHT COUNTY.

ne of nw.....	2	90	24	42.80
ne of ne.....	4	92	24	47.22
Total.....				90.02

9TH.—THE RAILROAD GRANT.

The first grant of lands made to the State of Iowa to aid in the construction of railroads in said State, was, by act of Congress, approved May 15, 1856. This grant was to aid in the construction of four railroads across the State, from the Mississippi river on the east, to the Missouri river on the west of said State, as follows: "from Burlington, on the Mississippi river, to a point on the Missouri river near the mouth of Platte river; from the city of Davenport, via Iowa City and Fort Des Moines, to Council Bluffs; from Lyons City, northwesterly to a point of intersection with the main line of the Iowa Central Air Line railroad, near Maquoketa, thence on said main line, running as near as practicable to the forty-second parallel, across said State to the Missouri river; from the city of Dubuque, to a point on the Missouri river, near Sioux City, with a branch from the mouth of the Tete des Morts, to the nearest point on said road." The lands granted were "every alternate section of land, designated by *odd numbers*, for six sections in width on each side of said roads." The act provided that for any of said odd sections or parts thereof that had been sold, or to which the right of pre-emption had attached prior to the time when the lines or routes of said roads were definitely fixed, the State would be permitted to select in lieu thereof, other lands in *odd sections*, within a limit of fifteen miles on either side of said roads, subject to the approval of the Secretary of the Interior. All lands that had been reserved by any act of Congress, or in any other manner by competent authority, were reserved from the operations of the act, except, that the right of way through, them was granted subject to the approval of the President of the United States. The price of the even numbered sections on both sides of said roads, within six miles thereof, was raised to double the minimum, or \$2.50 per acre.

The several roads receiving the benefit of this grant, were to be, and remain public highways for the use of the United States, free from toll or charge for the transportation of property or troops thereof.

The United States mail to be transported over said roads under direction of the Postoffice Department, at such price as Congress should, by law direct; that until such price was fixed by law, the Postmaster-General should determine it.

It seems to have been the intention of Congress to give, by this act, to each of said roads, the benefit of one hundred and twenty sections of the lands granted before any road was built. The State was required to dispose of the said lands as follows: "That a quantity of lands not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads may be sold; and when the Governor of said State shall certify to the Secretary of the Interior, that any twenty continuous miles of any of said roads is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of said roads, may be sold; and so from time to time until said roads are completed."

The act further provides that if any of said roads are not completed within ten years, no further sale shall be made, and the lands unsold shall revert to the United States.

This grant was accepted by the State of Iowa, by act of the General Assembly passed at a special session thereof, and approved July 14, 1856, upon the terms, conditions and restrictions contained in said act of Congress.

Said act of the General Assembly also grants, upon certain conditions and restrictions, the "lands, interests, rights, powers and privileges as are or may be granted and conferred in pursuance of the act of Congress aforesaid," to the following railroad companies respectively, to-wit: the Burlington and Missouri River, the Mississippi and Missouri, the Iowa Central Air Line, and the Dubuque and Sioux City and Tete des Morts Branch.

Said act provides that the lines or routes of the several roads shall be definitely fixed and located on or before the first day of April next after the passage of said act, and that maps or plats shall be filed in the office of the Governor, and the office of Secretary of State, and that the Governor, after affixing his official signature, shall file such map in the department in Washington having control of the public lands; such location to be considered final only so far as to fix the limit and boundary within which lands may be selected.

The agents to select the lands in lieu of the odd sections disposed of were to be appointed by the Governor, but their compensation, and the costs and expenses of making the selections, was to be defrayed by the railroad companies respectively.

The several companies were required to have seventy-five miles of

their road completed and equipped within three years from December 1, 1856, thirty miles in addition in each year thereafter for five years, and the remainder of the whole line in one year thereafter. In case of the failure on the part of any company to comply with these requirements, the State reserves the right to resume all lands granted to said company which remain undisposed of.

The gauge, style of road, duties of the several companies relative to providing the necessary crossings, turnouts, sidelings, switches, etc., is specified.

The protection of valid claimants in their rights to any of these lands is provided for.

The written assent and acceptance of the several companies of the provisions of the act is required, the same to be filed in the office of the Secretary of State.

The several railroad companies are at all times to be subject to the rules and regulations prescribed by the legislature, and are required to make an annual report, a copy of which is to be filed with the Secretary of State.

Those companies accepting the grant, "take the same with the conditions imposed and incumbrances specified in this act, and shall, in no event, have any claim or recourse whatever upon the State of Iowa, for a misapplication of said grant, incumbrances or conditions in this act imposed."

The several companies accepted the grant on the conditions and restrictions specified in the act.

A copy of this act of the general assembly was sent to the Commissioner of the General Land Office, by the Secretary of State, on August 12, 1856. The Commissioner acknowledged the receipt of same, but objected to that portion of the act having reference to the location of the roads and filing plats of same in the Department at Washington, which stipulates that the location shall be considered final, "*only so far as to fix the limit and boundary within which lands may be selected.*" This, he stated, was in conflict with the act of Congress making the grant, which contemplates that the lines or routes of said roads must be definitely fixed before any title could vest; and that the certificate of the Governor, on the maps returned to that Department, must set forth that such maps delineate the routes as "definitely fixed," before they would be acted upon.

The Iowa Central Air Line Railroad Company failed to comply with the requirements of said act, and the general assembly, by act approved

March 17, 1860, resumed all rights to the lands, interests, rights, powers and privileges which had been conferred, or intended to be conferred, upon said company; and by act of the same session, approved March 26, 1860, granted the same to the Cedar Rapids & Missouri River Railroad Company, under certain conditions and restrictions. (See Special Acts 1860, p. 40.)

The grant was accepted by the company.

By act of the General Assembly, approved April 7, 1862, the Du-buque & Sioux City Railroad Company, successor to the Du-buque & Pacific Railroad Company, was required to release, by deed, to the county in which the same might be situated, all the swamp and overflowed lands that have been approved, or that might be approved by the Surveyor General, within the fifteen miles limits of said road, including all such swamp and overflowed lands as were returned to the General Land Office, and ratified to the State by act of Congress of March 3, 1857; also, to transfer to the Register of the State Land Office, their interest in the lands sold by John Tolman in Webster and Hamilton counties, to enable the Register to fulfill contracts made with the purchasers from said Tolman; also, to release by deed to the State, all lands in the odd sections above the Raccoon Fork within five miles of the Des Moines river, sold by the State prior to May 7, 1854, and of such other of said lands as have been sold since that date, and prior to the first day of January, 1862, that are improved and occupied by actual settlers, who purchased the same in good faith, not exceeding one hundred and sixty acres to any one settler.

These deeds were not required to describe the tracts, but were to be a general release of each kind referred to. The deeds to be filed and recorded in the State Land Office.

In consideration of the relinquishments, the Company was to have the time for completing their road extended one year.

The only release the Company has filed under this act, is a release to all lands sold by John Tolman as school lands.

It is thought by some, that this act conflicts too much with judicial decisions and with subsequent legislation of the State to be of any validity.

The Company has nothing to release as to lands in the odd sections within the five miles limit of the Des Moines river; the Supreme Court of the United States having decided that said lands were reserved from the operations of the grant of May 15, 1856, and that all certificates of the same by the Department under said act of Congress,

were void and of no effect. The lands granted to said Company were all resumed by the State in 1868, as will be seen further on, and in the re-grant there is no provision for releasing any lands.

There was no law which conferred any authority for certifying lands to said company, until the enactment of the law embodied in Sec. 93 of the Code; the swamp land interests are very carefully guarded by this law, for it provides that no lands, *selected* by the State or any county as swamp, shall be included in the lists certified, and that if any such lands are included no title shall pass, and that no title shall pass to any other lands included in said lists to which the company is not in equity entitled.

By act of the General Assembly approved March 20, 1858, the several railroad companies were authorized to mortgage the whole or any part of their property to raise money for the construction and equipment of their roads.

The act of Congress approved June 2, 1864, which is amendatory of the act of May 15, 1856, permits the Mississippi and Missouri Railroad Company, (now Chicago Rock Island and Pacific Railroad Company), to modify or change the line of its road, and requires a plat of such modified line to be filed in the Department at Washington, and the Secretary of the Interior is required to certify to said company, and also to the Burlington and Missouri River Railroad Company, out of any of the public lands within six miles of their lines of road, an amount of lands equal to that authorized to be granted by the act of May 15, 1856, and if that amount could not be found within said six miles limit, then the selections could be made within twenty miles limit of said roads. The Mississippi and Missouri Railroad Company's selections were to be made along the modified line of their road and were not to interfere with any lands within the fifteen miles limit of the Burlington & Missouri River Railroad.

Said act also provides that the Cedar Rapids & Missouri River Railroad Company, (the successor to the Iowa Central Air Line Railroad Company,) "may modify or change the location of the uncompleted portion of its line, as shown by the map on file in the General Land Office, so as to secure a better and more expeditious line to the Missouri river, and to a connection with the Iowa branch of the Union Pacific Railroad; and for the purpose of facilitating the more immediate construction of a line of railroad across the State of Iowa, to connect with the Iowa branch of the Union Pacific Railroad Company aforesaid, the said company is authorized to connect its line by

a branch with the line of the Mississippi & Missouri Railroad Company." Said act provides, that said "Cedar Rapids & Missouri River Railroad Company shall be entitled for such modified line, to the same lands and to the same amount of lands per mile, and for such connecting branch, the same amount of lands per mile as originally granted to aid in the construction of its main line, subject to the conditions and forfeitures mentioned in the original grant." The right-of-way through the public lands of the United States was also granted. It was made the duty of the Secretary of the Interior, as soon as said lines of road were located and a map of same filed in the General Land Office, "to certify and convey to said company, from time to time, as the work progressed on the main line, out of any of the public lands belonging to the United States not sold, reserved, or otherwise disposed of, or to which the right of pre-emption, or homestead, has not attached, and on which a bona-fide settlement and improvement has not been made under color of title derived from the United States or State, within fifteen miles of the original main line, an amount of land equal to that originally authorized to be granted to aid in the construction of said road by the act of May 15, 1856; and if the said amount cannot be found within said fifteen miles limit, then the selections may be made along such modified line and connecting branch, within twenty miles thereof." The act further provides, that in case the line is so modified or changed as not to reach the Missouri river at or near the forty-second parallel, the company shall, in a reasonable time after completion of the road to the Missouri river, construct a branch road to some point in Monona county, in or at Onawa City, and shall have the same amount of land per mile for said branch, as for the main line, to be selected within twenty miles of said main line and branch, and reserved and certified in the same manner as those for the main line. A map of said branch is required to be filed with the Secretary of the Interior.

No lands can be certified by the Secretary of the Interior to aid in the construction of said connecting branch, except as the Governor certifies to the completion of the *main line*.

No lands are to be conveyed to said company lying within fifteen miles of the original line of the Mississippi & Missouri Railroad.

The Secretary of the Interior is also required to reserve from the lands granted for the Cedar Rapids & Missouri River Railroad a quantity sufficient, in the opinion of the Governor, to secure the construction of a branch railroad from Lyons, to connect with the main line in or west of Clinton.

The Mississippi & Missouri Railroad Company is given by said act the right to transfer and assign all or any part of the lands granted to said company by said act, to secure a more speedy or satisfactory completion of the road, but the assignees shall not be released from the liabilities or conditions of the grant. Said transfer and assignment must first be authorized by the Governor.

The Dubuque & Sioux City Railroad Company is permitted by said act to change its line between Fort Dodge and Sioux City, and it is required to file a map of such change with the Commissioner of the General Land Office.

No lands granted by said act are to be certified to either of the companies by the Secretary of the Interior, except upon the proper certificates of the Governor of completion as required by the 8th section of the act.

In case of failure of any company to complete its road, the uncertified portions of lands granted shall become subject to the control of the Legislature of the State, to aid in the completion of the road.

The lands lying opposite any completed section of the road are required to be offered for sale within three years from the completion of such section, if then certified; if not, then in three years from the date of such certification; and if not all sold then, during the fourth year they shall be exposed to public sale.

Under the act of Congress of 1856, the lands were certified to the State in trust for the railroad companies, and only the odd sections were granted. The price of the even numbered sections was raised to double the minimum, or, two dollars and fifty cents, as a compensation, it is presumed, for the lands donated. The act of June 2, 1864, authorized the selection, within certain prescribed limits, of *any vacant public lands*, and provides that these shall be certified by the Secretary of the Interior to the several railroad companies. This statute has the effect to give to the railroad companies all of the vacant *even numbered sections* which the act of May 15, 1856, raised the price of to double the minimum.

The intention of the law, as it would seem, was to give to certain railroad companies the quantity of lands they were entitled to under the grant of May 15, 1856; but by a careful examination of the act, it will be seen that Congress dealt even more generously with the Cedar Rapids & Missouri River Railroad Company.

By the act of the General Assembly, approved February 11, 1868, in the preamble to said act, it is set forth that the Mississippi & Mis-

souri Railroad Company became insolvent, and that the Chicago, Rock Island & Pacific Railroad Company purchased all the rights of said company at a judicial sale; and subsequently became consolidated with the Chicago & Rock Island Railroad Company, under the corporate name of the "Chicago, Rock Island & Pacific Railroad Company." Said act of the General Assembly recognizes this consolidation and grants to said consolidated company, on certain conditions, all right or interest the State may have in the lands heretofore granted by the General Assembly to the said Mississippi & Missouri Railroad Company. Said act also protects the interests of actual settlers on said lands, giving them the right to purchase the lands so settled upon, by complying with certain requirements therein specified. The company is required to relinquish to Pottawattamie county all right or claim it has or may acquire to any bonds or agreements to take stock, or indebtedness heretofore voted by said county to aid in the construction of the Mississippi & Missouri Railroad. And all acts, votes, decrees or agreements on the part of said county to issue bonds to said last named railroad company are declared to be null and void.

Congress, by act approved March 2, 1868, extended the time for completing the Dubuque & Sioux City Railroad until January 1, 1872, and provided that no lands should be disposed of, patented, or certified to aid in the construction of the road more than forty miles in advance of the point to which said road may be constructed from time to time.

