

(STATEMENT "V.")

GENERAL BALANCE.

1865.	Dr.	
Nov. 5.	To balance in Treasury.....	\$ 336,093.47
1867.		
Nov. 2.	To total amount of Receipts in General Revenue.....	1,067,819.18
Nov. 2.	To total amount of Receipts on War and Defense Fund.....	7,890.52
Nov. 2.	To total amount of Receipts on Permanent School Fund.....	11,182.18
Nov. 2.	To total amount of Receipts on Temporary School Fund.....	30,849.08
Nov. 2.	To total amount of Receipts on Swamp Land Indemnity Fund.....	109,346.80
Nov. 2.	To total amount of Receipts on Coupon Fund.....	71,083.69
Nov. 2.	To total amount of Receipts on Dictionary Fund.....	325.98
Nov. 2.	To total amount of Receipts on Railroad Tax Fund.....	79,268.10--1,713,809.96
1867.	Cn.	
Nov. 2.	By Disbursements of General Revenue.....	1,321,793.17
Nov. 2.	By Disbursements of War and Defense Fund.....	7,890.52
Nov. 2.	By Disbursements of Permanent School Fund.....	3,005.24
Nov. 2.	By Disbursements of Swamp Land Indemnity Fund.....	104,991.20
Nov. 2.	By Disbursements of Dictionary Fund.....	305.98
Nov. 2.	By Disbursements of Coupon Fund.....	69,629.63
Nov. 2.	By Disbursements of Railroad Tax Fund.....	79,268.10
Nov. 2.	By balance in Treasury.....	97,740.45--1,713,809.96

REPORT

OF THE

REGISTER OF STATE LAND OFFICE

TO THE

GOVERNOR OF IOWA.

NOVEMBER 12, 1867

A. C. CARPENTER, Register.

DES MOINES:
 F. W. PALMER, STATE PRINTER.
 1867.

REPORT.

STATE LAND OFFICE, }
DES MOINES, IOWA, Nov. 12th, 1867. }

To His Excellency, William M. Stone, Governor of Iowa:

SIR:—Complying with the order in which my predecessor prepared his last Biennial Report, in detailing the business of this office for the last two years, I shall consider:

- 1st—The 500,000 Acre Grant.
- 2d—The 16th Section Grant.
- 3d—Mortgage School Lands.
- 4th—University Grant.
- 5th—Saline Grant.
- 6th—Des Moines River Grant.
- 7th—Des Moines River School Lands.
- 8th—Swamp Land Grant.
- 9th—Rail Road Grants.
- 10th—Agricultural College Grant.
- 11th—The Five per cent. Fund Security Real Estate.
- 12th—Claims under chap. 16, Laws Eighth General Assembly.
- 13th—Miscellaneous.

As the very able and full report of Mr. Harvey, two years ago, comprises a complete history of the several grants, and a compilation or digest of all laws, State and national, bearing upon them down to that date; and, as some fifteen hundred copies of that report are now on hand and will be furnished to those desiring information upon the questions at issue in respect to these grants, it will be unnecessary for me to increase the expense of printing, &c., by reiterating the information contained therein. I shall, therefore, confine myself principally to the current business of the past two years, except where questions of public interest, upon which the information afforded by the position, may shed some light and dictate a departure from such a course.

You will, therefore, under the first head find:

1st.—THE 500,000 ACRE GRANT.

The following table exhibits the number of acres patented since date of last report, total number of acres patented, number of acres unpatented, and total number of acres in each county:

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Adair	180.00	2,347.50	54.39	2,391.89
Adams	406.49	665.00	1,255.00	1,920.00
Allamakee	985.00	66,075.67	4,115.56	70,191.23
Appanoose	40.00	2,080.00	320.09	2,400.00
Benton	480.00	10,399.07	1,382.73	11,781.80
Black Hawk	200.00	8,105.60	277.24	3,382.84
Boone	80.00	892.12	160.00	1,052.12
Bremer	343.12	17,653.81	1,466.75	19,120.56
Buchanan	100.00	2,085.69	399.75	2,485.44
Butler .....	.....	478.51	.....	478.51
Cedar .....	.....	4,676.92	2,135.52	6,812.44
Chickasaw	80.00	1,571.31	1,707.95	3,279.26
Clarke	195.80	12,856.28	3,152.72	16,009.00
Clayton	960.00	19,776.12	2,988.28	22,764.40
Clinton	120.00	19,763.41	1,371.94	21,135.35
Dallas	160.00	11,992.89	1,706.27	13,699.16
Davis .....	.....	696.25	238.70	934.95
Decatur	955.07	36,057.72	4,402.84	40,460.56
Delaware	160.00	11,314.35	102.24	11,417.19
Dubuque	520.00	15,519.05	595.72	16,114.77
Fayette	327.17	29,133.00	1,127.21	30,260.21
Floyd	200.00	2,971.68	510.00	3,481.68
Hardin .....	.....	1,320.00	40.00	1,360.00
Hamilton	200.00	5,848.03	4,466.37	10,314.40
Harrison	1,877.84	3,590.40	3,934.46	7,524.86
Iowa	2,150.33	17,065.03	6,911.04	23,976.07
Jackson	360.00	647.00	160.00	807.50
Jasper	80.00	1,674.94	.....	1,674.94
Jones	949.69	26,597.05	3,358.45	29,955.50
Keokuk .....	.....	590.64	60.00	670.64
Linn	200.00	10,230.32	755.75	11,016.07
Louisa .....	.....	640.00	.....	640.00
Lucas	80.00	640.00	.....	640.00
Madison	95.00	8,849.47	536.55	9,386.02
Mahaska	122.85	9,113.19	114.56	9,227.75
Marion .....	.....	1,254.61	160.00	1,414.61
Marshall .....	.....	6,035.89	79.97	6,115.86
Monroe .....	.....	986.57	.....	986.57

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Muscatine	80.00	80.00	277.33	357.33
Polk	200.00	2,425.17	.45	2,425.62
Poweshiek	320.00	4,020.75	8,094.49	12,715.24
Ringgold	59.74	314.95	292.25	607.20
Shelby .....	.....	.....	56.81	56.81
Story	140.00	2,927.38	682.26	3,796.74
Tama	240.00	8,847.57	2,802.87	11,650.44
Union	331.36	8,573.56	2,164.51	10,738.07
Wapello .....	.....	6,682.42	320.00	7,002.42
Warren .....	.....	5,259.05	384.92	5,643.97
Wayne	733.51	13,416.76	2,190.15	15,606.91
Webster	160.00	8,170.64	9,853.42	18,024.06
Winnebiek	389.93	22,665.11	1,781.89	24,447.00
Total	15,265.90	476,179.55	58,989.31	530,355.96

2d.—THE 16TH SECTION GRANT.

The following table exhibits the number of acres patented since date of last report, total number of acres patented, number of acres unpatented, and total number of acres in each county:

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Adair	200.00	845.00	9,395.00	10,240.00
Adams	460.00	1,860.00	5,820.00	7,680.00
Allamakee	280.00	9,040.00	2,480.00	11,520.00
Appanoose	140.00	9,280.00	960.00	10,240.00
Audubon	35.00	476.00	7,204.00	7,680.00
Benton	670.50	11,866.60	933.40	12,800.00
Black Hawk	455.00	6,036.15	4,203.85	10,240.00
Boone	1,040.00	5,100.00	5,140.00	10,240.00
Bremer	1,010.00	5,090.00	2,590.00	7,680.00
Buchanan	80.00	8,360.00	1,880.00	10,240.00
Buena Vista .....	.....	.....	10,240.00	10,240.00
Butler	1,440.00	4,660.66	5,580.00	10,240.00
Calhoun	160.00	320.00	9,920.00	10,240.00
Carroll	2,160.00	2,680.00	7,560.00	10,240.00
Cass	200.00	440.00	9,800.00	10,240.00
Cedar	281.33	9,723.69	516.31	10,240.00
Cerro Gordo	630.00	1,587.00	8,653.00	10,240.00
Cherokee	170.00	170.00	10,070.00	10,240.00
Chickasaw	320.00	4,120.00	3,460.00	7,680.00

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Clarke.....	160.00	4,720.00	2,960.00	7,680.00
Clay.....			10,240.00	10,240.00
Clayton.....	520.00	11,691.67	2,023.41	13,715.08
Clinton.....	783.50	10,686.24	2,330.53	13,016.77
Crawford.....	3,495.00	4,135.00	6,105.00	10,240.00
Dallas.....	345.00	5,596.80	4,643.20	10,240.00
Davis.....	40.00	8,840.00	1,400.00	10,240.00
Decatur.....	120.00	7,520.00	2,720.00	10,240.00
Delaware.....	50.00	10,118.98	121.02	10,240.00
Des Moines.....	200.00	5,802.79	1,590.02	7,392.81
Dickinson.....			7,680.00	7,680.00
Dubuque.....		11,006.10	230.00	11,236.10
Emmett.....	25.00	25.00	7,655.00	7,680.00
Fayette.....	520.00	7,800.00	5,000.00	12,800.00
Floyd.....	1,240.00	3,900.00	3,789.00	7,689.00
Franklin.....	840.00	2,470.00	7,770.00	10,240.00
Fremont.....	1,040.00	3,440.00	6,640.00	10,080.00
Greene.....	264.00	1,360.00	8,880.00	10,240.00
Grundy.....	520.00	1,320.00	7,640.00	8,960.00
Guthrie.....	880.00	3,280.00	6,960.00	10,240.00
Hamilton.....	320.00	1,440.00	8,800.00	10,240.00
Hancock.....	240.00	240.00	10,000.00	10,240.00
Hardin.....	520.00	5,680.00	4,560.00	10,240.00
Harrison.....	3,680.00	4,980.47	7,179.53	12,160.00
Henry.....	10.00	7,420.00	260.00	7,680.00
Howard.....	1,342.67	2,538.36	7,701.64	10,240.00
Humboldt.....		1,373.12	6,206.88	7,680.00
Ida.....	320.00	320.00	7,360.00	7,680.00
Iowa.....	1,240.00	8,578.00	1,662.00	10,240.00
Jackson.....	237.46	10,836.96	293.29	11,130.25
Jasper.....	720.00	9,640.00	3,160.00	12,800.00
Jefferson.....		7,550.00	130.00	7,680.00
Johnson.....	360.00	9,641.29	1,238.71	10,880.00
Jones.....	120.00	8,357.10	1,882.90	10,240.00
Keokuk.....	380.00	7,985.00	2,255.00	10,240.00
Kossuth.....	160.00	1,520.00	16,400.00	17,920.00
Lee.....	40.00	9,469.44	412.81	9,882.25
Linn.....	200.00	12,375.97	424.03	12,800.00
Louisa.....		6,999.99	437.01	7,437.00
Lucas.....	400.00	5,820.00	1,860.00	7,680.00
Lyon.....			11,520.00	11,520.00
Madison.....	1,120.00	9,140.00	1,100.00	10,240.00
Mahaska.....	320.00	10,207.67	32.33	10,240.00
Marion.....	120.00	8,720.00	1,520.00	10,240.00

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Marshall.....	480.00	8,200.00	2,040.00	10,240.00
Mills.....	1,240.00	4,200.00	3,800.00	8,000.00
Mitchell.....	640.00	6,760.00	3,480.00	10,240.00
Monona.....	1,168.62	1,323.31	14,465.43	15,788.74
Monroe.....	80.00	7,320.00	360.00	7,680.00
Montgomery.....		2,560.00	5,120.00	7,680.00
Muscatine.....	380.00	7,216.75	720.08	7,936.83
O'Brien.....			10,240.00	10,240.00
Osceola.....			7,680.00	7,680.00
Page.....	440.00	2,940.00	7,300.00	10,240.00
Palo Alto.....			10,240.00	10,240.00
Plymouth.....	641.60	641.60	14,078.40	14,720.00
Pocahontas.....			10,240.00	10,240.00
Polk.....	819.21	8,329.14	1,910.86	10,240.00
Pottawattamie.....	1,351.84	13,637.75	3,888.16	17,525.91
Poweshiek.....	360.00	7,360.00	2,880.00	10,240.00
Ringgold.....	1,270.00	7,260.00	2,980.00	10,240.00
Sac.....	280.00	280.00	9,960.00	10,240.00
Scott.....		8,235.97	396.50	8,632.47
Shelby.....	520.00	1,400.00	8,840.00	10,240.00
Sioux.....			13,280.00	13,280.00
Story.....	400.00	4,000.00	6,240.00	10,240.00
Tama.....	2,360.00	8,740.00	4,060.00	12,800.00
Taylor.....	240.00	2,120.00	8,120.00	10,240.00
Union.....	775.00	2,325.00	5,355.00	7,680.00
Van Buren.....	241.70	8,236.70	2,003.30	10,240.00
Wapello.....	320.00	7,072.19	607.81	7,680.00
Warren.....	160.00	7,200.00	3,040.00	10,240.00
Washington.....	160.00	8,146.11	2,093.89	10,240.00
Wayne.....	520.00	7,940.00	2,300.00	10,240.00
Webster.....	400.00	4,816.67	7,983.33	12,800.00
Winnebago.....	520.00	800.00	6,880.00	7,680.00
Winneshiek.....	1,282.23	12,250.33	549.67	12,800.00
Woodbury.....		160.00	15,520.00	15,680.00
Worth.....	320.00	1,000.00	6,680.00	7,680.00
Wright.....	80.00	1,440.00	8,800.00	10,240.00
Total.....	50,074.76	500,111.91	513,502.30	1,013,614.21

3d.—THE MORTGAGE SCHOOL LANDS.

This is the class of lands, which being mortgaged to secure the payment of school fund loaned and having been forfeited, was bought in by the State. It constitutes a class of school lands

which does not belong to either of the original grants, and from the fact that the business is transacted in the several counties, and no report of forfeited land made to this office, except when the county comes to sell and the party purchasing applies for a patent—it is impossible to report only that portion sold and patented.

I would, therefore, respectfully suggest that the Legislature make it obligatory upon the District Clerks in the several counties where this land is found, as fast as foreclosures take place, to send to this office either the Sheriff's deed or a certified copy thereof. By so doing this office would be constantly informed as to the number of acres accrued to the School Fund by foreclosures, and by having the Sheriff's Deed or a certified copy for record, would be enabled to keep an unbroken chain of title which, under present circumstances, is impossible. I have heretofore declined to make patents for this land until the Clerks furnished evidence, either by the Deed or a certified copy, that the land belonged to the State. But it seems to me, as this office is intended to be a depository of the records, showing the chain of title to all lands held by the State, that these titles should be recorded here as soon as acquired.

The following table exhibits the number of acres patented since date of last report, total number of acres patented, number of lots patented since date of last report, and the total number of lots patented in each county:

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. Lots patented since date of last report.	Total No. lots patented.
Appanoose.....				1
Benton.....	145.00	747.12	1	2
Boone.....	40.00	40.00		
Bremer.....		320.00	1	1
Cedar.....				3
Chickasaw.....	90.00	90.00		
Clayton.....				2
Clinton.....	40.00	92.00		4
Dallas.....		40.00		
Davis.....		40.00		
Decatur.....	732.00	1,132.00	6	10
Delaware.....	40.00	243.72		
Dubuque.....	40.00	90.00	4	6
Fayette.....		50.00		
Hamilton.....		160.00		
Hardin.....	60.00	80.00		

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. lots patented since date of last report.	Total No. lots patented.
Harrison.....	160.00	200.00		
Henry.....		80.00	1	3
Jefferson.....	40.00	40.00		
Jones.....		280.00		5½
Lee.....	93.00	93.00	10	10
Louisa.....	40.00	156.00	1	1
Lucas.....	80.00	80.00	2	2
Madison.....		40.00		
Mills.....	134.00	134.00		
Poweshiek.....		160.00		
Ringgold.....	120.00	120.00		
Scott.....		76.80		1
Story.....		160.00	6	6
Washington.....		267.00		
Warren.....	84.00	84.00		
Wayne.....	120.00	380.00	2	8
Webster.....	360.00	970.00		
Winnebiek.....		80.00		1
Total.....	2,418.00	6,525.64	34½	66½

4TH—THE UNIVERSITY GRANT.

The following table exhibits the number of acres patented since date of last report, total number of acres patented, number of acres unpatented, and the total number of acres in each county:

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Appanoose.....	40.00	560.00	80.00	640.00
Boone.....	166.07	1,841.91	771.57	2,613.48
Davis.....	80.00	160.00	1,137.36	1,297.36
Dallas.....	382.72	382.72	189.35	572.07
Decatur.....	40.00	80.00	2,480.00	2,560.00
Hardin.....	440.00	8,112.74	2,212.80	10,325.54
Iowa.....		325.68	320.97	646.65
Jasper.....	369.58	1,639.85	2,972.50	4,611.35
Jefferson.....	80.00	1,120.00	160.00	1,280.00
Lucas.....	79.79	2,199.32	2,346.12	4,545.44
Polk.....	120.00	1,777.94	3,416.25	5,194.19
Scott.....		405.16	240.00	645.16
Story.....	440.00	2,675.89	2,545.51	5,221.40
Union.....		239.79	398.41	638.20

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Wapello.....	280.00	1,556.68	350.32	1,920.00
Warren.....	122.79	2,442.79	775.21	3,218.00
Total.....	2,640.95	25,533.47	20,395.37	45,928.84

5TH—THE SALINE GRANT.

The following table exhibits the number of acres patented since date of last report, total number of acres patented, number of acres unpatented, and total number of acres in each county:

COUNTIES.	No. acres patented since date of last report.	Total No. acres patented.	No. acres unpatented.	Total in each county.
Appanoose.....	802.79	8,268.72	4,590.56	12,859.28
Davis.....	280.00	280.00	360.00	640.00
Decatur.....		2,160.00	400.00	2,560.00
Lucas.....	1,404.19	24,832.22	959.34	25,791.46
Monroe.....		960.00	160.00	1,120.00
Van Buren.....		640.00		640.00
Wayne.....	145.31	1,277.61	1,213.18	2,490.79
Total.....	2,632.29	38,418.55	7,672.98	46,101.53

6TH—THE DES MOINES RIVER GRANT.

Since the Report of my predecessor, which is very full in reference to this Grant, and is unnecessary for me to recapitulate, a late decision of the Supreme Court of the United States has entirely unsettled the tenure by which the Railroads running east and west across the State, north of the Raccoon Fork—the beneficiaries of the Railroad Land Grants of May 15th, 1856—held the odd numbered sections within five miles of the Des Moines River. Lands which, previous to the Supreme Court decision at the December term of 1859–60, (23 Howard 66, Dubuque and Pacific Railroad Company *vs.* Litchfield) were supposed by the weight of authority—in the fluctuating opinions of those controlling the Land Department of the Government—to belong to the Grant of August 8th, A. D. 1846. And as this decision gives a lucid summary of the many conflicting opinions in reference to these lands, is of vital importance to the State, and especially interesting to the people of

the Upper Des Moines Valley where they are situated, I insert it in full:

SUPREME COURT OF THE U. S.

No. 204—December Term, 1866.

Samuel G. Walcott, Plaintiff in Error, *vs.* the Des Moines Navigation and Railroad Company. In error to the Circuit Court of the United States for the Southern District of New York.

Mr. Justice Nelson delivered the opinion of the Court.

This is a writ of error to the Circuit Court of the United States for the Southern District of New York.

This is an action by the plaintiff, Walcott, against the defendants for breach of covenant.

The defendants conveyed by deed-poll to the plaintiff, on 1st August, 1859, the east half of section 17, township 88, range 27, situate in Webster County, State of Iowa, containing three hundred and twenty acres, for the consideration of \$3,040, and warranted the title. It is charged in the declaration that the title has failed, which is denied on the part of the defendants. This presents the main issue in the case.

On the 8th of August, 1846, Congress passed an act by which they granted to the Territory of Iowa, for the purpose of aid in the improvement of the navigation of the Des Moines river, from its mouth to the Raccoon Fork, in said territory, an equal moiety, in alternate sections, of the public lands, in a strip of five miles in width on each side of said river, to be selected within said territory by an agent of the Governor, subject to the approval of the Secretary of the Treasury of the United States.

The second section provided that the lands so granted should not be sold or conveyed by the territory, nor by any State to be formed out of it, except as the improvements progressed—that is, sales might be made so as to produce the sum of thirty thousand dollars, and then cease, until the Governor or State, as the case might be, should certify the fact to the President of the United States that one-half of this sum had been expended on said improvements, when sales again might be made of the remaining lands sufficient to replace this amount, and the sales were thus to

progress as the proceeds were expended, and the expenditures so certified to the President. Agents were appointed by the Governor, who selected the section designated by odd numbers, throughout the whole extent of the grant, which, as claimed, extended from the mouth of the river to the northern boundary of the State.

The lot in question is one of the sections thus selected and approved by the Secretary of the Treasury, and duly certified by the Governor of the State to the President, according to the second section of the act, and was sold and conveyed, among other parcels of land, by the State to the defendants. The section of land of which the lot in question is a part was situated above the Racoon Fork.

Some year and a half after the passage of this act a question arose before the Commissioner of the land office whether the grant of the odd sections within the five miles extended above this fork. He determined that it did, and that it extended throughout the whole line of the river within the limits of Iowa. It appears, however, that he afterwards changed his opinion, and on the 19th June, 1848, a proclamation was issued by the President, countersigned by him, ordering a sale of some of these odd sections, among other lands, lying above the fork, and which was to take place in the following October. On the attention of the Secretary of the Treasury being called to the subject he, after an examination of the act, determined that upon a true construction of it the grant extended above the Racoon Fork, and directed that the odd sections should be reserved from the sale, which was done accordingly, and the State of Iowa duly notified. This was on the 16th June, 1849. On the 6th April, 1850, the Secretary of the Interior, whose department had in the meantime been established, and to which the supervision and control of the general land office had been assigned, reversed the previous decision of the Secretary of the Treasury, and determined that the grant did not extend beyond the Racoon Fork. But he directed that the lands should be reserved from sale which were embraced within the State's selections. The question was then brought before the President, and was referred by him to the Attorney General, who differed with the Secretary of the Interior, and concurred with the Secretary of the Treasury. But before the promulgation of this decision the President (Taylor) died, and a new cabinet coming in—and among

others a new Attorney General—he overruled the decision of his predecessor, and affirmed that of the Secretary of the Interior. The cause was then brought before the new President and Cabinet, and the result is stated by the then Secretary of the Interior, under date of October 29th, 1851, which was “that in view of the great conflict of opinion among the executive officers of the Government, and also in view of the opinion of several eminent jurists which have been presented to me in favor of the construction contended for by the State, I am willing to recognize the claim of the State, and to approve of the selections, without prejudice to the rights, if any there be, of other parties.” Under this arrangement the Secretary of the Interior approved of the odd sections above the fork as certified, according to the act of Congress, till in December, 1853, the number of acres amounted to over 271,572. On the 21st March, 1856, the Commissioner of the land office again decided that the grant was limited to the Racoon Fork, and the question was again referred to the Attorney General, who advised the Secretary of the Interior to acquiesce in the views of his predecessor, (a change having taken place as to the incumbent,) and to continue the approval of the lands as certified to him under the law, which was done accordingly. In the meantime, the improvement of the Des Moines River had been carried on by the State, and by the Des Moines Navigation and Railroad Company, who, on the 9th June, 1854, had entered into an engagement with the State to finish the improvements, as contemplated by the act of Congress, and to expend for that purpose some \$1,300,000.

The question as to the true construction of this grant of 8th August, 1846, and in respect to which such great diversity of opinion existed among the executive officers of the Government, came before this court, and was decided at the December term, 1859-60. The Court held that it was limited to the Racoon fork, and did not extend above it.—(23 How. 66, *Dubuque and Pacific Railroad Company vs. Litchfield*.)

Whereupon on the 2d March, 1861, Congress passed a joint resolution providing that “all the title which the United States still retain in the tracts of land along the Des Moines River, and above the Racoon fork thereof, in the State of Iowa, which have been certified to said State improperly by the Department of the

Interior, as part of the grant by act of Congress approved August 8th, 1846, and which is now held by bona fide purchasers under the State of Iowa, be, and the same is hereby relinquished to the State." And, on the 12th July, 1862, Congress enacted "that the grant of lands to the then Territory of Iowa for the improvement of the Des Moines River by the act of August 8th, 1846, is hereby extended so as to include the alternate sections (designated by odd numbers,) lying within five miles of said river, between the Raccoon Fork and the northern boundary of said State; such lands are to be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines and Minnesota Railroad, in accordance with the provisions of the act of the General Assembly of the State of Iowa, approved March 22, 1858.

If the case stopped here it would be very clear that the plaintiff could not recover; for, although the State possessed no title to the lot in dispute at the time of the conveyance to the Des Moines Navigation and Railroad Company, yet, having an after-acquired title by the act of Congress, it would enure to the benefit of the grantees, and so in respect to their conveyance to the plaintiff. This is in accordance with the laws of the State of Iowa.

But another act of Congress is relied on by the plaintiff, passed May 15th, 1856, as showing that the United States had already parted with the lands, of which the lot in question is a part, previous to this act of 12th July, 1862. It becomes necessary, therefore, to examine this act. It grants to the State of Iowa, for the purpose of aiding in the construction of certain railroads specified, every alternate section of land, (designated by odd numbers,) for six sections in width on each side of said roads, with the following proviso: "That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvements, or for any purpose whatsoever, be, and the same is hereby, reserved from the operation of this act, except so far as it may be found necessary to locate the routes of the said railroads through such reserved land, in which case the right of way shall be granted, subject to the approval of the President." This grant to the State for the benefit of the railroads, it is admit-

ted, covers the tract within which the lot in question is situate, unless excluded by the proviso. The question turns upon the construction of this proviso, and in reading it in connection with the act of 1846, granting lands to the State of Iowa for the improvement of the Des Moines River, and in connection with the serious and prolonged conflict of opinion that arose among the executive officers of the government, extending over a period of some eight years, and which related to the title above the Raccoon Fork, in respect to which this act of 1856 was dealing in the grant for the benefit of the railroads, we think it difficult to resist the conclusion that Congress, in the passage of the proviso, had specially in their minds this previous grant, and conflict of opinion concerning it, and intended to reserve the lands for future disposition, if the title under the first grant should turn out to be defective. The decision of this court had not then taken place, though the litigation was probably pending in the court below, in the district of Iowa. The words of the proviso point almost directly to this grant, and to the dispute arising out of it among the public authorities—"All lands heretofore reserved," &c., "by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvements," &c. These improvements of the Des Moines River were then in progress. Now, if it had turned out that the true construction of the act carried the grant above the Raccoon Fork, then the lands would have been reserved by act of Congress, and no further legislation necessary. But, not satisfied with this, as if to provide for any result in respect to the title to them, if reserved in any other manner by competent authority, for the object of internal improvements, then the enacting clause should not operate to carry them under the new grant.

It has been argued that these lands had not been reserved by competent authority, and hence that the reservation was nugatory. As we have seen, they were reserved from sale for the special purpose of aiding in the improvement of the Des Moines River—first, by the Secretary of the Treasury, when the land department was under his supervision and control, and again by the Secretary of the Interior, after the establishment of this department, to which the duties were assigned, and afterward continued by this department, under instructions from the President and Cabinet. Besides, if this power was not competent, which we think it was ever since

the establishment of the land department, and which has been exercised down to the present time, the grant of 8th August, 1846, carried along with it, by necessary implication, not only the power, but the duty, of the land office to reserve from sale the lands embraced in the grant. Otherwise its object might be utterly defeated. Hence, immediately upon a grant being made by Congress for any of these public purposes to a State, notice is given by the Commissioner of the land office to the registers and receivers to stop all sales, either public or by private entry. Such notice was given the same day the grant was made, in 1856, for the benefit of these railroads. That there was a dispute existing as to the extent of this grant of 1846 in no way affects the question. The serious conflict of opinion among the public authorities on the subject made it the duty of the land officers to withhold the sales and reserve them to the United States till it was ultimately disposed of.

It should be stated, also, in connection with this proviso, that the improvements of this river were in progress at the time of the passage of the act of 1856, and had been for years, but was suspended soon after, on account of the refusal of the land department to certify any more sections under the act of 1846; and, as appears from the certificate of the Governor of Iowa, the sum of \$332,634.04 had already been expended by these defendants under their contract.

Judgment of the Court below affirmed.

D. W. MIDDLETON,

Clerk Supreme Court U. S.

From the foregoing decision, it will be seen, that up to the passage of the Joint Resolution of March 2d, 1861, the State, and consequently parties holding under it, had no title to any portion of the lands which had been certified above the Racoon Fork under the wrong construction of the act of 8th August, A. D. 1846. It, therefore, appears unquestionable that parties residing upon the lands previous to the 2d March, 1861, are entitled to pre-empt their land under the laws of the United States, and should be protected by legislative enactment against harrassing attempts at ejection while establishing their claims. It may be said that though the State had no title to these lands in 1856, when it made a settlement with the Des Moines Navigation and Railroad Company, that any

subsequently acquired title would enure to the benefit of its grantees.

This may be true so far as intervening adverse rights do not interfere before the Act was passed under which such subsequent title was acquired. Although the State by the settlement of 1858, transferred these lands to the Company, the transfer was only such title as the State held, and of which the Company were well informed, by the laws of Congress and the numerous conflicting decisions of the Land Department, before the contract was made which resulted in this settlement and transfer. The State can in no sense be under obligation in the nature of a warranty, and of course is not legally or morally accountable for failure of title. And in view of these facts it seems but the fulfillment of a duty demanded by the principles of justice and humanity, that the State should protect the citizen, in every legal right possible, who, in addition to his struggle with the wilderness, is now brought in conflict with representatives of a powerful corporation by whom he is threatened with the loss of a home he has labored for years to improve, with the expectation that when these legal conflicts were finally settled, he would be able to purchase it, at the minimum price fixed by the Pre-emption Laws.

It is evident that all right of the Des Moines Navigation and Railroad Company to lands held by Patent from the State under the several certificates of the General Government found in Tables numbered 1, 2, 3, 4, and 5, of the Appendix to the last Report of Mr. Harvey,—dated October 30th, 1851, for 81,707.93 acres,—March 10th, 1852, for 143,908.37 acres,—December 17th, 1853, for 33,142.43 acres,—and December 30th, 1853, for 12,813.51 acres, (this last amount being those previously approved as a part of the 500,000 acre grant,)—failed with the decision of the Supreme Court of the United States, December term, 1859-60. The title of the State thus becoming void, it could convey none to a third party; therefore the title acquired by the Joint Resolution of March 2d, 1861, for the benefit of its grantees was the only title the State ever had, and constitutes all that could enure to its grantees.