The act of the General Assembly approved March 10, 1868, resumed all right, title and interest in and to the lands which had been granted to the Dubuque & Pacific, (now Dubuque & Sioux City) Railroad Company. Said resumption was not to impair said company's title to one hundred and twenty sections of land for every twenty miles of road completed and equipped.

The act of the same session approved April, 7, 1868, legalizes and confirms a contract between the Dubuque & Sioux City Railroad Company and the Iowa Falls & Sioux City Railroad Company, in which the former company transfers to the latter, so much of its road as remains to be constructed, with franchises, right-of-way, depot grounds, and other appurtenances of said road to be completed, with all its right and title to so much of the lands granted by Congress to aid in the construction of said road as shall be legally applicable to the construction of the uncompleted portion of the same, except as to the lands granted for the Dubuque, Bellevue & Sabula Railroad Company.

Section 2 of said act provides for an adjustment of six sections per

mile between the Iowa Falls & Sioux City Railroad Company, and the Dubuque & Sioux City Railroad Company.

Section 3 grants a pro rata of six sections per mile for the Dubuque, Bellevue & Sabula Railroad Company.

Section 4 specifies the conditions upon which the lands are granted to the Iowa Falls & Sioux City Railroad Company.

Section 5 provides for patenting the lands to said company, and also for conveying lands to actual settlers, upon their making the necessary proof of occupation and improvement, and paying \$2.50 per acre for the same.

Section 6 reserves the right to resume the lands for non-completion of the road as per requirements.

Section 7 requires the Iowa Falls & Sioux City Railroad Company to accept the terms and conditions of the act within thirty days from its passage, and in case of failure, authorizes the Census Board to confer the grant upon some other company.

The act of the General Assembly, approved April 7, 1870, resumed the lands granted by act of the Twelfth General Assembly to the Dubuque, Bellevue & Sabula Railroad Company, and granted them to the Dubuque, Bellevue & Mississippi Railway Company, to aid in the construction of the Tete des Morts branch required to be built by act of Congress; and the Governor is required to select or cause to be selected and reserved, the said lands, outside of the six mile limits of the grant.

Said Dubuque, Bellevue & Mississippi Railway Company is required to accept the terms and conditions of the act within thirty days from its passage, and in case of failure on the part of said Company to accept, the Census Board is required to confer the grant on some party or Company that is competent to carry into effect the enterprise.

The lands were selected and reserved as required by said act, and, subsequently patented to the Dubuque, Bellevue & Mississippi Railway Company.

Some of the lands selected within the limits of the Mississippi & Missouri Railroad (now Chicago, Rock Island & Pacific Railroad,) along the line of said road, as originally located and platted under the act of Congress of May, 15, 1856, situated in the counties of Shelby and Audubon, and which were approved and certified to the State in trust for said road, it appears reverted to the General Government. Congress, by act which took effect January 31, 1873, without the approval of the President, confirmed these lands to the Railroad Company. It is virtually a *new grant* of lands to said Company.

The following is the act :

"An act to quiet title to certain lands in the State of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title to the lands in the State of Iowa heretofore approved and certified by the Department of the Interior for railroad purposes, to aid in the construction of a railroad from the city of Davenport, via Iowa City, to Council Bluffs, under the grants made by Congress, according to the adjustments thereof made at the General Land office, be, and the same is hereby confirmed to the Mississippi and Missouri Railroad Company and the Chicago, Rock Island & Pacific Railroad Company, and their assigns, they being the corporations to whom said lands were certified :

Provided, That this act shall be construed as conveying only any reversionary or other interests which the United States may have in said lands, and all lands settled upon in good faith and now occupied by homestead or pre-emption shall be excluded from the operations of this act."

Chapter 118 of the acts of the Sixteenth General Assembly, approved March 15, 1876, gives railroad companies authority to re-locate or change the line of their roads.

The following is a statement of the quantity of lands approved and certified to the State under the act of Congress of May 15, 1856, to aid in the construction of the several railroads named in said act, and of the disposition of the same by the State:

Dubuque & Sioux City, Iowa Falls & Sioux City, and Tete des Morts Branch Railroads.

	ACRES.
Approved and certified to the State under the grant.....	1,232,359.15
Patented by the State to Iowa Falls & Sioux City R. R. Co.....	669,029.41
Patented by the State to Dubuque, Bellevue & Miss. R. R. Co., the beneficiary of the Tete des Morts Branch.....	38,096.82
Patented by the State to settlers, under Sec. 5, Chap. 124, Acts 1868..	3,376.13
In five mile limits of D. R.—certification annulled.....	77,694.13
Certified to Dubuque & Sioux City R. R. Co.....	1,028.79
Balance not yet conveyed.....	443,133.17

Iowa Central Air Line (now Cedar Rapids & Missouri River) Railroad.

Approved and certified to the State under the grant.....	735,997.80
Certified by the State to the Cedar Rapids & Mo. Riv. R. R. Co....	628,589.71
Withheld on account of conflicts with swamp selections, &c.....	167,408.69
Mississippi & Missouri (now Chicago, Rock Island & Pacific) Railroad :	

	ACRES.
Approved and certified to the State under the grant.....	482,374.36

Burlington & Missouri River Railroad :

	ACRES.
Approved and certified to the State under the grant.....	292,806.41

In addition to the above lands there have been certified by the Secretary of the Interior, under act of Congress of June 2, 1864, as follows :

	ACRES.
To the Cedar Rapids & Missouri River Railroad Company...	347,317.64
To the Chicago, Rock Island & Pacific Railroad Company...	161,372.81
To the Burlington & Missouri River Railroad Company.....	97,026.57

No method was provided by the legislature for passing title to the lands granted by act of Congress of May 15, 1856, (except to the Iowa Falls & Sioux City Railroad Company, and to the Dubuque, Bellevue & Mississippi Railroad Company,) until the passage of the law which is embodied in section 93 of the Code. No lands have been certified under this provision to the Burlington & Missouri River Railroad Company, nor to the Chicago, Rock Island & Pacific Railroad Company, and but a trifle over one thousand acres to the Dubuque & Sioux City Railroad Company.

A portion of the lands certified to the State to aid in the construction of the Burlington & Missouri River Railroad, were certified by Governor Lowe to the Burlington & Missouri River Railroad Company; but these certificates could convey no title, as there was no law authorizing their issuance. These companies, perhaps, rely for title upon the act of the legislature of July 14, 1856, and subsequent acts, as they have not requested a certification of their lands under section 93 of the Code.

I learn, that the Dubuque & Sioux City Railroad Company did, at one time, (during the year 1870,) present to Governor Merrill a list of lands, claimed by said company, with a request that they be certified to the company; but he declined to certify them. One principal reason for refusing, was, that the list embraced a large quantity of lands more than the company was entitled to.

An act for the Relief of Settlers on Railroad Lands.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in the adjustment of all railroad grants, whether made directly to any railroad company or to any State for railroad purposes, if any of the lands granted be found in the possession of an actual settler whose entry or filing has been allowed under the pre-emption or home-

stead laws of the United States, subsequent to the time at which, by the decision of the land office, the right of said road was declared to have attached, to such lands, the grantees, upon a proper relinquishment of the lands so entered or filed for, shall be entitled to select an equal quantity of other lands in lieu thereof, from any of the public lands not mineral and within the limits of grant not otherwise appropriated at the date of selection, to which they shall receive title the same as though originally granted. And any such entries or filings, thus relieved from conflict, may be perfected into complete title as if such lands had not been granted; *provided*, that nothing herein contained shall in any manner be so construed as to enlarge or extend any grant to any such railroad, or to extend to lands reserved in any land grant made for railroad purposes; *and provided further*, that this act shall not be construed so as in any manner to confirm or legalize any decision or ruling of the Interior Department, under which lands have been certified to any railroad company, when such lands have been entered by a pre-emption or homestead settler, after the location of the line of the road, and prior to the notice to the local land office of the withdrawal of such lands from market.

Approved June 22, 1874.

Before the issuing of patents to the Iowa Falls & Sioux City Railroad Company under act of the General Assembly, approved April 7, 1868, the quantity to be conveyed was determined by taking the aggregate number of acres approved and certified to the State by the Department of the Interior for building the road from Dubuque to Sioux City, including the Tete des Morts branch, and after deducting therefrom the lands set apart for the Tete des Morts branch and some twelve or thirteen hundred acres more, part of which were released to the United States, and part taken under the pre-emption laws. Said Company was awarded as its share of the balance, an amount in proportion as the length of its road was to the whole length of the road from Dubuque to Sioux City.

In the aggregate aforesaid were included the odd sections in the five miles limit of the Des Moines river, which had been approved and certified under the grant, and the reason why they were thus included, was because the Dubuque & Sioux City Railroad Company was still claiming them as part of their grant, and was expecting a confirmation of title to them in the courts. When the courts finally decided against their claim to said lands, said Company brought suit against the Iowa Falls & Sioux City Railroad Company for a part of the lands patented by the State to that Company. At length, by mutual agreement between the two companies, the court before whom suit was pending, appointed a Master Commissioner to make a division between said

Companies of the lands certified for constructing the road from Dubuque to Sioux City, and which were supposed to inure to them under the laws of the State, which was accordingly done by said Commissioner under the instructions as given by the court.

We have no record of said division, but we understand that it was made by deducting from the aggregate number of acres certified under the grant, the following lands to-wit: The lands conveyed by the State to the Dubuque, Bellevue & Mississippi Railway Company for constructing the Tete des Morts branch, the odd sections in the five miles limit of the Des Moines river, (except those in townships 89 and 90, ranges 28 and 29, on the west side of said river,) and a few tracts taken under the pre-emption laws of the United States, and then dividing the balance between the two companies in proportion to the number of miles of road built by each.

On May 20, 1875, the Dubuque & Sioux City Railroad Company and the Iowa Falls & Sioux City Railroad Company, entered into an agreement which they claim is a full, final and complete adjustment of all questions of difference between said companies growing out of, or in any manner connected with the grant for said roads. In this agreement a line of division between the lands of the two companies has been established. The Dubuque & Sioux City Railroad Company's lands lie on the east, and the Iowa Falls & Sioux City Railroad Company's lands on the west of said line.

This line is not only intended as a line of division of the lands already certified, but of those that may be certified under the grant for building the road from Dubuque to Sioux City.

Said division line is about one mile east of the west line of Range thirty-six.

A copy of the aforesaid agreement is on file in this office.

SUPPLEMENTAL LISTS OF RAILROAD LANDS.

The following are supplemental lists of Railroad Lands approved and certified by the Department of the Interior under Acts of Congress of May 15, 1856, and June 2, 1834, which have been received at this Office since our last Biennial Report:

BURLINGTON & MISSOURI RIVER RAILROAD.

APPROVED BY THE SECRETARY OF THE INTERIOR TO THE STATE OF IOWA, UNDER ACT OF MAY 15, 1856.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	IN WHAT COUNTY SITUATED.	REMARKS.
s hf of sw.....	21	70	14	80.00	Davis.....	15 miles limit. Approved May 3, 1876.....

APPROVED BY THE SECRETARY OF THE INTERIOR TO THE B. & M. R. R. CO., UNDER ACT OF JUNE 2, 1864.

ne of ne.....	34	70	32	40.00	Taylor.....	20 miles limit. Approved
ne of sw.....	8	72	32	40.00	Adams.....	March 4, 1874.....
s hf of sw.....	8	73	32	80.00	Adams.....	
Total.....				160.00		
lots 1, 4, and se of sw.....	10	72	1	95.00	Des Moines.....	20 miles limit. Approved
s hf of ne.....	14	69	27	80.00	Decatur.....	October 12, 1874.....
s hf of se.....	28	73	30	80.00	Union.....	
se of se.....	22	69	35	40.00	Taylor.....	
ne of ne.....	2	67	36	38.12	Page.....	
n hf of se.....	14	73	36	80.00	Montgomery.....	
w hf of sw.....	18	73	39	71.47	Montgomery.....	
sw of se.....	12	73	43	40.00	Mills.....	
e hf of ne.....	22	72	33	80.00	Adams.....	
lots 1, 2, se of se.....	2	70	43	124.52	Fremont.....	
Total.....				730.11		
nw of ne.....	30	73	41	40.00	Mills.....	20 miles limit. Approved
s hf of sw.....	28	73	42	80.00	Mills.....	June 30, 1875.....
Total.....				120.00		
nw of nw.....	28	70	14	40.00	Davis.....	20 miles limit. Approved
nw of sw.....	28	70	20	40.00	Wayne.....	May 3, 1876.....
nw of sw.....	26	72	31	40.00	Union.....	
e hf of nw.....	28	71	38	80.00	Montgomery.....	
Total.....				200.00		

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD.

APPROVED BY THE SECRETARY OF THE INTERIOR TO THE CHICAGO, ROCK ISLAND & PACIFIC RAILROAD, UNDER ACT OF JUNE 2, 1864.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	IN WHAT COUNTY SITUATED.	REMARKS.
se of nw.....	26	81	5	40.00	Johnson.....	20 miles limit. Approved
nw of se.....	34	82	10	40.00	Benton.....	March 26, 1874.....
ne of sw.....	32	79	17	40.00	Jasper.....	
nw of nw.....	30	80	17	48.00	Jasper.....	
se of se.....	24	79	20	40.00	Jasper.....	
ne of sw.....	25	78	36	39.62	Dallas.....	
sw of se.....	31	81	26	40.00	Dallas.....	
nw of nw.....	18	77	27	40.00	Madison.....	
se of sw.....	10	76	28	40.00	Madison.....	
sw of ne.....	18	80	28	40.00	Dallas.....	
ne of sw.....	38	79	29	40.00	Dallas.....	
w hf of sw.....	28	78	30	40.00	Guthrie.....	
s hf of se.....	18	79	31	93.96	Guthrie.....	
n hf of sw.....	5	79	31	80.00	Guthrie.....	
s hf of ne.....	29	81	31	80.00	Guthrie.....	
n hf of sw.....	24	78	32	80.00	Guthrie.....	
nw of nw.....	21	75	36	40.00	Cass.....	
e hf of nw.....	29	77	38	120.00	Pottawattamie.....	
sw of nw.....						
Total.....				981.58		
w hf of nw.....	10	79	14	80.00	Poweshiek.....	20 miles limit. Approved
w hf of sw.....	10	79	14	80.00	Poweshiek.....	June 26, 1874.....
Total.....				160.00		
nw of nw.....	21	75	36	40.00	Cass.....	20 miles limit. Approved
ne of nw.....	6	76	36	35.18	Cass.....	July 21, 1874.....
sw of se.....	6	77	41	40.00	Pottawattamie.....	
w hf of nw.....	30	76	37	62.53	Cass.....	
lot 1 (or se 1/4 qr).....	14	75	44	.42	Pottawattamie.....	
Total.....				178.13		
se qr.....	8	80	39	160.00	Dallas.....	20 miles limit. Approved March 15, 1875.....