The Tables marked A, B and C, exhibit the land obtained under this confirmatory act as held previous to the decision of the Supreme Court herewith published. Under this decision it is

alleged the lands within five miles of the River included in the lists of the several Railroads, running east and west, above the Raccoon Fork, will also enure to the Des Moines Navigation and Railroad Company. A Table of these Railroad lands will be found herein marked "D," and by comparing them with the lists "A, B, C," it will be seen these lands were carefully excluded by the Department of the Interior in the preparation of the certificates under the Joint Resolution of 1861; as also are the 12,813.51 acres School land, in regard to the status of which there had been an unsettled question, finally determined by the adjustment with the agents of the State, of May 21st, 1866, in favor of the 500,000 acre grant. As all lands lying above the Raccoon Fork were no part of the original grant of 8th August, 1846, no confirmatory act like that of 1861, nor decision of the Supreme Court, can create a title superior to the pre-emption right of a settler, nor that confirmed and recognized by the United States Land Department in respect to the 12,813.51 acres on the 20th of February, 1851, when they were certified as a part of the 500,000 acre grant. And the certificates under the Joint Resolution of 1861, as shown by the one published in full, attached to the list marked "C," make careful reservation in favor of valid interfering claimants. It will also be observed by reference to the list "C," that after the final settlement made by the Land Department with the agent of the State, which was ratified as a finality, from one item of 11,661.80 acres, debited against the State, 509.35 acres have been deducted for pre-emptions not reported at the date of the adjustment. In this connection I also publish a letter from the Commissioner of the General Land Office, which indicates that it was the intention of that Department to withhold from the certificates under the Joint Resolution of March 2, 1861, all lands of the class referred to in this letter, and that, even though inadvertently certified, it is considered only a *color of title*, and not in *fee simple*.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE, August 9th, 1867.

H. K. Excellency, Hon. Wm. M. Stone, Governor of Iowa, Des Moines, Iowa:

SIR:—Under date of March 10th, 1852, the S. W. $\frac{1}{4}$ Sec. 13, T. 86 N. R. 28 W., Fort Dodge Land District, was approved to the State of Iowa under the Grant of August 8th, 1846, for the

improvement of the Des Moines River. This selection was held illegal in virtue of the testimony, as being above the Raccoon Forks, under the ruling of the Supreme Court at the December Term, 1859, in the case of Dubnue & Pacific R. R. Co. vs. Edward C. Litchfield, 23 Howard, page 66.

William V. Gardner, of Webster County, Iowa, has established the fact by good and sufficient testimony, that he settled upon said tract in December, 1858, and has resided thereon ever since, cultivating and improving the same, except during the time of his absence in the military service of the Government. The improvements of Gardner, are worth \$1,500.

Said Pre-emptor having complied with the requirements of the Pre-emption law, my predecessor, under date of May 15th, 1866, approved Mr. Gardner's cash entry, No. 5,214, made at Fort Dodge June 5th, 1865, and embracing the above described tract. Subsequently, June 14th, 1866, said land was inadvertently approved to the State of Iowa, under the Joint Resolution of March 2d, 1861.

Under these circumstances, and in order that a patent may issue to said Gardner for the land in question, it is respectfully requested, that the proper State and Company authorities will execute a release of their color of title to the S. W. $\frac{1}{4}$ Sec. 13, T. 86, R. 28 and transmit the same to this office.

I am, very respectfully, your ob't. servant,

JOS. S. WILSON, Commissioner.

It may, however, be argued that these lands were a reservation, "reserved by proper authority," and as such the settler could not acquire an equitable title in them by virtue of settlement and improvement. But upon this question the following act of Congress appears to be in point, and the last proviso would seem to remove every doubt in reference to it:

AN ACT to extend pre-emption rights to certain lands therein mentioned.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: That the pre-emption laws of the United States, as they now exist, be and they are hereby extended over the alternate reserved sections of public lands along the lines of all the railroads in the United States wherever public lands have been or may be granted by acts of Congress; and that it shall be the privilege of the persons residing on any of said reserved lands to pay for the same in soldiers'

bounty land warrants, estimated at a dollar and twenty-five cents per acre, or in gold and silver, or both together, in preference to any other person, and at any time before the same shall be offered for sale at auction. *Provided*, That no person shall be entitled to the benefit of this act who has not settled and improved, or shall not settle and improve such lands prior to the final allotment of the alternate sections to such railroads by the General Land Office; and provided further, that the price to be paid shall in all cases be two dollars and fifty cents per acre, or such other minimum price as is now fixed by law, or may be fixed upon lands hereafter granted; and no one person shall have the right of pre-emption to more than one hundred and sixty acres. *And provided further*, That any settler who has settled, or may hereafter settle on lands heretofore reserved on account of claims under French, Spanish, or other grants, which have been, or shall be hereafter declared by the Supreme Court of the United States to be invalid, shall be entitled to all the rights of pre-emption granted by this act and the act of fourth of September, eighteen hundred and forty-one, entitled "An act to appropriate the proceeds of the public lands and to grant pre-emption rights," after the lands shall have been released from reservation in the same manner as if no reservation existed.

Approved March 3d, 1853.

For the purpose of effecting an adjustment between the State of Iowa and the General Government, the Eleventh General Assembly passed the following act:

AN ACT providing for the adjustment of certain land claims with the General Government.

WHEREAS, The excess of land certified to the State over and above the amount it was entitled to receive under the Act of Congress of September 4, 1841, known as the 500,000 acre grant, has not been re-conveyed nor satisfaction therefor rendered to the General Government; and

WHEREAS, The lands falling to the State, under the Joint Resolutions of Congress of March 3d, 1861, entitled "Joint Resolutions to quiet titles in the State of Iowa," and under the Act of Congress entitled "An Act confirming a land claim in the State of Iowa and for other purposes," approved July 12th, 1862, have not yet been certified or approved to the State; and

WHEREAS, The claims of the State against the United States, arising under the Swamp Land Grant, remain to a very great extent in an unsettled and unsatisfactory condition; and

WHEREAS, The interests of the State, and her grantees demand a speedy settlement of all said matters; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Josiah A. Harvey, Register of the State Land Office be, and he is hereby appointed a Commissioner on behalf of the State of Iowa, to adjust with the General Government all the matters and claims aforesaid.

SEC. 2. Said Commissioner shall proceed to Washington City, and present said claims to the Department of the Interior, and urge the same to settlement as early and as speedily as may be consistent with the interest of the State, and he is hereby authorized to adjust the said excess of the 500,000 acre grant, by permitting the United States to retain out of the indemnity land falling to the State under said Act of Congress of July 12th, 1862, an amount equivalent to such excess, *Provided*, That nothing herein contained shall be construed to be a relinquishment of the claim of the State under the said 500,000 acre grant to the 12,813 51-100 acres selected as a part of such grant, and subsequently rejected from a supposed conflict with the Act of Congress approved August 1846, known as the Des Moines River Grant, and the said Commissioner is hereby instructed to secure a restoration of said selections as a part of the 500,000 acre grant, and a confirmation of the title of the State thereto, as a part of such grant.

SEC. 3. As soon as the claim or claims, or matters of difference, under any one of said acts, shall be adjusted, said Commissioner shall report the same to the Census Board, setting forth the terms and mode of adjustment, and said Board shall examine and pass upon said adjustment, so presented, and the approval of a majority of said Board shall make the settlement of said matters, or claims final and binding upon the State of Iowa. Such approval shall be in writing signed by the members of said Board, agreeing thereto, and attested by the great seal of the State of Iowa.

SEC. 4. Said Commissioner shall receive as his compensation two dollars per day for the time actually engaged in the discharge of the duties by this Act imposed, with his necessary expenses in

attending to the same, and his account for such time and expenses made out from time to time, or at the conclusion of his services as such Commissioner, and sworn to by him, shall be presented to the Census Board for allowance and if approved and allowed by them, the Auditor of State shall draw his warrant on the State Treasurer, who shall pay the same out of the General Revenue of the State.

Sec. 5. The amount of expenses incurred and paid out of the Treasury, as provided in the preceding section, in carrying out the provision of this Act, shall be approved by the Census Board, as nearly as practicable, *pro rata*, among the parties receiving, or entitled to receive, the benefits resulting from the adjustment of said several matters with the General Government, and the amount thus apportioned shall be paid into the State Treasury by such parties respectively before they shall be entitled to receive the proceeds or benefits of such settlement.

Sec. 6. All indemnity scrip received from the General Government and all swamp lands patented to the State shall be conveyed to the counties to which they belong, and all money and indemnity scrip received from the Government shall be placed under the control of the Board of Supervisors of the several counties to which they belong, leaving the counties thereof through their respective Boards of Supervisors to settle with their grantees.

Sec. 7. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Iowa Homestead, newspapers published at Des Moines.

Approved March 30th, 1866.

By virtue of the provisions of this Act Mr. Harvey as the Commissioner for the State, proceeded to Washington, effected a settlement with the General Government, of the Des Moines River lands and the excess selections of the 500,000 acre grant, and reported the same to the Census Board, which settlement was approved by said Board.

The following is a copy of the report of said settlement:

WASHINGTON CITY, May 21, 1866.

Pursuant to the authority conferred by the Act of the State of Iowa, approved March 30, 1866, "for the adjustment of certain land claims with the General Government," I, Josiah A. Harvey, Register of the State Land Office, and as Commissioner on behalf of the State, do hereby assent to the adjustment as herein stated,

the said adjustment to be held as binding and conclusive on the said State as provided in said Act.

JOSIAH A. HARVEY,
Register of the State Land Office,
and Commissioner on behalf of the State of Iowa.

WASHINGTON CITY, D. C., May 23, 1866.

To the Honorable Census Board of the State of Iowa, Des Moines:

Pursuant to the requirements of Chapter 79 of the Acts of the 11th General Assembly, I have the honor to report that I have consummated an adjustment with the United States, of the excess of lands received by the State under the grant of Sept. 4, 1841; also the lands confirmed to the State by the Joint Resolution of March 2d, 1861, and the lands falling to the State under the Act of Congress of July 12th, 1862, and transmit herewith for your approval a copy of the agreement containing the terms of said adjustment.

It will be observed that the State in this settlement is credited with the whole amount of land in odd numbered sections and lying within five miles of the Des Moines, from the Raccoon Fork to the Northern boundary of the State, determined to be 558,004.06 acres.

The State is then charged with the several quantities of land following, to wit:

1st. Indemnity land selected under special certificate dated April 25th, 1863.....	297,603.74 acres.
2d. Remaining lands in place yet to be certified.....	167,109.02 acres.
3d. Lands in place confirmed by the Joint Resolution of March 2d, 1861.....	44,838.64 acres.
4th. Lands selected and heretofore certified on the East fork of the Des Moines River and more than five miles from the Western, or main branch.	11,661.80 acres.
5th. The excess selected and approved to the State as a part of the 500,000 acre Grant under Act of Sept. 4, 1841.....	35,473.54 acres.

Making in all 556,686.74 acres, and leaving due to the State to balance the whole amount of the Grant, 1,317.32 acres.

For this balance a *special certificate* will be issued.

The 11,661.80 acres on the East branch of the Des Moines River, heretofore approved to the State as a part of the Des Moines River Grant, and disposed of by the State as such, are held by the Department under the decision of the Attorney General to be a legitimate and proper offset to so much of this Grant; hence they are charged to the State in this settlement.

The 35,473.54 acres charged in excess under the 500,000 Acre Grant (Act 1841) includes the 22,660.05 acres over and above the 500,000 acres which is embraced in the Book of Diagrams approved and certified to the State on the 12th of September, 1854, and which has hitherto been considered as *the excess*, and also the 12,813.51 acres, which were once approved as a part of the 500,000 Acre Grant and afterward rejected, and approved and certified as a part of the Des Moines River Grant. These lands have been known as the *River School Lands*. Notwithstanding that they have been disposed of as a part of the Des Moines River lands by the State, said Chapter 79 requires that they shall be included and certified as a part of the Grant of 1841.

Deeming it my duty to carry out the provisions of the law, regardless of my personal opinion as to their correctness or propriety, I have thus included these lands, thereby increasing said *excess* to 35,473.54 acres, and allowed them to be deducted from the amount of the Des Moines River Grant due the State, as the Department had determined.

The necessary and proper lists according to the terms of this adjustment will be made and approved by the Secretary and delivered to me or sent to the State.

In the preparation of these lists all lands which appear at the General Land Office as having been selected as swamp under act of September 28, 1850, and all tracts to which pre-emption rights had attached prior to July 12, 1862, will be excluded.

If, however, any of the tracts thus listed and certified shall be found to have been duly selected under said Act of September 28, 1850, and shall be shown by legal investigation to be swamp or overflowed, or to belong to the State by said Act, the Government will approve and certify other lands of like quantity in lieu thereof.

This adjustment, which I think is fair and just and should be satisfactory to the State, will when approved by you be a *final settlement* between the State of Iowa and the United States of all

claims under the Des Moines River Grant, as well as of the Act of 1841, except so far as valid and legally subsisting adverse rights may be found to exist to any of the tracts thus approved to the State.

The excess of the 500,000 Acre Grant (35,473.54 acres) thus deducted is by an agreement between the State and the Des Moines Valley Railroad Company (the beneficiary of the Grant) to be credited to said Company, at the rate of one dollar and twenty-five cents per acre in the satisfaction of claims against the State on account of the improvement of the Des Moines River. Said Company should therefore be credited on the claims they are under obligation to satisfy with the sum of \$44,341.67.

My authority extends only to settlement with the General Government. I have no power to carry out this agreement between the State and the Company. It is but just, however, to say that this settlement has been made with the United States with the full understanding that this arrangement should be carried out.

The Company through its agents, has for a long time been laboring to this end. The opinion and decision of the Secretary of the Interior, a copy of which accompanying Mr. Kilbourne's Report, made last winter, is herewith transmitted for your examination in connection with this adjustment, is the result of their efforts.

The labors of these agents (Messrs. Kilbourne & Mason) heretofore in the premises, have greatly relieved me, and enabled me to close up the settlement thus early. It is due the Company that this credit be given as soon as possible.

I hope, therefore, that this entire arrangement will meet with your approbation, and that you will, as I think you have the right, and may safely do, fully consummate and carry it out by giving said Company the benefit of said credit against said claims without delay.

Very respectfully submitted,
J. A. HARVEY, Commissioner.

Adjustment of the Iowa Des Moines River Grant under the Act of July 12th, 1862 and Joint Resolution of March 2d, 1861.

DEBIT.	ACRES.
The State of Iowa with the quantity of indemnity lands selected under <i>Special Certificate</i> , dated April 25, 1863	297,603.74
The lands in place to be certified	167,109.02
The lands in place confirmed by Joint Resolution of March 2d, 1861	44,838.64
The quantity selected on the East Fork of the Des Moines River and certified to the State under the original law of August 8th, 1846	11,661.80
The excess selected and approved to the State under the 500,000 Acre Grant of 1841	35,473.54
	556,686.74
Remaining indemnity due the State	1,317.52
	558,004.06

CREDIT.

The State of Iowa with the whole area of the Grant above the Racoon Fork	558,004.06
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GENERAL LAND OFFICE, May 21, 1866.

J. M. EDMUNDS,
Commissioner General Land Office.

DEPARTMENT OF THE INTERIOR,
MAY 22, 1866. }

The adjustment, as herein stated, is hereby approved.

JAS. HARLAN, Secretary.

THE STATE OF IOWA—22.

The within adjustment, as stated, is hereby approved by us for the State of Iowa, June 20th, 1866.

W. M. STONE, Governor,
JAMES WRIGHT, Sec'y State,
JOHN A. ELLIOTT, Auditor, } Census
W. H. HOLMES, Treasurer, } Board.

The item in the annexed adjustment of 35,473.54 acres being excess selections under the 500,000 Acre Grant to the State of Iowa, approved to said State February 20, 1851, includes 12,813.51 acres described as follows, viz.:

REGISTER OF THE STATE LAND OFFICE.