CEDAR RAPIDS & MISSOURI RIVER RAILROAD—CONTINUED.

CEDAR RAPIDS & MISSOURI RIVER RAILROAD.

APPROVED BY THE SECRETARY OF THE INTERIOR TO THE STATE OF IOWA, FOR CEDAR RAPIDS & MISSOURI RIVER RAILROAD, UNDER ACT OF MAY 15, 1856.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	IN WHAT COUNTY SITUATED.	REMARKS.
se of sw	9	86	6	40.00	Linn	Fifteen miles limit. Approved March 8, 1877.
sw of se	15	86	6	80.00	Linn	
sw of sw	31	86	21	126.64	Hardin	
sw of se	13	85	29	40.00	Greene	
w hf of nw	19	86	30	72.71	Webster	
Total				350.35		
se of ne	27	85	1	40.00	Jones		Six miles limit. Approved March 8, 1877.
nw of sw	33	85	31	40.00	Greene	
se of ne	33	85	31	40.00	Greene	
nw of ne	23	85	31	40.00	Greene	
e hf of se	35	87	40	80.00	Ida	
se of nw	23	86	42	80.00	Woodbury	
ne of sw	23	86	42	80.00	Woodbury	
Total				320.00		
w hf of w	25	89	42	120.00	Woodbury	Fifteen miles limit. Approved April 19, 1877.
nw of nw	27	86	26	80.00	Hamilton	
n hf of ne	17	85	28	40.00	Boone	
ne of se	17	85	28	40.00	Boone	
Total				240.00		

CEDAR RAPIDS & MISSOURI RIVER RAILROAD.

APPROVED BY THE SECRETARY OF THE INTERIOR TO THE CEDAR RAPIDS & MISSOURI RIVER RAILROAD, UNDER AN ACT OF JUNE 2, 1861.

se of sw	2	84	37	40.00	Crawford	20 miles limit. Approved Sept. 2, 1872.
nw of nw	22	82	39	40.00	Crawford	
s hf of se	28	84	41	80.00	Crawford	
se of se	30	84	41	40.00	Crawford	
sw of nw	2	83	42	40.00	Monona	
s hf of se	2	83	42	80.00	Monona	
ne of ne	27	79	43	40.00	Harrison	
ne of se	2	78	44	40.00	Harrison	
sw of nw	10	78	44	40.00	Harrison	
sw of ne	15	78	44	40.00	Harrison	
ne of ne	29	80	44	46.00	Harrison	
n hf of ne	28	83	44	40.00	Monona	
lot No. 6	34	83	44	41.80	Pottawattamie	
lots 5, 6, 7 and 8	1	77	45	74.60	Monona	Rejected.
fractional section	12	77	45	18.60	Pottawattamie	
fractional section	29	78	45	5.08	Harrison	
se of se, nw of se	28	81	45	2.31	Harrison	
ne of ne, lots 2 and 3	13	78	46	80.00	Harrison	Rejected.
lot No. 2	13	78	46	120.02	Harrison	Rejected.
	24	78	46	1.00	Harrison	Rejected.
Total				906.41		

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	IN WHAT COUNTY SITUATED.	REMARKS.
e hf of nw	9	81	2 e	80.00	Clinton	20 miles limit. Approved July 25, 1874.
frac'l right bank of R.	11	84		4.20	Jackson	
se of nw	2	86	4	40.00	Jackson	
nw of sw	13	82	4 w	40.00	Cedar	
se of ne	28	85	5 w	4.00	Linn	
sw of sw	31	84	1sw	45.98	Marshall	
w hf of ne	38	82	20w	81.00	Marshall	
sw of ne	21	85	30	40.00	Marshall	
ne of se	20	85	20	40.00	Marshall	
ne of sw	30	81	24	41.00	Story	Duplicate.
ne of ne	35	85	24	160.00	Story	
nw of nw	2	85	25	34.98	Boone	
s hf of nw	6	82	27	85.34	Boone	
se of sw	32	84	27	40.00	Boone	
ne of nw	32	82	28	39.75	Boone	
w hf of ne	5	83	28	51.74	Boone	
e hf of sw	2	84	28	80.00	Boone	Relinquished to U. S. by [R. R. Co.]
nw of nw	4	85	28	42.47	Boone	
n hf of se	5	81	29	80.00	Greene	
n hf of se	20	83	29	80.00	Greene	
e hf of ne	24	84	29	80.00	Greene	
nw of ne	24	84	29	40.00	Greene	
sw of ne	9	81	30	40.00	Guthrie	
se of ne	10	81	30	80.00	Guthrie	
n hf of se	15	81	30	40.00	Guthrie	
se of ne	17	81	30	4.00	Guthrie	
sw of nw	2	82	30	40.00	Greene	
ne of se	26	82	30	40.00	Greene	
sw of se	27	83	30	40.00	Greene	
sw of se	28	83	30	40.00	Greene	
se of sw	7	84	30	40.00	Greene	
s hf of ne	20	85	30	80.00	Greene	
ne of ne	20	85	30	40.00	Greene	
sw of nw	20	85	30	40.00	Greene	
w hf of sw	20	85	30	80.00	Greene	
se of sw	20	85	30	40.00	Greene	
e hf of se	20	85	30	120.00	Greene	
nw of se	2	84	31	40.00	Greene	
sw of sw	6	84	31	30.14	Greene	
w hf of nw	7	82	32	81.32	Greene	
se of nw	23	85	32	40.00	Greene	
se of se	6	83	33	40.00	Carroll	
Total				2,338.60		
w hf of nw	22	82	2e	80.00	Clinton	Twenty miles limit. Approved April 6, 1875.
e hf of sw	8	81	3e	160.00	Clinton	
sw of nw	31	82	4e	80.00	Clinton	
ne of nw	25	83	1w	40.00	Jones	
nw of ne	7	87	5w	80.00	Delaware	
nw of se	36	85	13	80.00	Tama	Duplicate approval.
e hf of ne	10	83	14	40.00	Tama	
ne of ne	12	83	14	80.00	Tama	
w hf of sw	12	83	14	80.00	Tama	
n hf of se, s hf of nw, n hf of sw, ne of nw, sw of ne	22	83	14	320.00	Tama	
nw of nw	24	83	14	40.00	Tama	
sw of nw	34	84	14	40.00	Tama	
ne of ne	36	85	14	40.00	Tama	Duplicate approval.
w hf of ne	36	85	16	80.00	Tama	
sw of se	30	85	20	146.22	Marshall	
ne of sw	30	84	21	40.00	Story	
sw of sw	24	85	21	40.00	Story	
n hf of ne	26	85	21	80.00	Story	
sw of se	6	85	23	40.00	Story	
s hf of nw	12	83	25	80.00	Boone	

CEDAR RAPIDS & MISSOURI RIVER RAILROAD—CONTINUED.

PARTS OF SECTION	Section.	Town.	Range.	Acres.	IN WHAT COUNTY SITUATED.	REMARKS.
se of sw	32	84	25	40.00	Boone	
w hf of nw, ne of nw	6	85	26	99.14	Boone	
nw of sw	8	82	27	40.00	Boone	
sw of se	6	85	27	40.00	Boone	
sw of nw	24	84	29	40.00	Greene	
s hf of sw	5	85	30	80.00	Greene	
nw of ne	29	85	30	40.00	Greene	
sw of ne	26	81	31	40.00	Guthrie	
sw of se	13	85	31	40.00	Guthrie	
w hf of sw, w hf of se	24	85	31	240.00	Guthrie	
ne of se, se of sw	32	83	32	40.00	Greene	
ne of se	15	82	33	40.00	Carroll	
ne of nw	23	82	33	40.00	Carroll	
sw of sw	34	85	34	40.00	Carroll	
nw of nw	21	83	35	40.00	Carroll	
nw of se	10	82	37	40.00	Crawford	
sw of ne	27	83	39	40.00	Crawford	
ne of ne	34	78	45	40.90	Harrison	
nw of ne	2	86	36	34.05	Sac	
w hf of sw, and lots 5 and 6	4	86	36	153.57	Sac	
nw of sw	36	86	36	40.00	Sac	
e hf of nw	2	86	37	77.16	Sac	
n hf of ne	4	86	37	77.98	Sac	
ne of nw, se of ne	6	86	37	80.00	Sac	
nw of ne, nw of se	26	86	37	80.00	Sac	
nw of ne, sw of se	28	86	37	80.00	Sac	
nw of sw, se of sw	31	87	37	80.00	Sac	
w hf of sw	28	86	45	80.00	Woodbury	
Total				3,385.22		
n hf of sw	2	85	43	80.00	Monona	6 miles limit. Approved
w hf of se, ne of sw	6	85	43	126.00	Monona	Nov. 16, 1875
n hf of se, ne of nw	24	85	44	160.00	Monona	
sw of nw	31	85	44	40.00	Monona	
Total				406.00		
ne of nw	30	82	3 e	40.00	Clinton	20 miles limit. Approved
e hf of ne	36	85	13w	80.00	Tama	Nov. 14, 1873
ne of nw	36	85	14w	40.00	Tama	
se of ne	2	83	19w	40.00	Marshall	
se of ne	4	83	19w	40.00	Marshall	
n hf of nw	23	81	28w	80.00	Dallas	
w hf of ne	26	81	26w	160.00	Dallas	Relinquished to U. S.
e hf of nw						
Total				480.00		

DUBUQUE & SIOUX CITY RAILROAD.

APPROVED BY THE SECRETARY OF THE INTERIOR TO THE STATE OF IOWA FOR THE DUBUQUE & SIOUX CITY RAILROAD, UNDER ACT OF MAY 15, 1856.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	IN WHAT COUNTY SITUATED.	REMARKS.
ne of se	33	87	S	40.00	Buchanan	15 miles limit. Approved December 7, 1875
se of sw	33	91	4w	40.00	Clayton	15 miles limit. April 17, 77
nw of sw	21	91	4	40.00	Clayton	
sw of ne	9	92	17	40.00	Butler	
s hf of sw	5	91	18	80.00	Butler	
nw of sw	3	90	21	148.79	Franklin	
nw of sw	5	90	21	40.00	Franklin	
ne of se, se of nw	9	90	21	80.00	Franklin	
nw of sw	11	90	21	40.00	Franklin	
w hf of sw	15	87	22	80.00	Hardin	
w hf of se	35	91	22	120.00	Franklin	
w hf of ne, ne of nw	35	88	25	40.00	Hamilton	
Total				748.79		
nw of nw	35	88	2e	40.00	Dubuque	
sw of sw	1	89	23w	40.00	Hardin	
se of ne	11	89	23w	40.00	Hardin	Duplicate approval
ne qr	29	89	23w	160.00	Hardin	
e hf of ne	29	89	23w	40.00	Hardin	Six miles limit. Approved April 17, 1877
e hf of sw	7	89	23	80.00	Hardin	
nw of sw				44.06	Hamilton	
Total				444.06		
The w hf of nw qr of section 20, township 91, range 31, 80 acres in Pocahontas county, was approved by the Secretary of the Interior to the State of Iowa, September 6, 1876, for the Dubuque & Sioux City Railroad, under Act of Congress, June 22, 1874, in lieu of the e hf of the ne qr of section 15, township 88, range 36, 80 acres in Sac county.						
IOWA FALLS & SIOUX CITY RAILROAD.						
APPROVED BY THE SECRETARY OF THE INTERIOR TO THE STATE OF IOWA, FOR THE IOWA FALLS & SIOUX CITY R. R., UNDER ACT OF MAY 15, 1856.						
sw qr	3	91	40	160.00	Cherokee	Six miles limit. Approved November 12, 1875
e hf of sw	27	92	40	80.00	Cherokee	
s hf of nw	23	89	46	80.00	Woodbury	
ne of ne	25	89	48	40.00	Woodbury	
Total				360.00		
ne frac'l qr	3	89	44	149.22	Woodbury	15 miles limit. Approved November 12, 1875
se qr	3	89	44	160.00	Woodbury	
e hf of se	9	89	44	8.00	Woodbury	
se of se	19	89	44	40.00	Woodbury	
nw of nw	29	89	44	80.00	Woodbury	
nw of sw	31	89	44	40.00	Woodbury	
se of ne	3	90	48	120.00	Plymouth	Patented to B. B. Sutton, under Act of Apr. 7, 1868.
w hf of sw						
Total				669.22		

THE DES MOINES VALLEY RAILROAD.

This road which was originally styled the "Keokuk, Ft. Des Moines & Minnesota Railroad," is the beneficiary of the grant by act of Congress of July 12, 1862, extending the Des Moines River grant from the Raccoon fork to the north line of the State. The information given relative to the lands inuring to said road will be found under the head of "Des Moines River grant." In this connection, however, we will recite briefly the legislation of the State relative to said road, and furnish a list of the lands approved and certified to the State for the same since the date of the last biennial report of this office.

By act of March 22, 1858, the State granted to the Keokuk, Ft. Des Moines & Minnesota Railroad Company, on certain conditions, all the lands granted or that might be granted by Congress for the improvement of the Des Moines river, not otherwise disposed of by the State, on the condition that Congress would consent to the diversion; also all stone, timber and other material turned over by the Des Moines Navigation & Railroad Company in settlement with the State, except what was necessary to complete the locks and dams at Croton, Plymouth, Bentonsport and Keosauqua. Congress by the act of July 12, 1862, consented to the diversion of the lands to aid in the construction of said road.

The act of March 28, 1864, provided, among other things, for the grading and classifying the lands to be certified under act of Congress of July 12, 1862, for the payment of all liabilities growing out of the Des Moines river improvement, for building the road to Fort Dodge, for the protection of homestead and pre-emption settlers, for conveying ten sections of land to S. H. Taft, for patenting lands to the Keokuk, Fort Des Moines & Minnesota Railroad Company, upon compliance by said company with the terms of the grant, &c.