Parts of Sections.	Sec.	Tp.	Range	Acres.
w $\frac{1}{2}$ of sw $\frac{1}{4}$	5	87	26	80.00
all of	7	87	26	597.92
n $\frac{1}{2}$ of	9	87	26	320.00
s $\frac{1}{2}$ of	15	87	26	320.00
all of	19	87	26	609.18
n $\frac{1}{2}$ of	21	87	26	320.00
w $\frac{1}{2}$ of	23	87	26	320.00
nw $\frac{1}{4}$	27	87	26	160.00
w $\frac{1}{2}$ of e $\frac{1}{2}$, and e $\frac{1}{2}$ of w $\frac{1}{2}$	29	87	26	320.00
all of	31	87	26	605.92
n fr $\frac{1}{2}$ of nw $\frac{1}{4}$, and lots 1, 2, 3, and 4	1	86	27	241.56
s $\frac{1}{2}$ of	11	86	27	320.00
w $\frac{1}{2}$ of se $\frac{1}{4}$, and sw $\frac{1}{4}$	1	87	27	240.00
ne $\frac{1}{4}$	7	87	27	160.00
n $\frac{1}{2}$ of	9	87	27	320.00
e $\frac{1}{2}$ of	11	87	27	320.00
all of	13	87	27	640.00
lots 3 and 4	15	87	27	113.90
all of	19	87	27	618.40
ne $\frac{1}{4}$, and ne $\frac{1}{4}$ of nw $\frac{1}{4}$	23	87	27	200.00
lots 4, 5, 6, 7, 8, and e $\frac{1}{2}$ of se $\frac{1}{4}$	23	87	27	275.50
all of	25	87	27	604.25
w $\frac{1}{2}$ of	27	87	27	320.00
all of	29	87	27	640.00
all of	31	87	27	626.44
e $\frac{1}{2}$ of	33	87	27	320.00
w $\frac{1}{2}$ of ne $\frac{1}{4}$, se $\frac{1}{4}$ and e $\frac{1}{2}$ nw $\frac{1}{4}$	31	88	27	320.00
se $\frac{1}{4}$	3	87	28	160.00
ne $\frac{1}{4}$	11	87	28	160.00
e $\frac{1}{2}$ of se $\frac{1}{4}$, nw $\frac{1}{4}$ of se $\frac{1}{4}$, and lots 1, 2, and 3	5	88	28	252.44
w fr $\frac{1}{2}$ of section, and ne $\frac{1}{4}$	7	88	28	468.00
e $\frac{1}{2}$ of section, and n $\frac{1}{2}$ of nw $\frac{1}{4}$	11	88	28	400.00
sw $\frac{1}{4}$	13	88	28	160.00
w $\frac{1}{2}$ of sw $\frac{1}{4}$	17	88	28	80.00
e $\frac{1}{2}$ of ne $\frac{1}{4}$	19	88	28	80.00
s $\frac{1}{2}$ of	21	88	28	320.00
e $\frac{1}{2}$ of	25	88	28	320.00
n $\frac{1}{2}$ of section, and se $\frac{1}{4}$	33	88	28	480.00
Total				12,813.51

Subsequently to said approval, the above lands were deducted from the lists as improper selections because found in conflict with the River Grant of 1846.

The above action of the Department, rejecting the above

12,813.51 acres from the original lists, was disapproved by the Secretary of the Interior, under date of February 28, 1865, hence, and in view of the annexed adjustment, covering the whole amount of excess selected and approved in 1851, the title to said above described lands is affirmed as enuring to the State of Iowa from the 20th February, 1851.

GENERAL LAND OFFICE,
MAY 28, 1866.

The above is respectfully submitted to the Hon. Secretary of the Interior for his approval.

J. M. EDMUNDS,
Commissioner.

DEPARTMENT OF THE INTERIOR,
MAY 29, 1866.

Approved.

JAS. HARLAN, Secretary.

Filed in State Land Office, August 2, 1866.

J. A. HARVEY, Register.

The General Government having retained 35,473.54 acres of the lands belonging to the Des Moines River Grant, under act of July 12th, 1862, in settlement for the same amount which was the excess selected under the 500,000 acre grant, the State Census Board has credited the Des Moines Valley Railroad Company (the beneficiary of the Des Moines River Grant) with the said amount of lands at \$1 25 per acre; as follows:

"WHEREAS, David W. Kilbourne, appointed and commissioned by the Governor of the State of Iowa to select the indemnity lands and to procure the certification of all the lands belonging to the Des Moines River Grant, under the act of Congress approved July 12th, 1862, found it necessary in order to procure the certification of the same to the State, to allow the United States Government to retain thirty-five thousand four hundred and seventy-three acres and fifty-four hundredths of an acre (35,473.54 acres) in settlement for the same number of acres, which were the excess selected and approved to the State under the five hundred thousand acre grant of 1841 over and above the said five hundred thousand acres.

AND WHEREAS, The said David W. Kilbourne did report to the Governor that the Des Moines Valley Railroad Company, late

the Keokuk, Fort Des Moines and Minnesota Railroad Company, which Company is the beneficiary of said grant, subject to the payment of certain debts against said grant and subject to other conditions would consent that said lands should be so retained by the General Government on condition that said railroad company should be credited by the amount of lands so retained at one dollar and twenty-five cents per acre upon the claims due the State against said grant as set forth in the ninth section of the act of the Legislature, approved March 28, 1864, granting said lands to said Company.

AND WHEREAS, The said David W. Kilbourne did report to the Governor that the General Government required the consent of the State of Iowa, by some duly authorized agent to the retention of said lands in settlement:

AND WHEREAS, The Legislature of the State did by an act entitled "An Act for the adjustment of certain land claims with the General Government, approved March 30th, A. D. 1866, authorize and empower J. A. Harvey to give such consent and make such settlement with the approval of the Census Board and to procure the certification of the lands of said grant to the State:

AND WHEREAS, said Harvey has given the assent of the State to the retention by the General Government of the said lands in settlement and has recommended that said credit be given to said Railroad Company on the said debts due to the State:

AND WHEREAS, The said Railroad Company by Hugh T. Reid, its duly authorized agent for that purpose, has assented to the retention of said lands for the purpose of said settlement; therefore the said settlement so made by said Harvey, with the credit so recommended by him to be made to said Railroad Company, is hereby approved, and in consideration of the consent given by said Railroad Company to the settlement of the said matter in manner aforesaid and in consideration of said Railroad Company agreeing and consenting that said thirty-five thousand four hundred and seventy-three thirty-four hundredth acres of land contained in said grant of which said Railroad Company is the beneficiary should be retained by the General Government for the purposes aforesaid and for the purpose of carrying out the said agreement on the part of said State with said Railroad Company, therefore it is hereby further ordered that said Railroad Company be credited on

said indebtedness and upon the claims which it is required to pay, and said Railroad Company is hereby credited on the said indebtedness with the sum and amount of said thirty-five thousand four hundred and seventy-three fifty-four hundredth acres of land at the rate and sum of one dollar and twenty-five cents per acre being forty-four thousand three hundred and forty-one eighty-two hundredth dollars, to date from the 20th day of June, A. D. 1866.

{ L. S. } In TESTIMONY WHEREOF, we, the Census Board of the said State, have hereunto affixed our hands and the seal of said State.

Done by said Census Board while in session.

W. M. STONE, Governor.

JAMES WRIGHT, Sec'y State,

JOHN A. ELLIOTT, Auditor,

W. H. HOLMES, Treasurer.

Census Board
of the
State of Iowa.

The following lists marked A, B, and C, exhibit all of the Des Moines River Lands IN PLACE which have been approved and certified to the State of Iowa under the Joint Resolution of Congress of March 2, 1861, and contain in the aggregate 55,991.09 acres:

"A."

A List of Des Moines River Lands IN PLACE approved to the State, June 14, 1866, under Joint Resolution of March 2d, 1861, in Fort Des Moines District.

Parts of Section.	S. | T. | R.	Acres.	Parts of Section.	S. | T. | R.	Acres.
all of.....	19 81 24	642.08	all of.....	3 80 26	701.92
sw $\frac{1}{4}$ of sw $\frac{1}{4}$	21 81 24	40.00	n $\frac{1}{4}$ of Sec. and se $\frac{1}{4}$	5 80 26	338.78
all of.....	19 81 25	640.00	ne sw.....	5 80 26	40.00
all of.....	15 81 25	640.00	n $\frac{1}{4}$ of Sec. and se $\frac{1}{4}$	9 80 26	480.00
all of.....	17 81 25	640.00	e $\frac{1}{4}$ sw.....	9 80 26	80.00
all of.....	19 81 25	676.38	e fr. $\frac{1}{4}$ of Sec. and e.....		
e $\frac{1}{4}$ of.....	21 81 25	320.00	fr. $\frac{1}{4}$ nw.....	25 81 26	385.42
all of.....	23 81 25	640.00	sw $\frac{1}{4}$	25 81 26	160.00
all of.....	25 81 25	640.00	all of.....	27 81 26	640.00
e $\frac{1}{4}$ ne and w $\frac{1}{4}$ n w.....	27 81 25	160.00	all of.....	29 81 26	640.00
s $\frac{1}{4}$	27 81 25	320.00	ne $\frac{1}{4}$, ne nw.....	31 81 26	320.00
lots 5, 6, 7, 8, and n $\frac{1}{4}$			e $\frac{1}{4}$ se and nw se.....		
ne.....	29 81 25	208.37	all of.....	33 81 26	640.00
all of.....	31 81 25	675.62	all of.....	35 81 26	640.00
all of.....	33 81 25	561.25	e $\frac{1}{4}$ ne.....	25 81 27	80.00
Total.....					12,208.82

Filed in State Land Office August 2, 1866.

"B."

A List of Des Moines River Lands IN PLACE approved to the State, June 14, 1866, under Joint Resolution of March 2d, 1861, in Fort Dodge District.

Parts of Section.	S. T. R.	Acres.	Parts of Section.	S. T. R.	Acres.
all of.....	3 80 26	625.92	all of.....	15 87 28	640.00
all of.....	5 80 26	624.86	all of.....	17 87 28	640.00
all of.....	7 80 26	606.82	all of.....	21 87 28	640.00
all of.....	9 80 26	640.00	all of.....	23 87 28	640.00
n $\frac{1}{4}$	15 87 26	320.00	all of.....	25 87 28	640.00
all of.....	17 87 26	640.00	all of.....	27 87 28	640.00
s $\frac{1}{4}$	21 87 26	320.00	n hf ne, se ne, and.....		
w $\frac{1}{4}$ of so.....	23 87 26	80.00	ne qr, ne nw, n hf se.....	29 87 28	160.00
e $\frac{1}{4}$ of Sec. and s w $\frac{1}{4}$	27 87 26	480.00	and se se.....	33 87 28	320.00
e $\frac{1}{4}$ of e $\frac{1}{4}$ and w $\frac{1}{4}$ of.....			all of.....	35 87 28	640.00
all of.....	29 87 26	320.00	w fr hf Sec., and w fr.....		
all of.....	33 87 26	640.00	hf of e hf.....	1 90 28	469.75
all of.....	35 87 26	640.00	all of.....	3 90 28	642.18
s hf se, ne ne, and.....			all of.....	5 90 28	638.94
lots 5, 6, 7 and 8.....	1 86 27	336.39	all of.....	7 90 28	640.00
all of.....	3 86 27	574.46	n hf.....	11 90 28	320.00
n fr hf of Sec. and s.....			all of.....	2 91 28	627.42
w qr.....	5 86 27	467.58	all of.....	5 91 28	636.08
all of.....	7 86 27	629.66	lots 1 and 2 (e of riv).....	7 91 28	33.00
all of.....	9 86 27	640.00	all of.....	9 91 28	640.00
n hf.....	11 86 27	320.00	all of.....	11 91 28	640.00
n fr hf.....	13 86 27	310.65	w hf ne, and nw qr.....	13 91 28	240.00
n hf.....	15 86 27	320.00	s hf.....	13 91 28	320.00
e hf ne and sw nw.....	15 87 27	120.00	all of.....	15 91 28	640.00
lots 1, 2, 5, 6, 7 and 8.....	15 87 27	272.80	all (east of river).....	17 91 28	628.60
w hf sw.....	15 87 27	80.00	lots 1, 2, 3, 4.....	19 91 28	188.30
all of.....	17 87 27	611.25	all of.....	21 91 28	640.00
all of.....	21 87 27	587.82	all of.....	23 91 28	640.00
lots 1, 2, 3, and sw sw.....	23 87 27	121.00	all of.....	25 91 28	640.00
e hf.....	27 87 27	320.00	all of.....	27 91 28	640.00
w hf.....	33 87 27	320.00	e hf Sec., and lots 1.....		
all of.....	35 87 27	640.00	2, 3 and 4.....	29 91 28	616.25
w fr hf n w.....	31 91 27	97.00	lot 1 (west of river).....	31 91 28	35.70
all of.....	1 86 28	627.88	all of.....	33 91 28	640.00
n fr hf Sec., se qr,.....			all of.....	35 91 28	640.00
and ne sw.....	3 80 28	503.02	se qr.....	27 92 28	160.00
all of.....	11 86 28	640.00	lot 1 (west of river).....	31 92 28	20.90
all of.....	13 86 28	640.00	lots 3, 4, and s hf Sec.....	33 92 28	427.65
all of.....	15 87 28	640.00	w hf nw, and w hf sw.....	35 92 28	160.00

Total.....

Filed in State Land Office August 2, 1866.

"C."

GENERAL LAND OFFICE,
OCTOBER 17, 1867.

I, Joseph S. Wilson, Commissioner of the General Land Office, do hereby certify that the annexed, on pages 1 to 2 inclusive, is a

true and literal exemplification of the original approved list on file in this office.

IN TESTIMONY WHEREOF, I have hereunto subscribed
 { L. S. } my name and caused the seal of this office to be affixed,
 { } at the city of Washington, on the day and year above
 written.

JOS. S. WILSON,
 Commissioner of the General Land Office.

*List of Lands selected by the State of Iowa, on the east fork of Des Moines River,
 under the Act of August 8, 1846, "for the improvement of the navigation of the
 Des Moines River," and confirmed by Joint Resolution of March 2, 1861.*

FORT DODGE DISTRICT.

No.	Parts of Section.	Sec.	Tp.	Range	Acres.		
1	fractional section.....	5	21	27	599.67		
2	all of.....	7	21	27	668.54		
3	all of.....	5	22	27	691.80		
4	all of.....	7	22	27	658.24		
5	all of.....	9	22	27	640.00		
6	w $\frac{1}{2}$ nw $\frac{1}{4}$	15	22	27	80.00		
7	all of.....	17	22	27	640.00		
8	all of.....	19	22	27	665.92		
9	lots 1, 2, w $\frac{1}{2}$ of ne $\frac{1}{4}$	21	22	27	305.10		
10	and nw $\frac{1}{4}$						
11	all of.....	29	22	27	639.84		
12	all of.....	31	22	27	668.68		
13	all of.....	1	21	28	635.52		
14	e $\frac{1}{2}$ of ne $\frac{1}{4}$	13	21	28	80.00		
15	all of.....	1	22	28	690.80		
16	ne fr $\frac{1}{2}$, n fr $\frac{1}{2}$ of nw $\frac{1}{4}$	3	22	28	564.44		
17	se $\frac{1}{2}$ of nw $\frac{1}{4}$, e $\frac{1}{2}$ of se $\frac{1}{4}$						
18	nw $\frac{1}{4}$ of se $\frac{1}{2}$, and lots 1, 2 and 3.....	11	22	28	440.00		
19	n $\frac{1}{2}$ of sect.....						
20	e $\frac{1}{2}$ of se $\frac{1}{2}$ and nw $\frac{1}{4}$ of se $\frac{1}{4}$	13	22	28	640.00		
21	all of.....	15	22	28	18.70		
22	lots No. 1 and 2.....	23	22	28	640.00		
23	all of.....	25	22	28	640.00		
24	all of.....	27	22	28	65.20		
25	lot No. 1.....	35	22	28	480.00		
26	e $\frac{1}{2}$ of sec. e of nw $\frac{1}{4}$						
27	and e $\frac{1}{2}$ of sw $\frac{1}{4}$						
Total.....					11,152.45		

GENERAL LAND OFFICE,
 JUNE 18, 1867.