The company did not accept of the provisions of said act, and nothing was done under same. In fact there were no lands certified to the State under the said act of Congress, until June, 1866.

Chapter 22, acts of the Eleventh General Assembly, approved March 12, 1866, is amendatory of the last mentioned act. It provides for paying certain claims therein specified out of the proceeds of the sales of the Des Moines river lands, and for issuing warrants for that purpose. It

gives the Des Moines Valley Railroad Company the right to pay any of such warrants. It authorizes the Register of State Land Office to sell lands at a reduced price under certain circumstances.

It provides that all persons, who were in actual occupation and possession of any portion of said lands, at the date of the passage of the act, should have a prior right to purchase the same at two dollars and fifty cents per acre.

Chapter 57, acts Twelfth General Assembly, approved March 31, 1868, required the Register of State Land Office to set apart 200,000 acres of the lands certified to the State under act of Congress of July 12, 1862, half of which were to be sold to pay the claims growing out of the Des Moines river improvement, unless the Des Moines Valley Railroad Company paid them; the other half were to secure the completion of the Des Moines Valley Railroad to Ft. Dodge, during the year 1870. Said Company paid the claims and built the road as required, and by the terms of the act became entitled to the lands thus set apart. This act recognized the claim of S. H. Taft to the ten sections of lands as provided in the act of March 28, 1864; also, the valid claims of all settlers or persons claiming homesteads on any of these lands; it also confirmed the settlement made by the Census Board with the Des Moines Valley Railroad Company and the Commissioner of the General Land Office, known as the Harvey settlement. This act provides for conveying to said Railroad Company the lands certified to the State under act of Congress aforesaid, upon the acceptance by said Company of the provisions of the act, and a compliance with its conditions and requirements. The Company accepted and complied with the conditions and requirements of the act, and all the lands certified to the State by the Department of the Interior, under the grant have been conveyed by the State as required by law, except about 11,161 acres which have been withheld on account of conflicts, principally with swamp selections. For a statement of the lands certified to the State under the grant, and the disposition of same by the State, see "Des Moines River grant."

DES MOINES VALLEY RAILROAD LANDS.

The following is a List of Lands Approved to the State of Iowa by the Secretary of the Interior for the Des Moines Valley Railroad Company, under Act of July 12, 1862, since the last Report of this Office:

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	In what County Situated.	REMARKS.
lots 4 and 5.....	15	98	33	101.80	Emmet	
lot no. 2.....	35	99	33	59.58	Emmet	
sw of se.....	19	94	30	40.00	Kossuth	
ne of se.....	27	94	30	40.00	Kossuth	
nw of ne.....	7	94	31	40.00	Palo Alto	
se of nw.....	7	94	31	40.00	Palo Alto	
ne of ne.....	9	94	31	40.00	Palo Alto	
sw of se.....	9	94	31	40.00	Palo Alto	
ne of sw.....	11	94	31	40.00	Palo Alto	
ne of ne.....	15	94	31	40.00	Palo Alto	
e hf of sw.....	17	94	31	80.00	Palo Alto	
sw of nw.....	19	94	31	37.76	Palo Alto	
e hf of se.....	3	95	31	80.00	Palo Alto	
ne of ne.....	7	95	31	40.00	Palo Alto	
se of sw.....	9	95	31	40.00	Palo Alto	
ne of nw.....	15	95	31	40.00	Palo Alto	
nw of nw.....	15	95	31	40.00	Palo Alto	
sw of se.....	15	95	31	40.00	Palo Alto	
se of se.....	15	95	31	40.00	Palo Alto	
ne of nw.....	23	95	31	40.00	Palo Alto	
nw of nw.....	23	95	31	40.00	Palo Alto	
se of se.....	15	94	32	40.00	Palo Alto	
sw of se.....	15	94	32	40.00	Palo Alto	Approved Nov. 4, 1876.
sw of sw.....	15	94	32	40.00	Palo Alto	
nw of ne.....	19	94	32	40.00	Palo Alto	
ne of nw.....	23	94	32	40.00	Palo Alto	
sw of se.....	25	94	32	40.00	Palo Alto	
se of sw.....	25	94	32	40.00	Palo Alto	
ne of nw.....	35	94	32	40.00	Palo Alto	
nw of nw.....	35	94	32	40.00	Palo Alto	
ne of sw.....	3	95	32	40.00	Palo Alto	
nw of se.....	3	95	32	40.00	Palo Alto	
ne of ne.....	5	95	32	50.48	Palo Alto	
nw of nw.....	5	95	32	50.32	Palo Alto	
ne of ne.....	9	95	32	40.00	Palo Alto	
sw of sw.....	11	95	32	40.00	Palo Alto	
nw of nw.....	13	95	32	40.00	Palo Alto	
se of sw.....	29	96	32	40.00	Palo Alto	
nw of sw.....	33	96	32	40.00	Palo Alto	
ne of nw.....	21	97	32	40.00	Palo Alto	
ne of nw.....	3	94	33	31.02	Palo Alto	
sw of se.....	17	96	33	40.00	Palo Alto	
sw of nw.....	33	96	33	40.00	Palo Alto	
w hf of sw.....	33	96	33	80.00	Palo Alto	
w hf of se.....	7	94	31	80.00	Palo Alto	
se of se.....	19	94	31	40.00	Palo Alto	
nw of se.....	19	94	31	40.00	Palo Alto	
sw of ne.....	31	94	31	40.00	Palo Alto	
se of ne.....	3	94	32	40.00	Palo Alto	

DES MOINES VALLEY RAILROAD LANDS—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	In what County situated.	REMARKS.
nw of se.....	3	94	32	40.00	Palo Alto	
se of ne.....	19	94	32	40.00	Palo Alto	
ne of nw.....	19	94	32	40.00	Palo Alto	
nw of se.....	23	94	32	40.00	Palo Alto	
se of nw.....	35	94	32	40.00	Palo Alto	
ne of sw.....	5	95	32	40.00	Palo Alto	
nw of sw.....	3	95	32	40.00	Palo Alto	
nw of sw.....	5	95	32	40.00	Palo Alto	
w hf of ne.....	11	95	32	80.00	Palo Alto	
sw of nw.....	11	95	32	40.00	Palo Alto	
ne of sw.....	11	95	32	40.00	Palo Alto	
e hf of nw.....	13	95	32	80.00	Palo Alto	
e hf of sw.....	12	95	32	80.00	Palo Alto	
sw of nw.....	33	95	32	40.00	Palo Alto	
sw of nw.....	3	96	32	40.00	Palo Alto	
ne of sw.....	3	96	32	40.00	Palo Alto	
lot 5.....	5	96	32	40.40	Palo Alto	
e hf of ne.....	19	96	32	80.00	Palo Alto	
sw of se.....	19	96	32	40.00	Palo Alto	
ne of ne.....	29	96	32	40.00	Palo Alto	
w hf of se.....	31	96	32	80.00	Palo Alto	
ne of nw.....	33	96	32	40.00	Palo Alto	
sw of nw.....	33	96	32	40.00	Palo Alto	
nw of se.....	7	97	32	40.00	Palo Alto	
sw of sw.....	31	97	32	40.00	Palo Alto	
ne of se.....	33	97	32	40.00	Palo Alto	
se of sw.....	33	97	32	40.00	Palo Alto	
e hf of se.....	1	94	33	80.00	Palo Alto	
se of ne.....	5	95	33	40.00	Palo Alto	
e hf of nw.....	9	95	33	80.00	Palo Alto	
sw of nw.....	5	96	33	40.00	Palo Alto	
sw of sw.....	7	96	33	33.80	Palo Alto	
ne of sw.....	13	96	33	40.00	Palo Alto	
sw of sw.....	19	96	33	36.79	Palo Alto	
sw of sw.....	21	96	33	40.00	Palo Alto	
e hf of ne.....	31	96	33	80.00	Palo Alto	
se of ne.....	1	97	33	40.00	Palo Alto	
se of ne.....	7	97	33	40.00	Palo Alto	
se of se.....	7	97	33	40.00	Palo Alto	
sw of se.....	7	97	33	40.00	Palo Alto	
ne of se.....	11	97	33	40.00	Palo Alto	
se of sw.....	11	97	33	40.00	Palo Alto	
ne of se.....	29	97	33	40.00	Palo Alto	
ne of sw.....	7	94	31	40.00	Palo Alto	
se of ne.....	9	92	31	40.00	Pocahontas	
n hf of nw.....	21	92	31	80.00	Pocahontas	
nw of sw.....	15	93	31	40.00	Pocahontas	
se of sw.....	15	93	31	40.00	Pocahontas	
nw of ne.....	21	93	31	40.00	Pocahontas	
nw of ne.....	31	93	31	40.00	Pocahontas	
se of ne.....	31	93	31	40.00	Pocahontas	
sw of ne.....	33	93	31	40.00	Pocahontas	
nw of sw.....	33	93	31	40.00	Pocahontas	
n hf of ne.....	5	92	31	92.25	Pocahontas	
n hf of nw.....	5	92	31	92.05	Pocahontas	

DES MOINES VALLEY RAILROAD LANDS—CONTINUED.

PARTS OF SECTION.	Sec.	Town.	Range.	Acres.	In what county situated.	REMARKS.
sw of ne.....	9 92 31			40.00	Pocahontas.....	
ne of se.....	9 92 31			40.00	Pocahontas.....	
sw of sw.....	9 92 31			40.00	Pocahontas.....	
sw of sw.....	15 93 31			40.00	Pocahontas.....	
se of ne.....	19 93 31			40.00	Pocahontas.....	
ne of sw.....	19 93 31			40.00	Pocahontas.....	
lot 1.....	23 93 31			38.20	Pocahontas.....	
nw of nw.....	9 93 31			40.00	Pocahontas.....	
se of nw.....	9 93 31			40.00	Pocahontas.....	
se of sw.....	9 93 31			40.00	Pocahontas.....	
nw of ne.....	1 93 32			57.52	Pocahontas.....	
nw of ne.....	3 93 32			59.80	Pocahontas.....	
sw of ne.....	3 93 32			40.00	Pocahontas.....	
nw qr.....	3 93 32			199.04	Pocahontas.....	
se of se.....	3 93 32			40.00	Pocahontas.....	
nw of nw.....	11 93 32			40.00	Pocahontas.....	
nw of nw.....	15 92 31			40.00	Pocahontas.....	
ne of ne.....	19 92 28			40.00	Humboldt.....	
nw of ne.....	1 92 30			49.04	Humboldt.....	
nw of ne.....	5 92 30			46.72	Humboldt.....	
nw of nw.....	11 92 30			40.00	Humboldt.....	
w hf of sw.....	11 92 30			80.00	Humboldt.....	
ne of se.....	9 93 30			40.00	Humboldt.....	
ne of se.....	25 93 30			40.00	Humboldt.....	
se of ne.....	35 93 30			40.00	Humboldt.....	
ne of sw.....	35 93 30			40.00	Humboldt.....	
se of ne.....	3 93 30			40.00	Humboldt.....	
nw of sw.....	15 93 30			40.00	Humboldt.....	
se of nw.....	19 93 30			40.00	Humboldt.....	
sw of se.....	21 93 30			40.00	Humboldt.....	
se of sw.....	21 93 30			40.00	Humboldt.....	
se of sw.....	27 93 30			40.00	Humboldt.....	
nw of sw.....	25 93 30			40.00	Humboldt.....	
ne of nw.....	33 93 30			40.00	Humboldt.....	
ne of ne.....	35 93 30			40.00	Humboldt.....	
sw of se.....	35 93 30			40.00	Humboldt.....	
se of nw.....	35 93 30			40.00	Humboldt.....	
Total.....				6,596.57		

THE MCGREGOR & SIOUX CITY RAILROAD COMPANY, (NOW
M'GREGOR & MISSOURI RIVER RAILWAY COMPANY,) AND THE SIOUX
CITY & ST. PAUL RAILROAD COMPANY.

There was granted to the State by Act of Congress, approved May 12, 1864, "for the purpose of aiding in the construction of a railroad from Sioux City, in said State, to the south line of the State of Minnesota, at such point as the State might select, between the Big Sioux and the west fork of the Des Moines river; also, for the benefit of the McGregor Western Railroad Company, for the purpose of aiding in the construction of a railroad from a point at or near the foot of Main street, South McGregor, in said State, in a westerly direction, by the most practicable route, on or near the forty-second parallel of north latitude, until it shall intersect the said road running from Sioux City to the Minnesota State line, in the county of O'Brien in said State, every alternate section of land, designated by odd numbers, for ten sections in width, on each side of said roads."

The act provides, that if, when the lines or routes of said roads are definitely located, any of those sections have been sold or reserved, or to which the right of pre-emption or homestead settlement has attached, then it shall be the duty of the Secretary of the Interior to cause to be selected an equal quantity of lands from the public lands in the odd numbered sections nearest to the tiers of sections so specified, and within twenty miles of the line of road, to which no prior rights have attached. Said lands to be held for the purposes of the grant.

All lands reserved by any act of Congress, or by competent authority, are excepted from the operations of the said act, except the right-of-way shall be granted through the same, subject to the approval of the President of the United States.

The price of the even numbered sections is raised to double the minimum price, and are withheld from private sale until first offered at public sale. Pre-emption settlers on said lands have the right to purchase at two dollars and fifty cents per acre, and homestead settlers will be entitled to patents by complying with the homestead law.

The lands so granted are to be subject to the disposal of the Legislature for the uses and purposes named in the act, and for no other. The roads are to remain public highways for the United States Government, for the transportation of property and troops of the same free of toll or other charges.

Patents are to issue to the State for one hundred sections of lands for every section of ten consecutive miles completed in a good, substantial and workmanlike manner, upon the certificate of the Governor to the Secretary of the Interior of such completion, and when the whole of said roads, or either of them is completed, then all the lands granted shall be patented to the State.

The act provides that in case of the failure of the McGregor Western Railroad Company to complete its road as the law requires, the State may resume the grant to said road, and so dispose of the same as to secure the completion of the road, and that if the said roads are not completed in ten years from the date of their several acceptance of the grant, the lands granted and not patented shall revert to the State, to be used by the State for the purpose of securing the completion of said roads within a time not to exceed five years from the expiration of said ten years. In case the State fails to complete the roads within such time, the lands undisposed of revert to the United States.