I, Joseph S. Wilson, Commissioner of the General Land Office, do hereby certify that the foregoing, on page one, is a true and correct list of the lands confirmed to the State of Iowa, by Joint Resolution of March 2, 1861, in connection with the act of 8th August, 1846, for the improvement of the navigation of the Des Moines River—being the alternate odd numbered sections of land, formerly selected by the State, on the east fork of the Des Moines River, and making the quantity charged to the State in the final adjustment of May 21, 1866, (excepting five hundred and nine acres and thirty-five one hundredths of an acre, for interfering entries). They are now submitted for the approval of the Secretary of the Interior, subject, however, to any valid interfering rights which may have existed at the date of said Joint Resolution of March 2, 1861.

IN TESTIMONY WHEREOF, I have hereunto subscribed
 { L. S. } my name, and caused the seal of the General Land
 { } Office, to be affixed at the City of Washington, on the
 { } day and year first herein above written.

JOS. S. WILSON, Commissioner.

DEPARTMENT OF THE INTERIOR,
 WASHINGTON CITY, JULY 8, 1867.

Approved subject to the conditions and rights above mentioned.

W. T. OTTO, Acting Secretary.

Filed in the State Land Office, October 23, 1867.

C. C. CARPENTER, Register.

By the provisions of Sec. 4, chap. 108, acts 10th Session, the Governor is authorized to convey to S. H. Taft, ten sections of the Des Moines River lands *in place*, upon which he has located a colony, at \$1 25 per acre, the money to be deposited in the State Treasury for the benefit of the Keokuk Fort Des Moines and Minnesota Railroad Company (now the Des Moines Valley Railroad Company) when they shall become entitled to the same under the provisions of said act.

The Governor, on the 3d day of April, 1867, conveyed to Mr. Taft 1,674.95 acres, the proper amount of money having been deposited with the State Treasurer.

The lands thus conveyed to Mr. Taft, and which are all that he has as yet applied for, are described as follows:

Parts of Section.	Range			Acres.
	Sec.	Tp.	Range	
nw nw fr.....	1	91	29	46.51
ne nw fr.....	1	91	29	46.02
nw ne fr.....	1	91	29	45.53
se nw fr.....	1	91	29	40.00
sw ne fr.....	1	91	29	40.00
nw se fr.....	1	91	29	40.00
lots 1, 2, 3, 4.....	1	91	29	217.55
se.....	3	91	29	160.00
ne.....	11	91	29	160.00
sw sw.....	13	91	29	40.00
lots 2, 3, 4, 7, 8.....	13	91	29	242.67
s½ nw.....	23	91	29	80.00
se ne.....	23	91	29	40.00
ne.....	25	91	29	160.00
nw fr.....	7	91	28	149.13
n½ sw fr.....	7	91	28	73.94
lots 3, 4.....	7	91	28	93.60
Total.....				1,674.95

"D."

A. Table exhibiting the lands approved to the State of Iowa under the construction given to the Act of Congress of August 8th, 1846, previous to the decision of the Supreme Court of the United States, in the case of the Dubuque and Pacific Railroad Company vs. Litchfield, together with such parts of said lands as have been subsequently certified to the State as Railroad lands, and which are not included in the lists of lands approved and certified to State under Joint Resolution of Congress of March 24, 1861; also showing the Railroad limits, within which these lands lay:

CERTIFIED UNDER D. M. GRANT.			CERTIFIED AS R. R. LANDS.			RAILROAD LIMITS.		
Parts of Sections.	S. T. R.	Acres.	Parts of Sections.	Acres.		Mississippi & Missouri River Railroad.		
sw sw.....	5 79 33	40.00	.....	.....	.....	.....	.....	.....
all.....	7 79 33	699.44 all.	.....	.....	.....	.....	.....	.....
sw ne, n hf sw, nw se.....	11 79 33	330.00 nw, n hf sw, sw ne, nw se.	.....	.....	.....	.....	.....	.....
sw ne, n hf nw.....	21 79 33	130.00	.....	.....	.....	.....	.....	.....
sw hf nw, w hf sw, se sw.....	31 80 33	533.00 w hf nw, w hf sw, se sw.	.....	.....	.....	.....	.....	.....
sw hf nw, w hf sw, se sw.....	31 80 33	533.00 w hf nw, w hf sw, se sw.	.....	.....	.....	.....	.....	.....
sw hf nw, w hf sw, se sw.....	31 80 33	533.00 w hf nw, w hf sw, se sw.	.....	.....	.....	.....	.....	.....
sw hf nw, w hf sw, se sw.....	31 80 33	533.00 w hf nw, w hf sw, se sw.	.....	.....	.....	.....	.....	.....
all.....	19 79 34	633.12 all.	.....	.....	.....	.....	.....	.....
nw nw.....	31 78 34	40.00 nw	.....	.....	.....	.....	.....	.....
nw ne, nw, w hf sw, ne sw.....	39 78 34	330.00 nw, ne sw, w hf sw, ne sw.	.....	.....	.....	.....	.....	.....
ne, e hf nw, nw nw, n hf se.....	31 78 34	393.08 ne, e hf nw, nw nw, n hf se.	.....	.....	.....	.....	.....	.....
e hf, n hf nw, s hf sw.....	1 79 34	508.62 ne, n hf nw, s hf sw, se.	.....	.....	.....	.....	.....	.....
sw nw.....	3 79 34	40.00 sw nw	.....	.....	.....	.....	.....	.....
w hf sw, lots 5, 7.....	5 79 34	188.45 w hf sw, lots 5, 7.	.....	.....	.....	.....	.....	.....
n hf se, sw ne, s hf se, w hf.....	7 79 34	533.42 all.	.....	.....	.....	.....	.....	.....
w hf ne, w hf se, w hf sw, se sw.....	11 79 34	250.00 w hf ne, w hf se, w hf sw, se sw.	.....	.....	.....	.....	.....	.....
e hf, sw, e hf nw.....	13 79 34	500.00 ne, e hf nw, s hf	.....	.....	.....	.....	.....	.....
all.....	15 79 34	640.00 all.	.....	.....	.....	.....	.....	.....
w hf sw, se sw, lots 7, 8, 9.....	17 79 34	208.25 w hf sw, se sw, lots 7, 8, 9.	.....	.....	.....	.....	.....	.....
all.....	19 79 34	646.74 all.	.....	.....	.....	.....	.....	.....
w hf s w, sw nw, lot 3.....	21 79 34	140.39 sw nw, w hf sw, lot 3.	.....	.....	.....	.....	.....	.....
all.....	23 79 34	640.00 all.	.....	.....	.....	.....	.....	.....
nw, w hf sw.....	25 79 34	240.00 nw, w hf sw	.....	.....	.....	.....	.....	.....
n hf ne, n hf nw.....	29 79 34	160.00 n hf ne, n hf nw	.....	.....	.....	.....	.....	.....
nw, ne, nw.....	31 79 34	160.00 nw	.....	.....	.....	.....	.....	.....
all.....	3 80 34	708.23 all.	.....	.....	.....	.....	.....	.....

TABLE "D"—CONTINUED.

CERTIFIED UNDER D. M. GUANT.		CERTIFIED AS B. R. LANDS.	
Parts of Sections.	[S., T., R.]	Parts of Sections.	Acres.
s hf sw	7 30 24	86 61 s hf sw	86 61
all	9 30 24	640 00 all	640 00
sw ne, w hf, w hf se	11 30 24	640 00 all	640 00
n hf se qr	13 30 24	440 00 w hf, w hf se, sw ne	440 00
ne	15 30 24	480 00 n hf se	480 00
e hf ne	17 30 24	160 00 ne	160 00
all	19 30 24	80 00 e hf ne	80 00
all	21 30 24	640 00 all	640 00
ne ne, n hf nw, s hf sw, se	23 30 24	640 00 all	640 00
w hf sw, se lot 1	25 30 24	360 00 ne, s hf sw, se qr	360 00
w hf nw, ne sw, lots 2, 3, 4, 5, 6	27 30 24	129 41 e hf se, sw se, lot 1	129 41
nw, w hf se	29 30 24	327 43 all	327 43
e hf ne	31 30 24	240 00 nw, w hf se	240 00
w hf sw, se sw	33 30 24	80 00 e hf ne	80 00
all	7 31 24	127 32 w hf sw, se sw	127 32
all	10 31 24	642 08	642 08
sw sw	21 31 24	40 00	40 00
w hf sw	27 31 24	80 00 w hf sw	80 00
all	29 31 24	640 00 all	640 00
all	31 31 24	160 00 se	160 00
all but ne ne	33 31 24	640 00 all	640 00
e hf ne, sw ne, nw nw, se nw	1 78 25	643 05 w hf ne, se ne, nw, s hf	643 05
e hf se lots 6, 7, 8	3 78 25	617 12 e hf nw, e hf sw	617 12
e hf se	11 78 25	200 00 e hf ne, sw ne, se nw	200 00
nw ne, n hf nw, ne sw, e hf se, nw se	13 78 25	231 35 e hf se qr, lots 6, 7, 8	231 35
all	25 78 25	80 00 e hf se	80 00
n hf	27 78 25	250 00 ne, e hf nw, nw nw, e hf ne, ne sw	250 00
w hf	29 78 25	364 50 n hf	364 50
e hf	31 78 25	631 70 all	631 70
w hf nw, nw, e hf nw, e hf	1 79 25	230 00 e hf ne, nw nw, e hf sw	230 00
all	3 79 25	640 00 all	640 00
all	13 79 25	640 00 all	640 00

RAILROAD LIMITS.

Mississippi & Missouri River Railroad.

ne ne, e hf sw	13 79 25	130 00 ne ne, e hf sw	130 00
all	15 79 25	640 00 all	640 00
e hf ne, e hf se	21 79 25	160 00 e hf ne, e hf sw	160 00
w hf ne, se ne, w hf ne	23 79 25	600 00 e hf ne, e hf sw, nw nw, nw	600 00
all but sw sw	25 79 25	640 00 all	640 00
w hf ne, w hf se, w hf	27 79 25	600 00 n hf, n hf sw, se sw, se	600 00
s hf ne, e hf ne, lots 1, 2, 3, 4, 5, 6, 7	29 79 25	480 00 w hf, w hf ne, w hf se	480 00
all	31 79 25	80 00 e hf ne	80 00
lots 1, 2, 3, 4, 5, 6, 7	1 80 25	497 21 e hf ne, e hf se, lots 1, 2, 3, 4, 5, 6, 7	497 21
lots 3, 4, 7, 8	3 80 25	650 74 all	650 74
all	5 80 25	632 00 all	632 00
all	7 80 25	640 00 all	640 00
lots 1, 2, 3, 4, 5, 6, 7	9 80 25	239 65 all	239 65
lots 3, 4, 7, 8	11 80 25	180 18 lots 3, 4, 5, 6, 7	180 18
all	13 80 25	640 00 lots 3, 4, 7, 8	640 00
all	15 80 25	640 00 all	640 00
all	17 80 25	633 04 all	633 04
all	19 80 25	640 00 all	640 00
all	21 80 25	640 00 all	640 00
all	23 80 25	640 00 all	640 00
all	25 80 25	640 00 all	640 00
se qr, w hf sw ne	27 80 25	640 00 all	640 00
se qr, e hf nw, ne se	29 80 25	250 00 ne, e hf ne, sw ne	250 00
all	31 80 25	640 00 all	640 00
all	33 80 25	640 00 all	640 00
all	1 81 25	616 55 all	616 55
all	3 81 25	617 84 all	617 84
all	5 81 25	674 16 all	674 16
all	7 81 25	640 00 all	640 00
all	9 81 25	640 00 all	640 00
all	11 81 25	640 00 all	640 00
all	13 81 25	640 00 all	640 00
all	15 81 25	640 00 all	640 00
all	17 81 25	640 00 all	640 00
e hf, e hf nw, nw nw, e hf sw	19 81 25	640 00	640 00
e hf	21 81 25	640 00	640 00
all	23 81 25	640 00	640 00
all	25 81 25	640 00	640 00
e hf ne, w hf nw	27 81 25	160 00	160 00

Mississippi & Missouri River Railroad.

Iowa Central Air Line R. R.

TABLE "D"—Continued.

Parts of Sections.	CERTIFIED UNDER D. M. GRANT.		CERTIFIED AS E. R. LANDS.		RAILROAD LIMITS.
	S. T. R.	Acres.	Parts of Sections.	Acres.	
n hf ne lots 5, 6, 7, 8.....	29 81 25	298 37			Iowa Central Air Line Railroad...
all.....	31 81 25	673 62			"
sw sw lots 2, 3, 4, 5, 6.....	39 81 25	351 91			"
all.....	39 81 25	653 18			"
all.....	5 83 35	653 35			"
w hf nw, w hf sw, so sw.....	7 83 35	290 00	w hf nw, w hf sw, so sw.....	658 80	"
all.....	9 83 35	640 00			"
w hf, w hf ne, so ne, w hf ne, ne se.....	17 83 35	640 00	w hf ne, so ne, w hf ne, ne se.....	590 00	"
sw nw, w hf sw.....	25 83 35	430 00	all sw, w hf sw, sw nw.....	120 00	"
all.....	27 83 35	640 00			"
all.....	29 83 35	640 00			"
w hf, w hf ne, w hf se.....	7 83 35	467 08	w hf ne, w hf se.....	640 00	"
all.....	9 83 35	653 08			"
w hf nw, sw qt.....	29 83 35	940 00	w hf nw, sw.....	653 08	"
all.....	31 83 35	653 23			"
all.....	33 83 35	693 18			"
e hf nw, ne sw.....	5 80 36	701 92			Mississippi & Missouri River Railroad.
e hf nw, e hf sw.....	5 80 36	578 78			"
e hf nw, e hf sw.....	5 80 36	590 00			"
all.....	11 80 36	640 00			"
all.....	13 80 36	640 00			"
n hf, ne se.....	15 80 36	40 00	n hf, ne se.....	40 00	"
ne ne nw, e hf se.....	23 80 36	280 00	ne ne nw, e hf se.....	280 00	"
se.....	25 80 36	160 00			Iowa Central Air Line Railroad...
all but a hf sw.....	3 81 36	590 56	n hf nw, n hf sw.....	590 56	"
all.....	5 81 36	595 26			"
all.....	7 81 36	612 08			"
all.....	9 81 36	640 00			"
sw sw lots 5, 6, 7, 8, 9.....	11 81 36	302 04	sw sw, lots 5, 6, 7, 8, 9.....	302 04	"

n hf, e hf ne lot 1.....	13 81 36	400 25	ne nw, e hf ne lot 1.....	400 25	Iowa Central Air Line Railroad...
all.....	15 81 36	640 00			"
all.....	17 81 36	640 00			"
all.....	19 81 36	612 00			"
n hf se.....	23 81 36	450 00	e hf nw.....	480 00	"
s hf, so nw, lots 1, 2, 3, 4.....	25 81 36	343 43			"
all.....	27 81 36	640 00			"
all.....	29 81 36	640 00			"
ne ne nw, e hf se, n w se.....	3 82 36	640 00			"
all.....	5 82 36	317 06	n se, e hf, sw se, w hf sw, so sw.....	317 06	"
all.....	7 82 36	648 00	sw se, w hf sw, sw se, w hf sw.....	648 00	"
ne nw, w hf nw, ne nw, w hf sw.....	5 83 36	448 90	so sw, lots 4, 5, 6, 7, 8.....	448 90	"
all.....	7 83 36	608 00			"
e hf nw.....	9 83 36	598 46			"
all.....	11 83 36	480 00	e hf nw.....	480 00	"
all.....	13 83 36	610 00			"
all.....	15 83 36	397 28			"
all.....	17 83 36	640 00			"
all.....	19 83 36	613 24			"
e hf, nw.....	21 83 36	640 00			"
all but sw lot 8.....	23 83 36	480 00	e hf, nw.....	480 00	"
all but sw lot 8.....	25 83 36	490 36	w hf nw, e hf nw, lots 1, 2, 3, 4, 5, 6, 7.....	440 00	"
all.....	27 83 36	640 00			"
all.....	29 83 36	621 60			"
s hf.....	3 84 36	640 00			"
all.....	5 84 36	320 00	s hf.....	320 00	"
w hf ne, w hf.....	7 84 36	321 60			"
e hf ne, s hf.....	9 84 36	314 58			"
all.....	11 84 36	312 00			"
e hf, e hf nw, nw nw, a hf sw.....	13 84 36	640 00			"
all.....	15 84 36	240 00	nw, w hf sw.....	240 00	"

TABLE "D"—CONTINUED.

CERTIFIED UNDER D. M. GRANT.			CERTIFIED AS R. R. LANDS.			RAILROAD LIMITS.		
Parts of Sections.		S. T. R.	Acres.	Parts of Sections.		Acres.		
ne, n hf nw, lots 1, 2, 3, 4, 6, 7, 8.	17 83 26		513.50	ne, n hf nw, lots 1, 2, 3, 4, 6, 7, 8.	513.50	Iowa Central Air Line Railroad.		
all.	19 83 26		616.98	all.	616.98	"		
all.	21 83 26		631.32	all.	631.32	"		
all.	23 83 26		640.00	all.	640.00	"		
all.	25 83 26		640.00	all.	640.00	"		
all.	27 83 26		640.00	all.	640.00	"		
all.	29 83 26		592.36	all.	592.36	"		
all.	31 83 26		620.00	all.	620.00	"		
all.	33 83 26		574.92	all.	574.92	"		
w hf, ne, n hf se.	35 83 26		560.00	w hf, ne, n hf se.	560.00	"		
sw sw.	31 84 25		42.48	sw sw.	42.48	"		
all.	3 84 26		713.70	all.	713.70	"		
all.	5 84 26		718.52	all.	718.52	"		
all.	7 84 26		603.01	all.	603.01	"		
all.	9 84 26		640.00	all.	640.00	"		
all.	11 84 26		640.00	all.	640.00	"		
all.	13 84 26		640.00	all.	640.00	"		
all.	15 84 26		640.00	all.	640.00	"		
all.	17 84 26		624.50	all.	624.50	"		
all.	19 84 26		640.00	all.	640.00	"		
all.	21 84 26		640.00	all.	640.00	"		
w hf w hf ne, ne ne, w hf se.	23 84 26		520.00	w hf w hf ne qr, ne ne, w hf se.	520.00	"		
w hf sw.	25 84 26		50.00	w hf sw.	50.00	"		
all.	27 84 26		640.00	all.	640.00	"		
all.	29 84 26		640.00	all.	640.00	"		
all.	31 84 26		599.76	all.	599.76	"		
all.	33 84 26		640.00	all.	640.00	"		
all.	35 84 26		640.00	all.	640.00	"		
s hf nw, nw nw, sw qr.	3 85 26		277.28	w hf nw, ne nw, sw.	277.28	"		
all.	5 85 26		629.54	all.	629.54	"		
all.	7 85 26		611.98	all.	611.98	"		
all.	9 85 26		640.00	all.	640.00	"		
sw ne, w hf, w hf so, so se.	15 85 26		480.00	w hf, w hf se qr, so se, sw ne qr.	480.00	"		
all.	17 85 26		640.00	all.	640.00	Iowa Central Air Line R. R.		
all.	19 85 26		616.30	all.	616.30	"		
all.	21 85 26		640.00	all.	640.00	"		
w hf nw, sw qr.	23 85 26		240.00	w hf nw, sw.	240.00	"		
all.	25 85 26		640.00	all.	640.00	"		
all.	27 85 26		640.00	all.	640.00	"		
all.	29 85 26		640.00	all.	640.00	"		
all.	31 85 26		618.16	all.	618.16	"		
all.	33 85 26		640.00	all.	640.00	"		
w hf ne, w hf, w hf se.	35 85 26		480.00	w hf, w hf ne, w hf se.	480.00	Dubuque & Sioux City R. R.		
all.	3 86 26		625.92	all.	625.92	"		
all.	5 86 26		624.88	all.	624.88	"		
all.	7 86 26		606.82	all.	606.82	"		
all.	9 86 26		640.00	all.	640.00	"		
w hf ne, ne ne, w hf, w hf se.	11 86 26		520.00	w hf ne, ne ne, w hf, w hf se.	520.00	Iowa Central Air Line R. R.		
all.	13 86 26		640.00	all.	640.00	"		
all.	15 86 26		640.00	all.	640.00	"		
all.	17 86 26		607.76	all.	607.76	"		
all.	19 86 26		640.00	all.	640.00	"		
all.	21 86 26		640.00	all.	640.00	"		
all.	23 86 26		640.00	all.	640.00	"		
all.	25 86 26		607.84	all.	607.84	"		
all.	27 86 26		640.00	all.	640.00	"		
all except w hf sw.	33 86 26		583.98	all except w hf sw.	583.98	Dubuque & Sioux City R. R.		
s hf.	9 87 26		320.00	s hf.	320.00	"		
n hf.	15 87 26		320.00	n hf.	320.00	"		
all.	17 87 26		640.00	all.	640.00	"		
s hf.	19 87 26		320.00	s hf.	320.00	"		
w hf se.	23 87 26		80.00	w hf se.	80.00	"		
e hf and sw qr.	27 87 26		480.00	e hf and sw qr.	480.00	"		
e hf ne, w hf nw, w hf sw, e hf se.	29 87 26		320.00	e hf ne, w hf nw, w hf sw, e hf se.	320.00	"		
all.	31 87 26		640.00	all.	640.00	"		
all.	33 87 26		640.00	all.	640.00	"		
sw sw.	35 87 26		40.00	sw sw.	40.00	"		
all.	3 88 26		580.68	all.	580.68	"		
all.	5 88 26		593.64	all.	593.64	Iowa Central Air Line R. R.		
ne qr, e hf se.	11 81 27		240.00	ne qr and e hf se.	240.00	"		
n hf, se qr, e hf sw.	13 81 27		560.00	n hf, se, e hf sw.	560.00	"		
e hf ne.	25 81 27		80.00	e hf ne.	80.00	"		
all.	1 82 27		633.66	all.	633.66	"		

REPORT OF THE

TABLE "D"—CONTINUED.

[illegible]

REGISTER OF THE STATE LAND OFFICE.

[illegible]

TABLE "D'"—CONTINUED.

CERTIFIED UNDER D. M. GRANT.		CERTIFIED AS B. R. LANDS.		RAILROAD LIMITS.	
Parts of Sections.		Parts of Sections.		Acres.	
S. T. (E.)	Acres.	S. T. (E.)	Acres.		
all	21 86 27	all	506 88 all	506 88	Iowa Central Air Line Railroad
all	23 86 27	all	640 00 all	640 00	"
all	25 86 27	all	640 00 all	640 00	"
all	27 86 27	all	501 16 all	501 16	"
all	29 86 27	all	640 00 all	640 00	"
all	31 86 27	all	634 72 all	634 72	"
all	33 86 27	all	640 00 all	640 00	"
all	35 86 27	all	640 00 all	640 00	"
all	1 87 27	all	496 44 n hf, e hf se qr	496 44	Dubuque & Sioux City Railroad
all	3 87 27	all	623 90 all	623 90	"
all	5 87 27	all	681 60 all	681 60	"
all	7 87 27	all	444 30 w hf se qr	444 30	"
all	9 87 27	all	320 00 s hf	320 00	"
all	11 87 27	all	420 00 w hf	420 00	"
all	13 87 27	all	671 90 all	671 90	"
all	15 87 27	all	587 82	587 82	"
all	17 87 27	all	131 00	131 00	"
all	19 87 27	all	320 00	320 00	"
all	21 87 27	all	320 00	320 00	"
all	23 87 27	all	640 00	640 00	"
all	25 87 27	all	130 00 sw nw, w hf sw	130 00	"
all	27 87 27	all	701 30 all	701 30	"
all	29 87 27	all	598 86 all	598 86	"
all	31 87 27	all	640 00 all	640 00	"
all	33 87 27	all	480 00 w hf ne, w hf, w hf se	480 00	"
all	35 87 27	all	640 00 all	640 00	"
all	1 88 27	all	599 10 all	599 10	"
all	3 88 27	all	640 00 all	640 00	"
all	5 88 27	all	480 00 s hf, s hf nw	480 00	"
all	7 88 27	all	640 00 all	640 00	"
all	9 88 27	all	640 00 s hf, n hf sw, nw sw, nw se	640 00	"
all	11 88 27	all	640 00 all	640 00	"
all	13 88 27	all	640 00 all	640 00	"
all	15 88 27	all	640 00 all	640 00	"
all	17 88 27	all	640 00 all	640 00	"
all	19 88 27	all	640 00 all	640 00	"
all	21 88 27	all	640 00 all	640 00	"
all	23 88 27	all	640 00 all	640 00	"
all	25 88 27	all	640 00 all	640 00	"
all	27 88 27	all	640 00 all	640 00	"
all	29 88 27	all	640 00 all	640 00	"
all	31 88 27	all	640 00 all	640 00	"
all	33 88 27	all	640 00 all	640 00	"
all	35 88 27	all	640 00 all	640 00	"
all	1 89 28	all	640 00 all	640 00	"
all	3 89 28	all	293 28 e hf ne, w hf nw, sw qr	293 28	Dubuque & Sioux City Railroad
all	5 89 28	all	640 00 all	640 00	"
all	7 89 28	all	640 00 all	640 00	"
all	9 89 28	all	640 00 all	640 00	"
all	11 89 28	all	640 00 all	640 00	"
all	13 89 28	all	583 92 w hf, w hf ne, n hf	583 92	"
all	15 89 28	all	583 92 w hf, w hf ne, se qr	583 92	"
all	17 89 28	all	80 00 s hf sw	80 00	"
all	19 89 28	all	300 00 s hf nw, sw, w hf se, se qr	300 00	"
all	21 89 28	all	640 00 all	640 00	"
all	23 89 28	all	603 72	603 72	"
all	25 89 28	all	640 00 all	640 00	"
all	27 89 28	all	300 00	300 00	"
all	29 89 28	all	332 35 e hf, e hf ne, w hf se, nw	332 35	"
all	31 89 28	all	606 56 all	606 56	"
all	33 89 28	all	80 00 e hf ne	80 00	"
all	35 89 28	all	480 00 e hf, e hf nw, e hf sw	480 00	"
all	1 89 28	all	640 00 all	640 00	"
all	3 89 28	all	640 00 all	640 00	"
all	5 89 28	all	640 00 all	640 00	"
all	7 89 28	all	320 00 e hf	320 00	"
all	9 89 28	all	640 00 e hf ne, e hf se, se qr	640 00	"
all	11 89 28	all	640 00 all	640 00	"
all	13 89 28	all	330 00 e hf	330 00	"
all	15 89 28	all	627 88	627 88	"
all	17 89 28	all	606 56	606 56	"
all	19 89 28	all	100 00	100 00	"
all	21 89 28	all	640 00 e hf ne, e hf se qr	640 00	"
all	23 89 28	all	640 00 all	640 00	"
all	25 89 28	all	640 00 all	640 00	"
all	27 89 28	all	100 00 e hf ne, e hf se qr	100 00	"
all	29 89 28	all	640 00 all	640 00	"
all	31 89 28	all	632 38 all	632 38	"
all	33 89 28	all	218 88 w hf, ne qr	218 88	"
all	35 89 28	all	673 98 all	673 98	"
all	1 90 29	all	621 08 all	621 08	"
all	3 90 29	all	640 00 all	640 00	"
all	5 90 29	all	480 00 w hf, se qr	480 00	"
all	7 90 29	all	640 00	640 00	"
all	9 90 29	all	640 00	640 00	"
all	11 90 29	all	640 00	640 00	"
all	13 90 29	all	640 00	640 00	"
all	15 90 29	all	640 00	640 00	"
all	17 90 29	all	640 00	640 00	"
all	19 90 29	all	640 00	640 00	"
all	21 90 29	all	640 00	640 00	"
all	23 90 29	all	640 00	640 00	"
all	25 90 29	all	640 00	640 00	"
all	27 90 29	all	640 00	640 00	"
all	29 90 29	all	640 00	640 00	"
all	31 90 29	all	640 00	640 00	"
all	33 90 29	all	640 00	640 00	"
all	35 90 29	all	640 00	640 00	"
all	1 91 30	all	640 00	640 00	"
all	3 91 30	all	640 00	640 00	"
all	5 91 30	all	640 00	640 00	"
all	7 91 30	all	640 00	640 00	"
all	9 91 30	all	640 00	640 00	"
all	11 91 30	all	640 00	640 00	"
all	13 91 30	all	640 00	640 00	"
all	15 91 30	all	640 00	640 00	"
all	17 91 30	all	640 00	640 00	"
all	19 91 30	all	640 00	640 00	"
all	21 91 30	all	640 00	640 00	"
all	23 91 30	all	640 00	640 00	"
all	25 91 30	all	640 00	640 00	"
all	27 91 30	all	640 00	640 00	"
all	29 91 30	all	640 00	640 00	"
all	31 91 30	all	640 00	640 00	"
all	33 91 30	all	640 00	640 00	"
all	35 91 30	all	640 00	640 00	"
all	1 92 31	all	640 00	640 00	"
all	3 92 31	all	640 00	640 00	"
all	5 92 31	all	640 00	640 00	"
all	7 92 31	all	640 00	640 00	"
all	9 92 31	all	640 00	640 00	"
all	11 92 31	all	640 00	640 00	"
all	13 92 31	all	640 00	640 00	"
all	15 92 31	all	640 00	640 00	"
all	17 92 31	all	640 00	640 00	"
all	19 92 31	all	640 00	640 00	"
all	21 92 31	all	640 00	640 00	"
all	23 92 31	all	640 00	640 00	"
all	25 92 31	all	640 00	640 00	"
all	27 92 31	all	640 00	640 00	"
all	29 92 31	all	640 00	640 00	"
all	31 92 31	all	640 00	640 00	"
all	33 92 31	all	640 00	640 00	"
all	35 92 31	all	640 00	640 00	"
all	1 93 32	all	640 00	640 00	"
all	3 93 32	all	640 00	640 00	"
all	5 93 32	all	640 00	640 00	"
all	7 93 32	all	640 00	640 00	"
all	9 93 32	all	640 00	640 00	"
all	11 93 32	all	640 00	640 00	"
all	13 93 32	all	640 00	640 00	"
all	15 93 32	all	640 00	640 00	"
all	17 93 32	all	640 00	640 00	"
all	19 93 32	all	640 00	640 00	"
all	21 93 32	all	640 00	640 00	"
all	23 93 32	all	640 00	640 00	"
all	25 93 32	all	640 00	640 00	"
all	27 93 32	all	640 00	640 00	"
all	29 93 32	all	640 00	640 00	"
all	31 93 32	all	640 00	640 00	"
all	33 93 32	all	640 00	640 00	"
all	35 93 32	all	640 00	640 00	"
all	1 94 33	all	640 00	640 00	"
all	3 94 33	all	640 00	640 00	"
all	5 94 33	all	640 00	640 00	"
all	7 94 33	all	640 00	640 00	"
all	9 94 33	all	640 00	640 00	"
all	11 94 33	all	640 00	640 00	"
all	13 94 33	all	640 00	640 00	"
all	15 94 33	all	640 00	640 00	"
all	17 94 33	all	640 00	640 00	"
all	19 94 33	all	640 00	640 00	"
all	21 94 33	all	640 00	640 00	"
all	23 94 33	all	640 00	640 00	"
all	25 94 33	all	640 00	640 00	"
all	27 94 33	all	640 00	640 00	"
all	29 94 33	all	640 00	640 00	"
all	31 94 33	all	640 00	640 00	"
all	33 94 33	all	640 00	640 00	"
all	35 94 33	all	640 00	640 00	"
all	1 95 34	all	640 00	640 00	"
all	3 95 34	all	640 00	640 00	"
all	5 95 34	all	640 00	640 00	"
all	7 95 34	all	640 00	640 00	"
all	9 95 34	all	640 00	640 00	"
all	11 95 34	all	640 00	640 00	"
all	13 95 34	all	640 00	640 00	"
all	15 95 34	all	640 00	640 00	"
all	17 95 34	all	640 00	640 00	"
all	19 95 34	all	640 00	640 00	"
all	21 95 34	all	640 00	640 00	"
all	23 95 34	all	640 00	640 00	"
all	25 95 34	all	640 00	640 00	"
all	27 95 34	all	640 00	640 00	"
all	29 95 34	all	640 00	640 00	"
all	31 95 34	all	640 00	640 00	"
all	33 95 34	all	640 00	640 00	"
all	35 95 34	all	640 00	640 00	"
all	1 96 35	all	640 00	640 00	"
all	3 96 35	all	640 00	640 00	"
all	5 96 35	all	640 00	640 00	"
all	7 96 35	all	640 00	640 00	"
all	9 96 35	all	640 00	640 00	"
all	11 96 35	all	640 00	640 00	"
all	13 96 35	all	640 00	640 00	"
all	15 96 35	all	640 00	640 00	"
all	17 96 35	all	640 00	640 00	"
all	19 96 35	all	640 00	640 00	"
all	21 96 35	all	640 00	640 00	"
all	23 96 35	all	640 00	640 00	"
all	25 96 35	all	640 00	640 00	"
all	27 96 35	all	640 00	640 00	"
all	29 96 35	all	640 00	640 00	"
all	31 96 35	all	640 00	640 00	"
all	33 96 35	all	640 00	640 00	"
all	35 96 35	all	640 00	640 00	"
all	1 97 36	all	640 00	640 00	"
all	3 97 36	all	640 00	640 00	"
all	5 97 36	all	640 00	640 00	"
all	7 97 36	all	640 00	640 00	"
all	9 97 36	all	640 00	640 00	"
all	11 97 36	all	640 00	640 00	"
all	13 97 36	all	640 00	640 00	"
all	15 97 36	all	640 00	640 00	"
all	17 97 36	all	640 00	640 00	"
all	19 97 36	all	640 00	640	

TABLE "D"—Continued.