The Secretary of the Interior is required to withdraw these lands from market, as soon as the Governor shall file, or cause to be filed with him maps designating the routes of said roads.

Said act further provides for transporting the United States mail over said roads.

By act of the General Assembly approved April 3, 1866, this grant was accepted, and so much of the lands, interests, rights, powers and privileges granted and conferred by said act for aiding in the construction of a railroad from "Sioux City to the South line of the State of Minnesota, at such point as the State might select between the Big Sioux and the west fork of the Des Moines river," were by said act granted and conferred upon the Sioux City and St. Paul Railroad Company. Said company was required to definitely locate and fix its line of road as soon as practicable, and file a map of same with the Governor and Secretary of State,—the Governor, after affixing his official signature to the map filed in his office, was required to file the same with the Secretary of the Interior.

The road was to be constructed upon the usual gauge, the iron for the track to be of approved quality and pattern, and to be finished in style and quality of first class western roads.

At intersections with other roads the Company was to furnish all reasonable facilities, and to join in making the necessary crossings, turnouts, sidings, switches and other conveniences; and the rates of transportation were not in any case to exceed the regular tariff of charges on said road.

The Company was required to assent to and accept the grant by a written instrument signed by the President and Secretary, with the corporate seal attached, and file the same with the Secretary of State within six months from the passage of the act.

The said Company was authorized and empowered to select and designate the point on the South line of the State of Minnesota, to which said road should be built, as required by the act of Congress.

The Company accepting the provisions of the act, was to be subject to the rules, regulations and restrictions imposed by the General Assembly, and to take the grant under the conditions imposed by the act, and in no event have any claim or recourse on the State.

Actual settlers who held valid claims were entitled to purchase the lands so claimed upon the terms and conditions provided in Sections 1308 and 1309, chapter 55, Revision of 1860.

The Sioux City & St. Paul Railroad Company filed a written acceptance of the grant with the Secretary of State September 20, 1866.

Another act of the same session of the General Assembly, approved April 20, 1866, also accepts the grant of Congress of May 12, 1864, and provides that when any lands are patented to the State under said grant, they shall be held by the State in trust for the Railroad Company entitled thereto, and be deeded to said Company as the Legislature of the State shall order.

In consequence of the failure of the McGregor Western Railroad Company to complete the road as required by the act of Congress, the General Assembly, by act approved February 27, 1868, resumed the grant made to said company, and by act of the same session, approved March 31, 1868, all the lands, rights, powers and privileges that had been granted to said company, were granted to the McGregor & Sioux City Railway Company on certain conditions.

The road was to run as near as practicable on the forty-third parallel and within one mile of New Hampton, St. Charles City, Mason City, and Algona, and intersect the Sioux City & St. Paul Railroad in O'Brien county.

In case the company failed to build the road, as per requirements, the State could resume the undisposed of lands. The road was to be upon the usual gauge, and of the quality and style of a first class road.

The company was to be entitled to the benefit of the selections of lands already made, and the line as located should be considered binding only so far as applicable to said selections.

It was made the duty of the Governor to certify to the Secretary of

the Interior the completion of each ten consecutive miles, and also to issue patents to the company as the road was completed to the points named in the act.

The company was not to encumber any of the lands prior to the time it should be entitled to patents; and the act was not to be construed as granting any lands for any road "heretofore built."

Lands embraced in this grant that had been entered as homesteads prior to January 1, 1866, were to be patented to the parties who entered them, upon their paying into the State Treasury the price of such lands as homesteads, under the laws of the United States, within two years after the passage of the act,—the money to be paid to the company when the same was earned by the extension of the road.

In case said company does not accept the grant, the act provides that the Forty-third Parallel Company may do so.

The said McGregor & Sioux City Railway Company was, within sixty days from the passage of the act, to file a written acceptance of the provisions of the act with the Secretary of State, and also to procure and file with said acceptance a release of the McGregor Western Railroad Company of any claim said company may have for any road built.

The acceptance and release, as required by the said act of the General Assembly, were filed with the Secretary of State by the said McGregor & Sioux City Railway Company on May 29, 1868.

By act of the Fifteenth General Assembly, approved March 13, 1874, the Governor was authorized and directed to certify to the Sioux City & St. Paul Railroad Company "any and all lands which are now held by the State of Iowa in trust for the benefit of said railroad company, in accordance with the provisions of Section 2 of Chapter 144, of the laws of the Eleventh General Assembly."

The Sixteenth General Assembly resumed the grant to the McGregor & Sioux City Railroad Company, and conferred the same upon the McGregor & Missouri River Railway Company, by the following act:

An Act Relating to the Lands heretofore Granted to the McGregor & Missouri River Railroad Company, Resuming said Lands, and Re-granting the same upon new conditions to said Company, and Providing for Forfeiture thereof, and in case of such forfeiture, for the disposition to be made of said Lands.

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

SECTION 1. That whereas the McGregor & Sioux City railway company, now known as the McGregor & Missouri River railway company, has failed to comply with the conditions and provisions of the acts of the twelfth gen-

eral assembly of the state of Iowa, approved March 31st, 1868, entitled an act making a grant of land to the McGregor & Sioux City railway company, now therefore, all lands or rights to lands saving and excepting all those tracts and parcels lying within twenty miles on either side of the located or constructed line of the Sioux City & St. Paul railroad company, and within what is known as the "overlapping [overlapping] limits," heretofore granted or intended to be granted to the McGregor & Sioux City railway company, be and the same are hereby absolutely and entirely resumed by the state of Iowa.

SEC. 2. That all of said lands and rights to lands, be and are hereby granted to and conferred upon the McGregor & Missouri River railway company, upon the following express terms and conditions, viz: That the McGregor & Missouri River railroad company, then called the McGregor & Sioux City railway company, shall build and construct their railroad from Algona, in Kossuth county, to Emmetsburg, in Palo Alto county, and locate and establish their depot upon the depot grounds of said company, as shown by the town plat of Emmetsburg; thence to Spencer, in Clay county, and locate and establish their depot upon section 7, in township 96, range 36, on or before the 1st day of January, A. D. 1877, and that the said McGregor & Missouri River railway company shall build and construct their railroad thence on the most direct and practicable route to the point of connection, in O'Brien county, within half mile of Sheldon, with the Sioux City & St. Paul railroad on or before the 1st day of December, A. D. 1877.

Provided, That federal legislation be had in 1876, by which the McGregor & Missouri River Railway Company is permitted to make its junction with the Sioux City & St. Paul Railroad west or southwest of Pringhar, outside of O'Brien county; then, in that event, said McGregor & Missouri River Railroad shall be constructed from Spencer to Pringhar, and thence to such point of intersection with the Sioux City & St. Paul Railroad, as the McGregor & Missouri River Railroad Company may designate. And if federal legislation is had after 1876, then said McGregor & Missouri River Railway Company may intersect the Sioux City & St. Paul Railroad at such point as the McGregor & Missouri River Railroad Company may determine. And, *provided further*, said Railroad Company or any other Railroad Company, accepting the provisions of this act, shall, at all times, be subject to such rules regulations and rates of tariff for the transportation of freights and passengers, as may from time to time be enacted and provided for by the General Assembly of the State of Iowa, and further subject to the conditions, limitations, restrictions and provisions contained in this act, and in the acts of Congress granting said lands to the State of Iowa, and the filing by any Railroad Company of the bond hereinafter provided, shall be taken and accepted as an acceptance by the Company so filing, of the above proviso and each part thereof.

SEC. 3. When the said Railroad shall be built and constructed to Spencer, in Clay county, then and thereupon the Governor of the State shall patent and transfer to said McGregor & Missouri River Railway Company, all the lands conveyed or appertaining to said grant lying east of said point and co-

terminus with the completed portion of said railroad; and when said railroad shall have been built and constructed to the point of connection in O'Brien county, with the Sioux City & St. Paul Railroad, then and thereupon the Governor of the State shall patent and transfer to said McGregor & Missouri River Railway Company all the remaining lands belonging to or embraced in said grant, appertaining to this line of railroad.

Provided, That before any such patents shall issue, the said McGregor & Missouri River Railway Company, shall file with the Secretary of State a good and sufficient bond approved by the governor, in the sum of fifty thousand dollars, liquidated damages, within sixty days after the passage of this act, conditional upon the faithful performance of the provisions of this act, for the completion of said road to the point of connection in O'Brien county, with the Sioux City & St. Paul Railroad, within the time specified in section two of this act.

Provided further, That if said McGregor & Missouri River Railway Company shall fail to build and construct their railroad within the time specified in this act, then all lands belonging and appertaining to said grant undisposed of at the date of the passage of this act shall revert to the State of Iowa, and this provision shall be interpreted to mean all lands under said grant not patented to the said company at the date of the passage of this act, by reason of railroad already constructed.

SEC. 4. The said railroad shall be built upon and subject to all the terms and conditions named in the act of 1868 above cited, save in such respects as said terms and conditions are changed or amended by this act.

SEC. 5. Should the McGregor & Missouri River Railway Company fail to build and construct their railroad to Spencer, in Clay county, on or before the 1st of January, A. D. 1877, or fail to file the bonds required by this act within the time prescribed, then all lands belonging and appertaining to said grant undisposed of at the date of the passage of this act, shall revert to the state of Iowa, and this provision shall be interpreted to mean all lands under said grant not patented to the said company at the date of the passage of this act by reason of railroad already constructed; and any other railroad company first filing with the auditor of State, a good and sufficient bond in the sum of fifty thousand dollars, to be approved by the governor, and executive council, as provided in section three for a faithful performance of the provisions of this act, may be by advice of the governor and consent of the executive council, substituted to all the rights and subject to all the provisions of this act, to the same extent as if the lands were conferred upon said company and named by this act; and said company shall have the same time as is provided by section two of this act for the building of the road. Said grant shall then inure to the benefit of the Iowa, Dakota & Black Hills Railroad Company, who shall have the right to file its bonds and accept said grant for thirty days thereafter, subject to the limitations and restrictions hereinbefore or hereinafter provided.

SEC. 6. Nothing contained in this act shall be so construed as to effect or change the rights of the McGregor & Missouri River Railroad Company, or

of the Sioux City & St. Paul Railroad Company, as now existing in relation to lands where their rights conflict, or overlap, nor shall this act in any manner affect either company in any pending litigation, and if the McGregor & Missouri River Railroad Company shall obtain right or title to any lands heretofore patented to the State for the benefit of the Sioux City & St. Paul Railroad Company, over which the last named company has constructed its road, then the McGregor & Missouri River Railroad Company shall for the consideration of one dollar convey and release to the Sioux City & St. Paul Railroad Company a right-of-way over said lands on its present line, fifty feet in width on each side in ordinary cases, and in cases where cuts occur, such additional width as may be necessary for protection against drifting snow not exceeding one hundred and fifty feet in width on each side of said center line of track, and if any of said lands in dispute as to title shall be finally adjudged to the Sioux City & St. Paul Railroad Company, and be owned by it when the McGregor & Missouri River Railroad Company construct[s] its road or particularly designates its precise route or tract to a junction with said Sioux City road, then the last named company shall for the consideration of one dollar convey to the McGregor & Missouri River Railroad Company, a like right-of-way as above for its road. It is further made an express condition of this grant that should the McGregor & Missouri River Railway Company be finally adjudged to be the owner of section thirteen (13,) town ninety-nine (99,) range forty-two (42,) which has been heretofore patented to the State, for the use of the Sioux City & St. Paul Railroad Company, it being the section of land on which Sibley is located, in Osceola county, on which large expenditures and expensive improvements have been made by the Sioux City & St. Paul Railroad Company, it shall be the duty of the McGregor & Missouri River Railway Company to permit the Sioux City & St. Paul Railroad Company to purchase said section at the price of two dollars and fifty cents per acre, and upon the tender of the purchase money therefor, the last named company shall be entitled to receive said land by a conveyance of all the title received by said McGregor & Missouri River Railway Company of the United States or from the State of Iowa, and the Sioux City & St. Paul Railroad Company shall thereupon confirm said plat of Sibley and complete the title of Osceola county to the ground given for the court house, and also confirm the title to all donations of lots heretofore made for school houses and church lots and fulfill and confirm all contracts made with individuals for the sale of lots in Sibley, and it is further provided that in case the McGregor & Missouri River Railway Company shall be constructed to a connection with the Sioux City and St. Paul Railroad Company at Sheldon, then the last named company in consideration of the foregoing beneficial privileges, shall donate right-of-way and suitable depot grounds in the village of Sheldon to said McGregor & Missouri River Railway Company.

SEC. 7. The acceptance of the provisions of this act shall be deemed a release by the company accepting the same of all claims to unpatented land, selected for and belonging to the original grant, which have been entered and occupied in good faith pursuant to the provisions of the pre-emption or

homestead laws; and upon the making of final proof of occupation and improvement now required by law, and of good faith as aforesaid to the satisfaction of the Register of the State Land Office, the Governor is hereby authorized to execute a patent for such land to the persons entitled thereto.

SEC. 8. This act being deemed of immediate importance, it shall be in force from and after its publication in the Iowa State Leader and State Register, daily papers published in Des Moines, Iowa.

Approved March 15, 1876.

The provisions of this act were not accepted by the McGregor & Missouri River Railway Company, nor by the Iowa, Dakota & Black Hills Railroad Company, and therefore, as by said act provided, the title to all of the unpatented lands so resumed remains in the State, to be disposed of by future legislation, for the completion of said line of road.

Patents have been applied for by some of the claimants under the seventh section of said act, but, as will be observed by reference to the act, the issuing of patents to such claimants was contingent upon the acceptance of the grant by the railroad company.

The interests and rights of legal claimants to any of these lands can be provided for in the disposition of the same by future legislation.

There are about two hundred and eighty-two sections of lands, situated in Dickinson, O'Brien and Osceola counties, selected under the act of Congress of May 12, 1864, and patented to the State to aid in the construction of the road from Sioux City to the Minnesota State line, which are within the twenty miles limits of the lines of both the Sioux City & St. Paul and McGregor & Missouri River Railroads, and are known as the *overlapping* lands.