CERTIFIED UNDER D. M. GRANT.		CERTIFIED AS R. R. LANDS.		RAILROAD LIMITS.	
Parts of Sections.		S. T. (1/2).	Acres.	Parts of Sections.	Acres.
all.....	15 87 28	640 00	.....	Dubuque & Sioux City Railroad.....	.....
all.....	17 87 28	640 00	.....	".....	.....
all.....	21 87 28	640 00	.....	".....	.....
all.....	23 87 28	640 00	.....	".....	.....
all.....	25 87 28	640 00	.....	".....	.....
all.....	27 87 28	640 00	.....	".....	.....
n hf ne, se ne, ne se.....	29 87 28	160 00	.....	".....	.....
ne qr, ne nw, n hf se, se se.....	33 87 28	320 00	.....	".....	.....
all.....	35 87 28	640 00	.....	".....	.....
all.....	1 88 28	700 10 all	.....	".....	.....
n hf lot 4.....	3 88 28	719 64 all	.....	".....	.....
se qr.....	5 88 28	439 87 n hf lot 4.....	.....	".....	.....
all.....	7 88 28	160 00 se qr.....	.....	".....	.....
s w qr, s hf nw.....	9 88 28	640 00 all.....	.....	".....	.....
n hf, se qr.....	11 88 28	240 00 s hf nw, sw.....	.....	".....	.....
n hf, se, e hf sw.....	13 88 28	480 00 n hf, se qr.....	.....	".....	.....
n hf, se qr, w hf ne.....	15 88 28	599 68 all.....	.....	".....	.....
w hf, se qr, w hf ne.....	17 88 28	510 55 n hf se, e hf sw.....	.....	".....	.....
n hf.....	19 88 28	541 58 s hf nw, w hf ne.....	.....	".....	.....
w hf.....	21 88 28	320 00 n hf.....	.....	".....	.....
w hf.....	23 88 28	606 68 all.....	.....	".....	.....
all.....	25 88 28	320 00 w hf.....	.....	".....	.....
all.....	27 88 28	619 88 all.....	.....	".....	.....
all.....	29 88 28	640 00 all.....	.....	".....	.....
sw qr.....	31 88 28	619 08 all.....	.....	".....	.....
all.....	33 88 28	160 00 w.....	.....	".....	.....
w hf, sw ne, w hf se.....	35 88 28	593 25 lots 3, 4, 5, 6 n hf, w hf sw, ne se.....	.....	".....	.....
all.....	1 89 28	414 03 w hf, sw ne, w hf se qr.....	.....	".....	.....
all.....	3 89 28	689 02 all.....	.....	".....	.....
all.....	5 89 28	696 16 all.....	.....	".....	.....
all.....	7 89 28	640 00 all.....	.....	".....	.....
all.....	9 89 28	640 00 all.....	.....	".....	.....
all.....	11 89 28	640 00 all.....	.....	".....	.....
w hf, w hf ne, w hf se, se se.....	13 89 28	320 00 w hf, w hf ne, w hf se, se se.....	.....	".....	.....
all.....	15 89 28	640 00 all.....	.....	".....	.....
all.....	17 89 28	640 00 all.....	.....	".....	.....
all.....	19 89 28	640 00 all.....	.....	".....	.....
all.....	21 89 28	640 00 all.....	.....	".....	.....
all.....	23 89 28	640 00 all.....	.....	".....	.....
all.....	25 89 28	640 00 all.....	.....	".....	.....
all.....	27 89 28	640 00 all.....	.....	".....	.....
all.....	29 89 28	640 00 all.....	.....	".....	.....
all.....	31 89 28	640 00 all.....	.....	".....	.....
all.....	33 89 28	640 00 all.....	.....	".....	.....
all.....	35 89 28	640 00 all.....	.....	".....	.....
all.....	1 90 28	409 75.....	.....	".....	.....
all.....	3 90 28	628 94.....	.....	".....	.....
all.....	5 90 28	628 94.....	.....	".....	.....
all.....	7 90 28	640 24 all.....	.....	".....	.....
all.....	9 90 28	640 00 all.....	.....	".....	.....
all.....	11 90 28	640 00 s hf.....	.....	".....	.....
all.....	13 90 28	80 00 w hf nw.....	.....	".....	.....
all.....	15 90 28	640 00 all.....	.....	".....	.....
all.....	17 90 28	640 00 all.....	.....	".....	.....
all.....	19 90 28	640 13 all.....	.....	".....	.....
all.....	21 90 28	640 00 all.....	.....	".....	.....
all.....	23 90 28	640 00 all.....	.....	".....	.....
sw nw, w hf sw.....	25 90 28	150 00 w hf sw, sw nw.....	.....	".....	.....
all.....	27 90 28	640 00 all.....	.....	".....	.....
all.....	29 90 28	640 00 all.....	.....	".....	.....
all.....	31 90 28	490 97.....	.....	".....	.....
all.....	33 90 28	640 00 all.....	.....	".....	.....
all.....	35 90 28	640 00 all.....	.....	".....	.....
all.....	1 91 27	609 67.....	.....	".....	.....
s hf, nw qr, sw ne, lots 1, 2.....	3 91 27	608 54.....	.....	".....	.....
w hf nw.....	5 91 27	97 00.....	.....	".....	.....
all.....	7 91 27	691 80.....	.....	".....	.....
all.....	9 91 27	658 24.....	.....	".....	.....
all.....	11 91 27	640 00.....	.....	".....	.....
w hf nw.....	13 91 27	80 00.....	.....	".....	.....

640 00 Dubuque & Sioux City Railroad.

TABLE "D"—CONTINUED.

CERTIFIED UNDER D. M. GRANT.				CERTIFIED AS R. R. LANDS.				RAILROAD LIMITS.	
Parts of Sections.				Parts of Sections.				Acres.	
all.....	17,92,37		640.00					Dubuque & Sioux City Railroad.....	
all.....	19,92,37		665.92					"	
all.....	21,92,37		615.65					"	
all.....	29,92,37		639.84					"	
all.....	31,92,37		668.08					"	
all.....	1, 91,38		635.93					"	
all.....	3,91,38		627.43					"	
all.....	5,91,38		639.08					"	
lots 1 and 2.....	7,91,38		32.00					"	
all.....	9,91,38		640.00					"	
all.....	11,91,38		640.00					"	
all.....	13,91,38		640.00					"	
all.....	15,91,38		640.00					"	
lots 1, 2, e hf, n hf nw, sw qr.....	17,91,38		626.60					"	
lots 1, 2, 3, 4.....	19,91,38		188.30					"	
all.....	21,91,38		640.00					"	
all.....	23,91,38		640.00					"	
all.....	25,91,38		640.00					"	
lots 1, 2, 3, 4, e hf, e hf nw, ne sw.....	27,91,38		612.35					"	
lot 1.....	29,91,38		35.70					"	
all.....	31,91,38		640.00					"	
all.....	33,91,38		640.00					"	
all.....	35,91,38		640.00					"	
all.....	1, 92,38		690.80					"	
lots 1, 2, 3, ne qr, e hf nw, nw nw.....			564.44					"	
e hf se, nw se.....	3,92,38		598.80					"	
all.....	11,92,38		610.00					"	
all.....	13,92,38		610.00					"	
lots 1 and 2.....	15,92,38		18.70					"	
all.....	23,92,38		640.00					"	
all.....	25,92,38		640.00					"	
lots 1, 2, 3, 4, se ne, ne qr.....	27,92,38		413.15					"	
Total.....									
lot 1.....	31,92,38		20.50					Dubuque & Sioux City Railroad.....	
s hf se, s hf, lots 1, 2, 3, 4.....	33,92,38		581.62					"	
all.....	35,92,38		610.00					"	
all.....	1, 93,39		665.10					"	
ne ne.....	3, 93,39		49.50					"	
all.....	5, 93,39		679.73					"	
all.....	7, 93,39		733.18					"	
all.....	9, 93,39		740.10					"	
all.....	11, 93,39		613.28					"	
all.....	13, 93,39		640.00					"	
all.....	15, 93,39		640.00					"	
all.....	17, 93,39		640.00					"	
all.....	19, 93,39		640.00					"	
all.....	21, 93,39		640.00					"	
all.....	23, 93,39		640.00					"	
all.....	25, 93,39		640.00					"	
all.....	27, 93,39		640.00					"	
all.....	29, 93,39		640.00					"	
all.....	31, 93,39		640.00					"	
all.....	33, 93,39		640.00					"	
all.....	35, 93,39		640.00					"	
all.....	37, 93,39		640.00					"	
all.....	39, 93,39		640.00					"	
all.....	41, 93,39		640.00					"	
all.....	43, 93,39		640.00					"	
all.....	45, 93,39		640.00					"	
all.....	47, 93,39		640.00					"	
all.....	49, 93,39		640.00					"	
all.....	51, 93,39		640.00					"	
all.....	53, 93,39		640.00					"	
all.....	55, 93,39		640.00					"	
all.....	57, 93,39		640.00					"	
all.....	59, 93,39		640.00					"	
all.....	61, 93,39		640.00					"	
all.....	63, 93,39		640.00					"	
all.....	65, 93,39		640.00					"	
all.....	67, 93,39		640.00					"	
all.....	69, 93,39		640.00					"	
all.....	71, 93,39		640.00					"	
all.....	73, 93,39		640.00					"	
all.....	75, 93,39		640.00					"	
all.....	77, 93,39		640.00					"	
all.....	79, 93,39		640.00					"	
all.....	81, 93,39		640.00					"	
all.....	83, 93,39		640.00					"	
all.....	85, 93,39		640.00					"	
all.....	87, 93,39		640.00					"	
all.....	89, 93,39		640.00					"	
all.....	91, 93,39		640.00					"	
all.....	93, 93,39		640.00					"	
all.....	95, 93,39		640.00					"	
all.....	97, 93,39		640.00					"	
all.....	99, 93,39		640.00					"	
all.....	101, 93,39		640.00					"	
all.....	103, 93,39		640.00					"	
all.....	105, 93,39		640.00					"	
all.....	107, 93,39		640.00					"	
all.....	109, 93,39		640.00					"	
all.....	111, 93,39		640.00					"	
all.....	113, 93,39		640.00					"	
all.....	115, 93,39		640.00					"	
all.....	117, 93,39		640.00					"	
all.....	119, 93,39		640.00					"	
all.....	121, 93,39		640.00					"	
all.....	123, 93,39		640.00					"	
all.....	125, 93,39		640.00					"	
all.....	127, 93,39		640.00					"	
all.....	129, 93,39		640.00					"	
all.....	131, 93,39		640.00					"	
all.....	133, 93,39		640.00					"	
all.....	135, 93,39		640.00					"	
all.....	137, 93,39		640.00					"	
all.....	139, 93,39		640.00					"	
all.....	141, 93,39		640.00					"	
all.....	143, 93,39		640.00					"	
all.....	145, 93,39		640.00					"	
all.....	147, 93,39		640.00					"	
all.....	149, 93,39		640.00					"	
all.....	151, 93,39		640.00					"	
all.....	153, 93,39		640.00					"	
all.....	155, 93,39		640.00					"	
all.....	157, 93,39		640.00					"	
all.....	159, 93,39		640.00					"	
all.....	161, 93,39		640.00					"	
all.....	163, 93,39		640.00					"	
all.....	165, 93,39		640.00					"	
all.....	167, 93,39		640.00					"	
all.....	169, 93,39		640.00					"	
all.....	171, 93,39		640.00					"	
all.....	173, 93,39		640.00					"	
all.....	175, 93,39		640.00					"	
all.....	177, 93,39		640.00					"	
all.....	179, 93,39		640.00					"	
all.....	181, 93,39		640.00					"	
all.....	183, 93,39		640.00					"	
all.....	185, 93,39		640.00					"	
all.....	187, 93,39		640.00					"	
all.....	189, 93,39		640.00					"	
all.....	191, 93,39		640.00					"	
all.....	193, 93,39		640.00					"	
all.....	195, 93,39		640.00					"	
all.....	197, 93,39		640.00					"	
all.....	199, 93,39		640.00					"	
all.....	201, 93,39		640.00					"	
all.....	203, 93,39		640.00					"	
all.....	205, 93,39		640.00					"	
all.....	207, 93,39		640.00					"	
all.....	209, 93,39		640.00					"	
all.....	211, 93,39		640.00					"	
all.....	213, 93,39		640.00					"	
all.....	215, 93,39		640.00					"	
all.....	217, 93,39		640.00					"	
all.....	219, 93,39		640.00					"	
all.....	221, 93,39		640.00					"	
all.....	223, 93,39		640.00					"	
all.....	225, 93,39		640.00					"	
all.....	227, 93,39		640.00					"	
all.....	229, 93,39		640.00					"	
all.....	231, 93,39		640.00					"	
all.....	233, 93,39		640.00					"	
all.....	235, 93,39		640.00					"	
all.....	237, 93,39		640.00					"	
all.....	239, 93,39		640.00					"	
all.....	241, 93,39		640.00					"	
all.....	243, 93,39		640.00					"	
all.....	245, 93,39		640.00					"	
all.....	247, 93,39		640.00					"	
all.....	249, 93,39		640.00					"	
all.....	251, 93,39		640.00					"	
all.....	253, 93,39		640.00					"	
all.....	255, 93,39		640.00					"	
all.....	257, 93,39		640.00					"	
all.....	259, 93,39		640.00					"	
all.....	261, 93,39		640.00					"	
all.....	263, 93,39		640.00					"	
all.....	265, 93,39		640.00					"	
all.....	267, 93,39		640.00					"	
all.....	269, 93,39		640.00					"	
all.....	271, 93,39		640.00					"	
all.....	273, 93,39		640.00					"	
all.....	275								

7TH.—THE DES MOINES RIVER SCHOOL LANDS.