The McGregor & Missouri River Railway Company claimed title to said lands and brought suit in the Circuit Court of Osceola county to establish the same, and upon petition of said Company an injunction was granted by said Court, which issued October 11, 1873, restraining the Governor and Register of the State Land Office from conveying said lands to the Sioux City & St. Paul Railroad Company.

It appears that the matters in dispute in this suit were submitted to the arbitration of Associate Justice Samuel F. Miller, who, after hearing the Counsel of the parties, made the following

AWARD:

The McGregor & Missouri River Railway Company vs. the Sioux City & St. Paul Railroad Company; Alexander H. Rice and E. F. Drake Trustees; C. C. Carpenter, Governor of the State of Iowa, and Aaron Brown, Register of the Land Office of the State of Iowa.

The matters in dispute in the above described suit, now pending in the Circuit Court of Osceola county, Iowa, so far as they are in contest between the plaintiffs on one side, and the Sioux City & St. Paul Railroad Company, and Alexander H. Rice and E. F. Drake, Trustees, on the other, having been submitted to me, as Arbitrator, and the counsel of said parties having been fully heard by me, and the pleadings, stipulations and evidence in said cause fully heard, I do hereby make this my award in the premises:

1st. That by the Act of Congress, approved May 12, 1864, 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 said State," the legal title to the lands—a schedule of which is given in the petition of plaintiffs in this suit—was vested in the State of Iowa, in trust, for the purpose of building the road from Sioux City to the Minnesota State Line, and from McGregor City westward to a junction with the said road from Sioux City, jointly and equally for the building of each of said roads; and that the State of Iowa now holds the legal title in the same manner as she then received it, *except so far as the Sioux City & St. Paul Railroad Company, defendants, and the McGregor & Missouri River Railroad Company, plaintiff, have become entitled to said lands respectively by the work done in constructing the roads for which the lands were appropriated by said act of Congress.*

2d. That neither the plaintiff corporation nor the defendant corporation could by any priority of location or construction entitle either of these corporations to anything more than the undivided half of said lands; nor has any act of Congress, or any act of the Iowa Legislature, nor any act of the officers of the State of Iowa, or of the United States, changed the joint character of the trust so held by the State for the benefit of these roads as to the lands within the twenty mile limits of the Sioux City & St. Paul road on the east side, and the other road on its north and south side, at the place of junction of the two roads, which are the lands in contest in this suit.

3d. That the plaintiffs, the McGregor & Missouri River Railway Company, and the defendants, the Sioux City & St. Paul Railroad Company, are entitled to the beneficial interest of each and all the sections and parts of land described in the schedule annexed to plaintiff's petition, in equal and undivided moieties or proportions.

And I award, and order and direct that the Circuit Court, in which this suit is pending, enter this award and the foregoing finding as the decree of that Court, as between the plaintiff on one side, and the Sioux City & St.

Paul Railroad Company and Alexander H. Rice and E. F. Drake, Trustees, on the other; and that said corporations, parties, pay jointly and equally the cost of this arbitration.

4th. And because neither the State of Iowa, nor the Governor of said State, nor the Register of the Land Office of said State, have agreed to submit themselves to my award in the premises, I make no award as to any decree against them, and the rights, duties, and powers of the State of Iowa, as regards said lands, are unaffected by this award, save as it decides the conflicting claims of the two railroad corporations whose rights are herein decided and adjusted.

In testimony whereof, I have hereunto set my hand and seal this 24th day [L. s.] of May, A. D. 1876.

SAMUEL F. MILLER.

We learn that the Sioux City & St. Paul railroad company takes exceptions to this award, and that the dispute between the two companies has not been settled.

There have been patented to the State by the United States, to aid in the construction of the McGregor & Missouri River Railroad, lands as follows:

Patent No. 1, March 8, 1871.....	*133,274.53 acres.
Patent No. 2, January 15, 1874.....	4,297.74 acres.

The lands embraced in the first named patent were all patented by the State to the McGregor & Missouri River Railway Company on April 8, 1871.

The lands embraced in the second patent have been resumed by the State.

The lands patented are situated in the following counties:

Butler county.....	40.00 acres.
Floyd county.....	40.00 acres.
Franklin county.....	710.04 acres.
Wright county.....	496.22 acres.
Hancock county.....	240.00 acres.
Winnebago county.....	1,598.41 acres.
Humboldt county.....	3,476.13 acres.
Kossuth county.....	72,491.73 acres,
Pocahontas county.....	12,467.52 acres.
Palo Alto county.....	22,037.55 acres.
Emmet county.....	20,361.21 acres.
Total.....	133,958.81 acres.

*This quantity is erroneous. The Government plats make the amount embraced in the patent, 133,958.81 acres.

There are a few tracts so patented that conflict with other grants, and some of them have been relinquished by the railroad company.

There have been patented to the State by the United States to aid in the construction of the Sioux City & St. Paul Railroad, lands as follows:

Patent No. 1, October 16, 1872.....	191,464.04 acres
Patent No. 2, June 17, 1873.....	205,374.76 acres
Patent No. 3, January 25, 1875.....	10,911.41 acres
Patent No. 4, June 4, 1877.....	160.00 acres
Total.....	407,910.21 acres

Of these lands there have been certified to the Sioux City & St. Paul Railroad Company by the State as follows:

In Lyon county, June 15, 1874.....	83,934.25 acres.
In Sioux county, June 15, 1874.....	91,996.99 acres.
In Sioux county, February 12, 1875.....	200.00 acres.
In Dickinson county, July 27, 1874.....	23,206.44 acres.
In Osceola county, November 4, 1874.....	4,996.01 acres.
In Osceola county, February 12, 1875.....	320.00 acres.
In O'Brien county, November 4, 1874.....	3,196.65 acres.
In O'Brien county, February 12, 1875.....	120.00 acres.
In Plymouth county, February 12, 1875.....	80.00 acres.
Total.....	208,050.34 acres.

The balance of the lands patented to the State for said road, are withheld from certification to said company for three reasons:

- 1st. On account of conflicts.
- 2d. In respect for the injunction of the Circuit Court of Osceola county.
- 3d. On account of the non-completion of the road from Sioux City to the State line, as required by the act of Congress of May 12, 1864, making the grant.

The following tract of land, to-wit: The se qr of sec. 28, town 100, range 40 west, situated in Osceola county, was patented to the State by the United States, for the Sioux City & St. Paul railroad company, on June 2, 1877, under act of Congress of June 22, 1874, in lieu of a tract of railroad land occupied by a settler, and which was relinquished to the United States by the railroad company for the settler's benefit.

RECAPITULATION.

Showing the Total Number of Acres of lands the State has received by Certificate, Patent, &c., under the several Acts of Congress, granting the same.

Date of the grant.	GRANT.	No. of acres received by the State.
Sept. 4, 1841.	500,000 Acre.....	595,473.54
March 3, 1845.	16th Section.....	1,013,614.21
July 20, 1840.	University.....	45,928.84
May 27, 1852.	Saline.....	46,302.53
July 2, 1862.	Agricultural College.....	204,309.90
May 15, 1856.	Burlington & Missouri River Railroad.....	292,806.41
May 15, 1856.	* Mississippi & Missouri (now Chicago, Rock Island & Pacific) Railroad.....	482,374.36
May 15, 1856.	* Iowa Central Air Line (now Cedar Rapids & Missouri River) Railroad.....	735,967.80
May 15, 1856.	* Dubuque & Sioux City Railroad, Iowa Falls & Sioux City Railroad, Tete des Moins Branch Railroad.....	1,232,359.15
May 12, 1864.	McGregor & Sioux City (now McGregor & Missouri River) Railroad.....	137,572.27
May 12, 1864.	Sioux City & St. Paul Railroad.....	407,910.21
Aug 8, 1846.	Des Moines River Railroad.....	592,700.57
July 12, 1862.	Des Moines River Railroad.....	512,619.86
March 3, 1845.	5 Section in Jasper county.....	3,200.00
Sept. 28, 1850.	Swamp Land (patented).....	869,805.18
March 2, 1855.	Indemnity Swamp Land.....	324,234.18
March 2, 1855.	Swamp lands for which cash Indemnity has been allowed.....	373,998.74
	Total.....	7,811,167.15

Under the act of June 2, 1864, the Department of Interior approved and certified lands to the following named Railroad Companies, which are in addition to those they received under the act of May 15, 1856, given in the foregoing, as follows :

	ACRES.
Cedar Rapids & Missouri River Railroad Company.....	347,317.64
Chicago, Rock Island & Pacific Railroad Company.....	161,372.81
Burlington & Missouri River Railroad Company.....	97,026.57
Total.....	605,717.02

* NOTE—In the quantities given in the foregoing recapitulation, as received under the Railroad grant of 1856, are included the *odd sections* in five mile limits of the Des Moines river, which were certified under said grant on April 7, 1863; this certification has been annulled by the Supreme Court of the United States, and hence should be deducted from said quantities. They belong to the Des Moines River grant, and are included therein in said recapitulation. They are as follows:

	ACRES.
Mississippi & Missouri, (or C., R. I. & P.) R. R.....	35,681.49
Iowa Central Air Line, (or C. R. & Mo. R.) R. R.....	109,765.85
Dubuque & Sioux City, Iowa Falls & S. C. & c., R. R.....	77,694.83

10TH.—MISCELLANEOUS.

THE RANKIN LANDS.

The following is a list of the Real Estate deeded by Samuel E. Rankin, former Treasurer of the Agricultural College, upon final settlement of his affairs as such Treasurer, to a Committee of the Trustees of said College, composed of H. D. Noble, C. Close and O. H. P. Buchanan.

PARTS OF SECTION.	IN WHAT COUNTY SITUATED.		
	Section.	Town. Range.	Acres.
nw qr.....	35	73 29	160.00 Union.....
e hf of se.....	28	88 22	80.00 Hardin.....
sw qr.....	1	97 40	160.00 O'Brien.....
w hf of sw.....	11	74 6	80.00 Washington.....
w hf of nw.....	14	74 6	80.00 Washington.....
south 30 acres of nw of ne.....	27	74 6	30.00 Washington.....
north 10 acres of sw of ne.....	21	100 48	160.00 Lyon.....
ne qr.....	30	100 48	160.00 Lyon.....
se qr.....	28	100 48	640.00 Lyon.....
all of.....	29	100 48	640.00 Lyon.....
all of.....	20	79 23	320.00 Polk.....
s hf of.....	20	79 23	320.00 Polk.....
Total.....			2,420.00.....

Also lots 9 and 10 in Block C, and 40 feet off of the west end of lots 11 and 12 in Block D, with machinery and stock on hand used in the manufacture of School furniture situated in Griffiths' addition to East Fort Des Moines.

This real estate was all deeded to the State of Iowa by said committee of trustees, under section 4, chapter 78, acts 15th General Assembly, (see Private and Local Laws, page 67,) except that portion situated in Griffith's addition to East Fort Des Moines.

The State has a sheriff's deed for lots 9 and 10, in block C, of said addition, but has no conveyance for the forty feet off of the west end of lots 11 and 12, in block D, of said addition.

This real estate is under the control of the Executive Council, and, except that portion in Lyon county, has nearly all been disposed of.

SURVEYS.

By order of the Commissioner of the General Land Office, the office of Surveyor-General of the States of Iowa and Wisconsin terminated on June 30, 1866; Hon. Henry A. Wiltse, of Dubuque, being the last person to hold the position.

The archives of said office, consisting of all the original field notes

and plats of the public surveys of the State, correspondence, &c., were placed in charge of a custodian. By act of the General Assembly, approved January 31, 1868, it was made the duty of the Register of State Land Office, to receive said archives and provide for their safe keeping and proper arrangement as public records. The Commissioner of the General Land Office was furnished with a copy of said act, and, upon receipt thereof, he ordered the custodian at Dubuque to turn the said archives over to this office, which order was complied with.

These original field notes are generally very full and complete, giving the distance between the section and quarter section corners and the intervening streams, marshes, ponds, lakes, &c.; also, giving a description of the surface, and quality of soil over which each section line is run.

The fee for furnishing a certified copy of the original field notes has been fixed at six dollars per township, and for furnishing a copy of the original plats at two dollars per township plat. This is a moderate compensation for the labor performed in preparing the copies.

Section 285 of the Code of 1860, which I understand to be still in force, defines a copy of the original field notes to be "a copy of the field books of the original surveys, as returned to the Surveyor General's office, and not merely a copy of the descriptive lists returned to the district land offices."

The Thirteenth General Assembly passed the following act, defining the manner of making re-surveys of lands:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in the re-survey and subdivisions of lands by county surveyors, their deputies or other persons, the rules prescribed by acts of Congress, and the instructions of the Secretary of the Interior, shall be in all respects followed.

SEC. 2 Said rules and regulations shall be published in pamphlet form under the direction of the Register of the State Land Office, and one copy furnished for the use of each county surveyor.

Approved April 16, 1870.

Under this act the Hon. C. C. Carpenter, then Register of the State Land Office, compiled and published in pamphlet form, the laws, rules and instructions of the department, judicial decisions, etc., relative to restoring lost corners, establishing the center of a section, the survey of small islands, beds of lakes that have become dry, and strips of land omitted in the original surveys, riparian ownership, double corners, etc., and furnished each county surveyor with a copy.

There are a number of copies still on hand. Said pamphlet, though

not voluminous, is very valuable, not only to the surveyor, but to any one who desires general information relative to the manner of surveying government lands.

The Fifteenth General Assembly passed the following act:

An Act to Provide for the Permanent Survey of Lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever the owner or owners of adjacent tracts of land shall desire to establish permanently the lines and corners thereof between them, he, she, or they may enter into a written agreement to employ and abide by the survey of some surveyor; and after said survey is completed, a plat thereof, with a description of all corners and lines plainly marked and described thereon, together with the written agreement of the parties, shall be recorded in the recorder's office of the county where the lands are situated; or after any survey of lands is completed, and the parties interested therein as owners are satisfied with such survey, or when the owners of adjoining lands desire to perpetuate existing lines and corners heretofore made between them, it shall be lawful for them to cause a plat thereof to be made, with a description of all such lines and corners made thereon, which plat shall be acknowledged before some officer authorized to take the acknowledgment of deeds, and signed by each of said owners as an agreement between them so far as relates to such lines and corners; all of which shall be recorded in the recorder's office of the county in which the lands are situated; and the lines and corners so made and described and recorded shall be binding upon the parties entering into said agreement and signing said plats, their heirs, successors and assigns, and shall never be changed.

SEC. 2. Whenever one or more proprietors of land in this State, the corners and boundaries of whose lands are lost, destroyed, or are in dispute, or who are desirous of having said corners and boundaries permanently established, and who will not enter into agreement as provided by section first of this act, it shall be lawful for said proprietor or proprietors that they shall cause a notice in writing to be served on the owner or owners of adjacent tract or tracts, if known and residing in the county where said lands are situated, or if not known and not residing in such county, by publishing in a newspaper published in such county, and if no newspaper shall be published, then by putting up in four different public places in said county, a written or printed notice to the effect that on a day named therein he, she, or they will make application to the district court of the county in which said lands are situated, at its next succeeding term, for the appointment of a commission of one or more surveyors to make survey of and permanently establish said corners and boundaries, which notice shall be posted up at least four weeks before the time appointed for said application; and one of said notices shall be in the precinct or township in which said corners and boundaries are situated.

SEC. 3. Upon the filing of proper petition and proof of due notice aforesaid, the said court shall appoint a commission of one or more surveyors,

entirely disinterested, to make said survey, who shall proceed to make said survey and report his or their proceedings to that or the next term of said court, accompanied by a plat and notes of said survey. and each of said surveyors shall be authorized to administer an oath to any of the assistants necessary in the execution of said survey, to faithfully and impartially perform their respective duties, and take the evidence under oath administered by the surveyor, and incorporate the same with his or their survey, of any person or persons, who may be able to identify any original government corner, or witness thereto, or government line tree, or other noted object, or any other legally established corner, or other corners that have been recognized as such by the adjoining proprietors for over ten years.

SEC. 4. Upon the filing of said report, any person whose interests may be affected by said survey shall be at liberty to enter his objections to said report, and the court shall hear and determine said objections, and enter an order or judgment either approving or rejecting said report, or modifying and amending the same according to the rights and interests of the parties, or may refer the same back to said commission to correct their report and survey in conformity with the judgment of the court; or the court may, for good reason, set aside said commission and appoint a new one, who shall proceed anew, and determine the boundaries and corners of the lands in question. The corners and boundaries established in said survey, as approved in the final judgment of the court, if not appealed from within thirty days, shall be held and considered as permanently and unalterably established according to said survey. The expenses and costs of the surveys and suit shall be apportioned among all the parties according to their respective interests.

Approved March 5, 1874.

PLATTING THE LAND GRANTS.

The platting of the several land grants of the State, for which the last General Assembly made an appropriation, is almost completed. The plats are made upon a scale of two inches per mile; all the meandered streams and lakes are correctly drawn upon same, and the lands of the several grants designated thereon by appropriate colors. Conflicts, where any have occurred, have been carefully noted on the margin of the plats. These plats have been properly arranged and bound in separate volumes, in good and substantial binding, and each volume appropriately labelled or marked with the numbers of the townships and ranges contained therein.

By reference to these plats we will be enabled to see at once whether any particular tract has been conveyed to the State under any grant, and if so, what grant, without having to search through the several government patents and certified lists on file in the office for the information, as heretofore.

Owing to the large quantities of lands that the State has received and is receiving under the various land grants, and the constant vigilance required to prevent conflicts in the conveyances of the same by the State, these plats became an absolute necessity.

FEES.

The following is a Statement of the fees received at the State Land Office, during the biennial period, commencing with November 1, 1875, and ending with September 30, 1877, with date of receipt, name of party from whom received; on what account and amount.

DATE OF RECEIPT.	FROM WHOM RECEIVED.	ON WHAT ACCOUNT.	Amount.
Nov. 1, 1875.	S. L. Pillsbury.....	For field notes.....	\$ 35.50
Nov. 8, 1875.	E. Latham.....	For copy of patents.....	2.00
Nov. 10, 1875.	A. C. Root.....	For copy of patents.....	2.00
Nov. 19, 1875.	Enoch Eastman.....	For certificates.....	2.00
Nov. 22, 1875.	Wm Ragan.....	For certificates.....	2.00
Nov. 23, 1875.	C. H. Robinson.....	For copy of patent.....	1.00
Dec. 3, 1875.	J. L. Morse.....	For field notes, 3 Tps.....	17.50
Dec. 4, 1875.	M. B. Horn.....	For copy of patent.....	1.00
Dec. 8, 1875.	Hugh R. Creighton.....	For information.....	.50
Dec. 9, 1875.	Frank M. Davis.....	For two certificates.....	.50
Dec. 9, 1875.	Hugh R. Creighton.....	For information.....	.50
Dec. 17, 1875.	Burnsides & Weeks.....	For copy of patent.....	1.00
Dec. 23, 1875.	Redman & Carr.....	For copy of patent.....	1.00
Dec. 30, 1875.	O. P. Lundy.....	For copy of patent.....	1.00
Dec. 30, 1875.	R. T. Miller.....	For copy of patent.....	1.00
Jan. 6, 1876.	John Non.....	For field notes.....	6.00
Jan. 7, 1876.	Blanchard & Eyerly.....	For copy of patents, D. M. R.....	5.00
Jan. 14, 1876.	C. A. Clark.....	For certified lists.....	2.00
Jan. 15, 1876.	Woodward, King & Stearns.....	For copy of patent.....	1.00
Jan. 15, 1876.	John Palmer.....	For copy of patent.....	1.00
Jan. 18, 1876.	J. S. Everett.....	For copy of patent.....	1.00
Jan. 19, 1876.	Louis Case.....	For copy of patent.....	1.00
Jan. 19, 1876.	A. T. Cole.....	For copy of field notes.....	1.00
Jan. 20, 1876.	Judge Baldwin.....	For copy of contract.....	1.00
Jan. 21, 1876.	E. Glendenning.....	For copy of patent.....	1.00
Jan. 27, 1876.	H. B. Creighton.....	For copy of patent.....	1.00
Jan. 28, 1876.	Thomas Sargent.....	For copy of records and certificates.....	3.00
Feb. 2, 1876.	M. Garber.....	For copy of patent.....	1.00
Feb. 3, 1876.	Thompson & Craig.....	For copy of patent.....	1.00
Feb. 5, 1876.	Redman & Carr.....	For copy of patent.....	1.00
Feb. 5, 1876.	Henry Fosterling.....	For certificate.....	1.00
Feb. 9, 1876.	Kipp.....	For copy of patent.....	1.00
Feb. 12, 1876.	Dewey & Clark.....	For certificate.....	1.00
March 4, 1876.	O. D. Smally.....	For certificate.....	1.00
March 7, 1876.	Bousquet & Ryan.....	For certificate.....	1.00
March 7, 1876.	E. B. Soper.....	For certificate.....	1.00
March 7, 1876.	L. D. Landon.....	For certificate.....	1.00
March 8, 1876.	J. O. Brisco.....	For certificate.....	2.00
March 11, 1876.	G. W. Whitney.....	For certificate.....	1.50
March 16, 1876.	John R. May.....	For certificate.....	1.00
March 24, 1876.	Dewey & Clark.....	For certificate.....	1.00
March 28, 1876.	R. E. Price.....	For certificate.....	1.00
April 3, 1876.	W. P. Evans.....	For copy of record.....	1.00
April 5, 1876.	Huff & Reed.....	For certificate.....	1.00
April 10, 1876.	H. A. Botleman.....	For certificate.....	1.00
April 11, 1876.	C. P. Searle.....	For certificate.....	1.00
April 15, 1876.	John Palmer.....	For copy of patent.....	1.00
April 22, 1876.	Judson & Broadbeck.....	For field notes.....	5.75
April 27, 1876.	W. P. Evans.....	For copy of patent.....	1.00
May 9, 1876.	C. P. Searle.....	For copy of patent.....	1.00
May 15, 1876.	Sheehan & McCarn.....	For copy of patent.....	1.00
May 16, 1876.	C. P. Searle.....	For certificate.....	1.00
May 17, 1876.	Chas. A. Clark.....	For certified list.....	2.00
May 18, 1876.	J. D. Fegan.....	For copy of patents.....	2.00
May 18, 1876.	Eugene Secor.....	For copy of field notes.....	1.00

FEES—CONTINUED.

DATE OF RECEIPT.	FROM WHOM RECEIVED.	ON WHAT ACCOUNT.	Amount.
May 19, 1876	Amos Steckel	For copy of patents	2.00
May 22, 1876	Case & Morse	For copy of patent	1.00
May 23, 1876	Case & Morse	For copy of patent	1.00
May 23, 1876	George W. Heston	For field notes	6.00
June 13, 1876	W. B. Cory	For certificate	1.00
June 14, 1876	J. B. Gregg	For copy of patent	1.00
June 16, 1876	R. L. Freeman	For copy of patent	1.00
June 21, 1876	Matt. Phelps	For copies of two patents	2.00
June 22, 1876	Francis Varga	For abstract of conveyances	34.50
June 27, 1876	J. O. Briscoe & Co	For copies of two patents	2.00
June 29, 1876	O. L. Cooper	For certificate	1.00
July 5, 1876	A. N. French	For copy of patent	1.00
July 6, 1876	J. A. Harvey	For transcript of records	3.00
July 8, 1876	Laban Hassett	For copy of field notes	1.00
July 8, 1876	O'Connell & Springer	For copy of record	4.25
July 15, 1876	Chas. A. Clark	For copy of app'd list	1.00
July 21, 1876	Chas. A. Clark	For copy of app'd list	1.00
July 25, 1876	H. B. Muscott	For copy of patent	1.00
July 29, 1876	M. C. Allen	For copy of patent	1.00
Aug. 1, 1876	T. S. Howland	For field notes	2.00
Aug. 3, 1876	M. T. Williams	For copy of patent	1.00
Aug. 5, 1876	C. P. Searle	For copy of patent	1.00
Aug. 16, 1876	J. O. Briscoe & Co	For copy of patents	2.00
Aug. 23, 1876	C. P. Searle	For copy of patent	1.00
Aug. 24, 1876	Geo. B. Smyth	For plats.	4.00
Aug. 26, 1876	C. H. Robinson	For copy of two patents	2.00
Aug. 28, 1876	W. W. McKnight	For copy of three patents	3.00
Sept. 2, 1876	Blanchard & Eyerly	For copy of patent	1.00
Sept. 4, 1876	R. L. Freeman	For copy of patent	1.00
Sept. 5, 1876	Homer Cook	For information	1.00
Sept. 6, 1876	M. J. Hamilton	For copy of patent	1.00
Sept. 8, 1876	Blanchard & Eyerly	For copy of patent	1.00
Sept. 8, 1876	D. O. Esbhaugh	For copy of patent	1.00
Sept. 12, 1876	Woodward, King & Stearns	For copy of patent	1.00
Sept. 12, 1876	Redman & Carr	For copy of patent	1.00
Sept. 14, 1876	C. P. Searle	For copy of two patents	2.00
Sept. 15, 1876	Charles Blanchard	For copy of railroad patent	5.00
Sept. 19, 1876	Thompson & Craig	For copy of patent	1.00
Sept. 21, 1876	Henry H. Wright	For copy of patent	1.00
Sept. 23, 1876	Doane & Johnson	For copy of patent	1.00
Sept. 26, 1876	D. W. Reed	For copy of two patents	2.00
Sept. 26, 1876	W. H. Johnston	For copy of list and patent	2.00
Sept. 27, 1876	Blanchard & Eyerly	For copy of patent	1.00
Oct. 7, 1876	Blanchard & Eyerly	For copy of two patents	2.00
Oct. 9, 1876	W. B. Chick	For copy of patent	1.00
Oct. 10, 1876	H. B. Muscott	For copy of patent	1.00
Oct. 10, 1876	J. O. Briscoe & Co	For copy of patent	1.00
Oct. 12, 1876	J. H. Henderson	For copy of patent	1.00
Oct. 19, 1876	M. H. Howland	For copy of three patents	3.00
Oct. 20, 1876	Benjamin Rogers	For copy of patent	1.00
Oct. 23, 1876	May & Kelsey	For information	1.00
Nov. 9, 1876	Weiting & Winn	For certified lists	4.50
Nov. 13, 1876	C. P. Searle	For copy of two patents	2.00
Nov. 14, 1876	H. L. Skinner	For certified lists, swamp select'ns	1.00
Nov. 15, 1876	R. W. Threll	For copy of patent	1.00
Nov. 16, 1876	T. C. Gilpin	For copy of patent	1.00
Nov. 18, 1876	Geo. H. Hiecock	For copy of patent	1.00
Nov. 25, 1876	J. O. Briscoe & Co	For copy of patent	1.00
Nov. 25, 1876	Woodward, King & Stearns	For copy of patent	1.00
Dec. 1, 1876	A. W. C. Weeks	For certificate	1.00
Dec. 12, 1876	Anderson & Gamble	For copy of patent	1.00
Dec. 18, 1876	Bronson & Le Roy	For copy of two patents	2.00
Dec. 23, 1876	Work & Brown	For copy of two patents	2.00
Dec. 26, 1876	Rice & Bailey	For copies of records	3.00
Dec. 28, 1876	H. L. Skinner	For copy of patent	1.50
Dec. 30, 1876	C. H. Robinson	For copy of patent	1.00
Jan. 3, 1877	S. B. Zeigler	For copy of patent	1.00
Jan. 3, 1877	C. P. Searle	For copy of patent	1.00
Jan. 3, 1877	J. E. Wyatt, Aud'r Sioux county	For field notes—Sioux county	137.50
Jan. 3, 1877	Woodward, King & Stearns	For copy of two patents	2.00
Jan. 9, 1877	Sweeney & Libby	For copy of patent	1.00
Jan. 10, 1877	Thos. Sargent	For list railroad lands	1.50

FEES—CONTINUED.

DATE OF RECEIPT.	FROM WHOM RECEIVED.	ON WHAT ACCOUNT.	Amount.
Jan. 12, 1877	S. S. King	For copy of patent	1.00
Jan. 20, 1877	J. R. Brodriek	For copy of patent	1.00
Jan. 30, 1877	J. O. Briscoe & Co	For copy of two patents	2.00
Feb. 1, 1877	J. R. Brodriek	For copy of patent	1.00
Feb. 6, 1877	E. Cummins	For copy of patent	1.00
Feb. 8, 1877	Thorpe & Sons	For copy of lists of lands	2.00
Feb. 13, 1877	Wm. Ragan	For copies of lists of lands	1.00
Feb. 13, 1877	D. W. Reed	For copy of patent	1.00
Feb. 14, 1877	Howard County	For copy of field notes	69.60
Feb. 17, 1877	John A. Elliott	For certificate	1.00
Feb. 24, 1877	A. W. Hay	For copy of patent	1.00
Feb. 27, 1877	C. P. Searle	For copy of patent	1.00
Feb. 28, 1877	Weiting & Winn	For copy of list	1.00
Feb. 28, 1877	Stranger	For copy of record	1.00
March 7, 1877	Wm. Gardner	For copy of patent	1.00
March 8, 1877	D. W. Reed	For copy of patent	1.00
March 12, 1877	S. S. King	For copy of patent	1.00
March 17, 1877	Galusha Parsons	For copy of patent	1.00
March 20, 1877	G. G. Lawrence	For copy of original entries	2.50
March 22, 1877	B. F. Martz	For copy of patent	1.00
March 23, 1877	Bowdle & Newcomer	For copy of patent	1.00
March 24, 1877	Woodward & Stearns	For copy of patent	1.00
March 26, 1877	J. W. Catell	For copy of patent	3.75
March 26, 1877	Judson & Brodbeck	For field notes	1.00
March 26, 1877	Lyman Forbes & Co	For certificate	1.00
March 28, 1877	J. B. Boggs	For copy of patent	1.00
March 31, 1877	D. W. Reed	For copy of patent	1.00
March 31, 1877	Auditor of Clarke county	For abstract	5.00
April 9, 1877	Blanchard & Eyerly	For copy of patent	1.00
April 9, 1877	J. A. Schriener	For field notes	4.50
April 16, 1877	J. O. Briscoe & Co	For copy of patent	1.00
April 21, 1877	C. P. Searle	For copy of patent	1.00
April 24, 1877	Lea & Beaman	For copy of patent	1.00
April 25, 1877	Miracle & Kamrar	For copy of patent	1.00
April 26, 1877	S. B. Zeigler	For copy of patent	1.00
April 26, 1877	J. R. Stillman	For copy of patent	1.00
April 28, 1877	Woodward & Stearns	For copy of two patents	2.00
April 28, 1877	J. O. Briscoe & Co	For copy of two patents	2.00
April 30, 1877	J. A. Harvey	For copy of swamp land patent	1.00
May 1, 1877	John W. Stuart	For plats, &c	5.00
May 5, 1877	W. M. Alexander	For lists swamp and railroad lands	5.00
May 17, 1877	Laban Hassett	For field notes	.50
May 19, 1877	Wm. Aiton	For copy of patent	1.00
May 24, 1877	R. L. Duer	For copy of patent	1.00
May 26, 1877	Blanchard & Eyerly	For copy of patent	1.00
May 28, 1877	R. L. Duer	For copy of patent	1.00
May 29, 1877	S. S. King	For copy of patent	1.00
June 2, 1877	D. W. Reed	For copy of patent	1.00
June 4, 1877	G. Parsons	For copies of records	2.00
June 4, 1877	S. S. King	For copy of two patents	2.00
June 5, 1877	Weaver & Payne	For copy of patent	1.00
June 9, 1877	D. D. Gregory	For copies of records	3.00
June 11, 1877	John Browne	For copies of records	3.00
June 12, 1877	Samuel Thompson	For copy of field notes	1.00
June 13, 1877	E. Tuffee	For certificate	1.50
June 15, 1877	D. W. Reed	For copy of patent	1.00
June 15, 1877	J. O. Briscoe	For copy of patent	1.00
July 10, 1877	S. S. King	For copy of two patents	2.00
July 11, 1877	H. L. Skinner	For certificate	1.00
July 12, 1877	George W. Sches	For field notes	12.00
July 27, 1877	Frank M. Davis	For list railroad lands	2.00
Aug. 1, 1877	Case & Morse	For copy of patent	1.00
Aug. 2, 1877	C. P. Briscoe	For copy of patent	1.00
Aug. 7, 1877	May & Kelsey	For copy of two patents	2.00
Aug. 16, 1877	Thorpe & Sons	For copy of patent	1.00
Aug. 20, 1877	Bank & Smith	For copy of patent	1.00
Aug. 22, 1877	Thomas Updegraff	For copy of railroad patent	10.00
Sept. 1, 1877	Wm. Conner	For certificate	1.00
Sept. 7, 1877	M. Edwards	For abstract	5.00
Sept. 7, 1877	Woodward & Stearns	For copy of patent	1.00
Sept. 7, 1877	John Lawson	For certificate	1.00
Sept. 12, 1877	J. A. Fitchpatrick	For abstract	20.00
Sept. 14, 1877	C. P. Searle	For copy of patent	1.00

FEES—CONTINUED.

DATE OF RECEIPT.	FROM WHOM RECEIVED.	ON WHAT ACCOUNT.	Amount.
Sept. 20, 1877....	L. F. Mullins.....	For copy of patent.....	\$ 1.00
Sept. 25, 1877....	Wm. Ragan.....	For copy of railroad release.....	6.00
Sept. 26, 1877....	Starbuck & Ivory.....	For copy of patent.....	1.00
Sept. 27, 1877....	Auditor of Pocahontas Co.....	For field notes.....	24.00
Total.....			\$654.75

All of which has been paid into the State Treasury as required by law, and receipts taken therefor.

CONTINGENT FUND.

The amount of contingent fund of the State Land Office on hand on November 1, 1875, was.....\$ 155.62

Amount appropriated by Section 4, Chapter 142, Acts 1876, for ordinary clerk hire, platting the several land grants, &c..... 3,000.00

Total.....\$3,155.62

THIS AMOUNT HAS BEEN DISBURSED AS FOLLOWS :

Date.	TO WHOM PAID.	Amount.
Nov. 1875....	John F. Thompson, clerk.....	\$ 75.00
Dec. 1875....	John F. Thompson, clerk.....	75.00
March 28, 1876....	John M. Davis, clerk.....	5.62
May 1, 1876....	Amy Christ, clerk.....	50.00
May 1, 1876....	Mary E. Secor, clerk.....	25.00
June 1, 1876....	Mary E. Secor, clerk.....	25.00
June 1, 1876....	Amy Christ, clerk.....	35.00
July 1, 1876....	Amy Christ, clerk.....	50.00
July 1, 1876....	Mary E. Secor, clerk.....	50.00
Aug. 1, 1876....	J. M. Davis, clerk.....	52.25
Aug. 1, 1876....	Amy Christ, clerk.....	50.00
Aug. 1, 1876....	Mary E. Secor, clerk.....	50.00
Sept. 1, 1876....	J. M. Davis, clerk.....	80.00
Sept. 1, 1876....	Amy Christ, clerk.....	60.00
Sept. 1, 1876....	Mary E. Secor, clerk.....	60.00
Oct. 31, 1876....	Mary E. Secor, clerk.....	45.00
Oct. 31, 1876....	Amy Christ, clerk.....	60.00
Nov. 29, 1876....	Amy Christ, clerk.....	60.00
Nov. 29, 1876....	Mary E. Secor, clerk.....	60.00
Nov. 29, 1876....	Laura Hill, clerk.....	20.00
Dec. 13, 1876....	Laura Hill, clerk.....	24.00
Dec. 15, 1876....	Mary E. Secor, clerk.....	30.00
Dec. 30, 1876....	Laura Hill, clerk.....	26.00
Dec. 30, 1876....	Amy Christ, clerk.....	60.00
Jan. 31, 1877....	Amy Christ, clerk.....	60.00
Jan. 31, 1877....	Laura Hill, clerk.....	50.00

CONTINGENT FUND—CONTINUED.

DATE.	TO WHOM PAID.	Amount.
Jan. 31, 1877....	Mary E. Secor, clerk.....	\$ 20.00
Feb. 28, 1877....	Mary E. Secor, clerk.....	60.00
Feb. 28, 1877....	Amy Christ, clerk.....	45.00
Feb. 28, 1877....	Laura Hill, clerk.....	50.00
March 31, 1877....	Laura Hill, clerk.....	50.00
March 31, 1877....	Amy Christ, clerk.....	60.00
March 31, 1877....	Mary E. Secor, clerk.....	60.00
April 30, 1877....	C. A. M. Spencer, clerk.....	50.00
April 30, 1877....	Mary E. Secor, clerk.....	60.00
April 30, 1877....	Amy Christ, clerk.....	60.00
May 31, 1877....	Amy Christ, clerk.....	60.00
May 31, 1877....	C. A. M. Spencer, clerk.....	60.00
May 31, 1877....	Mary E. Secor, clerk.....	60.00
June 12, 1877....	Mary E. Secor, clerk.....	20.00
June 20, 1877....	Laura A. Berry, clerk.....	20.00
June 30, 1877....	Laura A. Berry, clerk.....	20.00
June 30, 1877....	Amy Christ, clerk.....	60.00
June 30, 1877....	C. A. M. Spencer, clerk.....	60.00
July 31, 1877....	C. A. M. Spencer, clerk.....	60.00
July 31, 1877....	Phebe A. Secor, clerk.....	30.00
Aug. 31, 1877....	Phebe A. Secor, clerk.....	60.00
Aug. 31, 1877....	Amy Christ, clerk.....	60.00
Aug. 31, 1877....	Lilabelle Vinnedge, clerk.....	60.00
Sept. 29, 1877....	Lilabelle Vinnedge, clerk.....	60.00
Sept. 29, 1877....	Amy Christ, clerk.....	60.00
Total amount disbursed.....		2,502.87
Balance on hand October 1, 1877.....		652.75

The amount of contingent fund necessary for clerk hire in this office for the next two years, commencing with April 1, 1878, is estimated at two thousand dollars.

The State of Iowa has been specially favored by a kind Providence in the distribution of those natural advantages and resources that are being developed into a grand and glorious State.

The climate is salubrious and invigorating; the soil is fertile and productive, and responds abundantly to the labors of the husbandman.

The eastern and western borders are washed by the two greatest rivers of this country,—the Mississippi on the east, and the Missouri on the west.

Numerous small rivers and meandering streams, skirted with beautiful groves of thrifty timber, flow through the interior portions of the State, affording good water power for manufacturing purposes.

The bituminous coal fields are sufficiently extensive to supply cheap

coal for fuel and motive power, for all purposes, for generations to come.

The soil is a rich, black loam, of unsurpassed fertility, and it has been estimated by those most familiar with the State, that the quantity of waste, or unavailable land, is less than five per cent.

In an agricultural point of view Iowa has no superior, and it may be safely assumed that within the next ten years she will have become sufficiently developed to stand at the head of the cereal producing States, and to maintain her supremacy in that direction. Could the hardy sons of toil, who are scarcely able to obtain a comfortable subsistence in the over populated portions of the East, realize that on the fertile and undulating prairies of Iowa there remain hundreds of thousands of acres of rich and productive lands awaiting development, and which can be obtained on easy terms and at moderate prices, they would gladly avail themselves of the opportunity of securing pleasant homes, where, in a few years, they could obtain a comfortable competency.

Some persons may infer that the wild and uncultivated lands are of an inferior grade. This is not the case. Many of the unimproved lands are among the very best in this or any other State, and remain unoccupied for the reason that the present population is not sufficient to develop and bring forth the hidden wealth that lies buried in the fertile soil.

On the 28th day of December, 1846, Iowa was admitted into the Union, with a population of 97,588. Less than a third of a century has passed, and we now point with pride to a population of 1,500,000. The development of the agricultural resources of the State has kept pace with the increase of population, as is shown by the following table, giving the population for the years 1856, 1865 and 1875, and the bushels of wheat, oats and corn, and the pounds of butter produced, as enumerated in the census for those years.

YEAR.	Population.	Bushels of wheat.	Bushels of oats.	Bushels of corn.	Pounds of butter.
1856	519,055	5,469,516	6,127,329	31,163,362	2,923,253
1865	754,699	8,284,565	15,928,777	48,471,133	14,638,216
1875	1,350,544	44,131,807	29,213,891	146,993,570	37,862,540

The progress of manufactories, mechanical arts and public improvements has been in nearly the same ratio.

The first railroad constructed in the State was in the year 1855, when that portion now operated by the Chicago, Rock Island & Pacific Railroad Company, from Davenport to Iowa City, was completed to the latter place.

Iowa City was then the seat of State Government, and a large portion of the State was destitute of settlement, and familiar only to the savages and wild beasts that wandered over the prairies. Since then the onward march of the hardy pioneer has prepared the way for future greatness, as is indicated by the development of our resources, and the construction of public improvements, until, in the year 1875, twenty years after the first railroad was built, there were *three thousand seven hundred and sixty-five miles* of completed roads in the State, affording transportation to the cities of the east for our surplus products.

Nearly all portions of the State are accessible to railroads that furnish a good market for the products of industry. Thousands of acres of wild land are annually brought under cultivation and add to the productive resources of the State.

The present year is one of unusual prosperity, and a bountiful harvest rewards the labors of the husbandman. Millions of dollars will be distributed throughout the State in payment of the surplus wheat, oats, corn, eggs, butter, hogs, cattle, and other products that will be shipped to feed the thousands of hungry souls that congregate in the large cities, and reside in the densely populated districts of the eastern states.

Thousands of families that have come here in poverty, or with limited means, have acquired pleasant homes, and are surrounded with the comforts and luxuries of life.

In this land of plenty there is room for all that desire to come, if they are willing to add to the industry of the country by the use of *labor or capital*.

Skilled laborers of all classes, mechanics, manufacturers, members of the different professions, and common laborers, can here find profitable employment, and are needed to aid in the development of the country.

The progress of the State in the past has been one of continuous advancement, and the future may be looked to with bright hopes and encouraging prospects.

CONCLUSION.

In closing this report I am happy to acknowledge the valuable services of my deputy, Mr. John M. Davis, whose familiarity with the business of this Department is not surpassed, and to whom is largely due the accuracy attained in discharging the responsible duties of the office.

Respectfully submitted,

DAVID SECOR,
Register of State Land Office.

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