As heretofore stated, 12,813.51 acres of land included in the lists certified to the State under the mistaken interpretation put upon the Act of 8th August, 1846, and subsequently transferred to the Des Moines Navigation and Railroad Company, had been previously approved to the State, viz.: on the 20th of February, A. D. 1851, as a part of the donation provided for by Act of Congress September 4th, 1841, and known as the 500,000 Acre Grant.

On the 6th of June, 1853, these lands were ordered into market as School Lands, and 3,394.80 acres were sold by John Tolman, School Fund Commissioner of Webster county—the present counties of Webster and Hamilton both being embraced in Webster at that time.

On the 6th of January, 1854, however, the Superintendent of Public Instruction was notified by the Commissioner of the General Land Office that these lands had been certified, on the 30th of December, 1853, as part of the Des Moines River Grant. Since that time, these lands have oscillated between the Des Moines Navigation and Railroad Company, the Dubuque and Sioux City Railroad Company, the State, the General Government and the 500,000 Acre Grant; finally becoming an item in the settlement made by Mr. Harvey with the Government, and ratified by the State, whereby they were recognized and confirmed unconditionally as a part of the 500,000 Acre Grant—the same purpose for which they were originally selected by the State and approved by the Secretary of the Interior.

The Des Moines Navigation and Railroad Company has no title to any portion of these lands; they have not been certified under the Joint Resolution of 1861, as their approval to the State as School Lands in February, 1851, precluded them from being re-granted in 1861, ten years subsequently.

The Government of the United States, in the adjustment with the State, recognized and treated them as part of the 500,000 Acre Grant—as may be seen by reference to the terms of adjustment in the settlement made by Mr. Harvey—and has received the advantage arising from the credit in that settlement.

But aside from the title confirmed and established by this adjustment, it seems to me that there could be no question as to the

status of these lands, after the decision of the Supreme Court of the United States at the December term 1859-60. Other lands under that decision—had it not been for the subsequent decision made a part of this report—might, and undoubtedly would have fallen to the Railroads within the proper limits; but this 12,813.51 acres must have remained a part of the School Lands.

Nothing seems clearer then, that when the title of the State, under the Act of August 8th, 1846, was declared invalid—that being the only adverse right to the one acquired by the State, February 20th, 1851—that of February 20th, 1851, would immediately become valid—a vested right—which no subsequent legislation could either weaken or destroy. And as the 3,394.80 acres, sold by John Tolman, are a part of these lands, it is difficult to see why the injunction which was served on my predecessor, to prevent these lands from being patented to the *bona fide* purchasers under Tolman, has not long since been dissolved.

By no fair construction of the settlement of 1858, could these lands be held as included in those disposed of to the Navigation Company; as they were nearly all sold previous to December 23d, 1853, and all lands sold previous to that date were specially excepted in the settlement; and now this last decision of the Supreme Court, which limits the title to March 2, 1861, makes assurance doubly sure.

If the doctrine of enuring to original Grantees is true in reference to the lands which were held by the Railroads, and they, as it is claimed, enure to the Des Moines Navigation and Railroad Company, under the Joint Resolution of 1861, since the Supreme Court has swept away other interfering claims, then these lands must have enured to the 500,000 Acre Grant, under the approval of the Land Department, February 20, 1851; and that the Government so regarded it, is proven by the fact of the recognition and confirmation of this title in a subsequent settlement with the State. And especially must this be true, when we consider that the clause in the Railroad Grants, of May 15, 1856, relied upon to exclude the Railroads from acquiring title to these lands, viz.: "That any and all lands heretofore reserved to the United States by any Act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvement, are reserved from the operation of this Act, except so far as it may be

found necessary to locate the routes of the said Railroads through such reserved land, in which case the right of way shall be granted, subject to the approval of the President,"—was not in operation in 1851, and consequently would not invalidate the location of these School Lands within such limits.

I have corresponded with Major O'Conner, Attorney General, in reference to proceeding in Court and getting the injunction dissolved, which has prevented these lands from being patented since 1864, so that patents may be issued to the parties who should have received them years ago; and he has promised to do so as soon as the duties pressing upon his time will permit.

If there is any appropriate legislation possible, which will hasten this consummation, it would be an act of simple justice to these purchasers. The subjoined list designates the land sold by Tolman.

The whole 12,813.51 acres will be found in the first list, under the head of Des Moines River Grant, in connection with Mr. Harvey's Report of Settlement.

APPROVED TO THE STATE UNDER THE 500,000 ACRE GRANT.			SOLD BY JOHN TOLMAN AS SCHOOL FUND COMMISSIONER.	
Parts of Sections.	S. T. R.	Acres.	Parts of Sections.	Acres.
w hf sw.....	5 87 26	80.00	w hf sw.....	80.00
all.....	7 87 26	597.92	all.....	597.92
n hf.....	9 87 26	320.00	.....	.....
s hf.....	15 87 26	320.00	se qr.....	160.00
all.....	19 87 26	609.18	nw sw, s hf sw, s hf se...	184.74
n hf.....	21 87 26	320.00	ne nw.....	40.00
w hf.....	23 87 26	320.00	.....	.....
nw qr.....	27 87 26	160.00	.....	.....
w hf ne, e hf nw.....	29 87 26	160.00	.....	.....
w hf se, e hf sw.....	29 87 26	160.00	se sw.....	40.00
all.....	31 87 26	605.92	all.....	605.92
n fr hf nw, lots 1, 2, 3, 4.....	1 88 27	241.56	ne nw, lots 1, 2, 3, 4.....	204.52
s hf.....	11 88 27	320.00	w hf sw.....	80.00
sw qr, w hf se.....	1 87 27	240.00	n hf sw, w hf se.....	160.00
ne qr.....	7 87 27	160.00	w hf ne.....	80.00
n hf.....	9 87 27	320.00	.....	.....
e hf.....	11 87 27	320.00	e hf ne.....	80.00
all.....	13 87 27	640.00	se ne.....	40.00
lots 3, 4.....	15 87 27	113.90	lot 4.....	62.50
all.....	19 87 27	618.40	.....	.....
ne qr, ne nw, e hf se, lots 4, 5, 6, 7, 8.....	23 87 27	475.50	se se, lot 8.....	76.75
all.....	25 87 27	604.25	n hf ne, e hf nw, nw nw, lots 1, 2, 4, 5.....	382.05
w hf.....	27 87 27	320.00	.....	.....
all.....	29 87 27	640.00	.....	.....
all.....	31 87 27	620.44	.....	.....
e hf.....	33 87 27	320.00	.....	.....

APPROVED TO THE STATE UNDER THE 500,000 ACRE GRANT.			SOLD BY JOHN TOLMAN AS SCHOOL FUND COMMISSIONER.	
Parts of Sections.	S. T. R.	Acres.	Parts of Sections.	Acres.
w hf ne, e hf nw, se.....	31 88 27	320.00	w hf se.....	80.00
se qr.....	3 87 28	160.00	.....	.....
ne qr.....	11 87 28	160.00	.....	.....
e hf se, nw se, lots 1, 2, 3.....	5 88 28	352.44	e hf se, nw se.....	120.00
w fr hf, ne qr.....	7 88 28	468.00	.....	.....
e hf, n hf nw.....	11 88 28	400.00	.....	.....
sw qr.....	13 88 28	160.00	sw qr.....	100.00
w hf sw.....	17 88 28	80.00	nw sw.....	40.00
e hf ne.....	19 88 28	80.00	.....	.....
s hf.....	21 88 28	320.00	.....	.....
e hf.....	23 88 28	320.00	a hf se, se se.....	120.00
n hf, se qr.....	23 88 28	480.00	.....	.....
Total.....	12,813.51	.....	.....	3,394.80

8TH.—THE SWAMP LAND GRANT.

My predecessor gives a careful summary of the laws and decisions bearing upon this grant, up to November, 1865, and since then there has been no change in the rulings of the Land Department at Washington to render the situation of claims under this grant more satisfactory than at that date.

By the law appointing Mr. Harvey a commissioner to adjust other unsettled land claims, in which he was very successful, he was also empowered to adjust, as far as possible, the swamp land claims of the State. Up to date he has not made much progress in this department; he, however, intends to return to Washington and renew his efforts in respect to the settlement of the swamp land matters, as soon as Congress reassembles, as he can then have the moral support of our delegation in that body, and he feels assured that with this, he will be able to further the interests of the State very materially in respect to these lands. In the mean time it seems to me possible for the legislature to make a partial settlement of this question without relying upon this circumlocution office at Washington.

As a majority of the land grant railroads have forfeited all right to railroad lands under the terms of their charters, they will be before the Legislature, the coming winter, asking extension of time; and it will then be practicable for the State to make terms with the delinquent companies, whereby these lands shall be relinquished to the counties having a right to them. Or otherwise, it will be in the province of the General Assembly to resume

these lands, and in regranting them either to the old or new companies, to reserve the swamp and overflowed lands that come under the act of 1850. Especially should this relinquishment be required where they have passed into the hands of *bonafide* purchasers from the counties. In some instances tracts have been sold for years, valuable improvements have been made upon them, and subsequently to the selection and sale by the county, under the rulings of the Land Department at Washington, they have been certified to the railroad companies, and the grantee of the county who has spent his all upon them, finds himself without a title, in the hands of a powerful corporation, and of course a ruined man; as no money which the county can refund will remunerate him for the loss of his home and sacrifice of his improvements.

A list of the lands patented to the State, and by the State to the Counties will be found in connection herewith. The land is patented by this office, to the counties as fast as patents are received from the Commissioner of the General Land Office.

This list also shows the indemnity lands enuring to the State under the act of 1855, which have been patented to the State, and by the State to the Counties.

There is now in this office scrip belonging to Appanoose, Clayton, Mills and Marion counties, of which they have been duly notified, but as yet have taken no steps towards locating. This scrip should be located soon, as public land in this State is becoming scarce, and to it the locations will be confined.

The following table exhibits the number of acres certified as enuring to State, number of acres patented to State and by the State to the Counties, number of acres of indemnity scrip issued and the number of acres of indemnity patented to the State and by the State to the Counties—since the date of last report:

REGISTER OF THE STATE LAND OFFICE.

COUNTIES.	No. acres certified as enuring to the State.	No. acres patented to State and by the State to the Counties.	No. of acres of indemnity scrip issued.	No. of acres of indemnity patented to State and by the State to the Counties.
Aair.....				
Adams.....	978.87		200.00	
Alamakee.....				
Appanoose.....	120.00	120.00		
Audubon.....	40.00		40.00	
Benton.....	350.39	310.39	3,280.81	3,280.44
Black Hawk.....	1,319.61	1,319.61		4,878.25
Boone.....	9,707.12	9,626.66		1,049.69
Bremer.....	1,800.00	2,600.00		3,198.01
Buchanan.....	793.60	793.60		1,839.08
Buena Vista.....				
Butler.....	782.42	782.42		1,145.97
Calhoun.....	11,047.00	8,383.99	510.23	
Carroll.....	1,716.39	2,115.56	3,161.98	3,161.67
Cass.....	40.00		9,042.92	9,042.92
Cedar.....		91.10		
Cerro Gordo.....			30,057.54	
Cherokee.....	240.00	240.00		
Chickasaw.....				9,157.11
Clarke.....			684.37	
Clay.....				
Clayton.....				
Clinton.....	80.00	10,190.49		
Crawford.....				
Dallas.....	400.00	400.00		200.00
Davis.....				
Decatur.....		320.00		2,320.00
Delaware.....	240.00	240.00	2,200.00	2,200.00
Des Moines.....	80.00	80.00		918.91
Dickinson.....				
Dubuque.....	40.00			841.21
Emmett.....				
Fayette.....	200.00	200.00		
Floyd.....			3,316.89	
Franklin.....				
Fremont.....				
Greene.....	4,751.77	4,751.76		
Grundy.....			2,838.69	
Guthrie.....				
Hamilton.....	6,172.11	6,172.11	7,480.29	
Hancock.....	294.82	214.32	5,683.17	

COUNTIES.	No. acres certified as accruing to the State.	No. acres patented to State and by the State to the Counties.	No. of acres of Indemnity scrip issued.	No. of acres of Indemnity patented to State and by the State to the Counties.
Hardin.....	320.00	320.00	2,310.87	
Harrison.....				
Henry.....			1,318.59	
Howard.....		6,754.21		
Humboldt.....	13,027.72	4,779.35		
Ida.....				
Iowa.....				3,434.40
Jackson.....	3,517.64	3,517.64	1,896.46	
Jasper.....	120.00	120.00		
Jefferson.....				
Johnson.....		157.44		
Jones.....	860.10	1,117.36		6,220.07
Keokuk.....	86.34	166.34		
Kossuth.....	38,085.09	30,655.22		
Lee.....	49.90	49.90		
Linn.....	1,349.63	1,336.71	2,437.46	2,437.33
Louisa.....	210.73	310.73	601.02	596.00
Lucas.....				
Madison.....		40.00	9,054.12	9,053.34
Mahaska.....	40.00	40.00		2,240.60
Marion.....	40.00	40.00		
Marshall.....	3,252.11	3,289.41		
Mills.....	400.00		359.86	4,174.49
Mitchell.....				
Monona.....	38,465.25	4,392.93	10,113.30	
Monroe.....				
Montgomery.....	80.00		480.00	
Muscatine.....	25.43	432.02	3,875.71	3,869.00
O'Brien.....				
Page.....			80.00	
Palo Alto.....	27,791.20	13,788.25		
Plymouth.....	360.00	360.00		
Pocahontas.....	13,255.34	11,787.48		
Polk.....	1,211.87	1,251.87		3,860.88
Pottawattamie.....				4,540.69
Poweshiek.....				
Ringgold.....		800.00	5,033.94	
Sac.....	1,480.00	1,480.00	4,520.00	
Scott.....		809.95		
Shelby.....	80.00		5,715.55	
Sioux.....				

COUNTIES.	No. acres certified as accruing to the State.	No. acres patented to State and by the State to the Counties.	No. of acres of Indemnity scrip issued.	No. of acres of Indemnity patented to State and by the State to the Counties.
Story.....	8,561.88	8,122.71		
Tama.....	40.00		1,740.00	2,169.54
Taylor.....		80.00	1,999.96	
Union.....		80.00	4,752.49	
Van Buren.....	80.00	40.00		
Wapello.....				
Warren.....			7,427.47	
Washington.....	80.00	360.00	2,758.98	5,319.23
Wayne.....			564.22	560.00
Webster.....	6,813.21	6,853.21	3,695.23	
Winnebago.....	160.00	40.00	922.32	
Winnesheik.....			1,040.00	
Woodbury.....	3,534.64	3,334.64		
Worth.....				
Wright.....	817.72	560.00	5,240.00	
Total.....	126,542.99	156,219.38	146,434.44	91,708.83

The Eleventh General Assembly passed the following act, resuming certain lands within the "five mile limits" of the Des Moines river, which had heretofore been approved and certified to the State for the benefit of the Mississippi & Missouri River Railroad:

AN ACT to quiet the title to certain lands sold by the State to individuals as part of the Des Moines River Grant.

WHEREAS, By act of Congress, approved August 8th, 1846, there was granted to the State of Iowa, certain lands for the improvement of the Des Moines river, and under said grant lands lying along said river, and within five miles thereof, above the Raccoon Forks, were certified to the State by the Department of the Interior, and were sold by the proper State authorities, to individuals, and patents issued therefor, and the proceeds of such sales applied to the improvement of the river;

And, Whereas, The Supreme Court of the United States has decided that the Des Moines River Grant of lands extended only to the "Raccoon Forks;"

And, Whereas, Since said decision Congress has extended the

Des Moines River Grants to the northern boundary of the State, and relinquished to the State all title which the United States retained in the tracts of land along the Des Moines river, heretofore certified by the Department of the Interior as part of the original Des Moines River Grant, and which is now held by *bona fide* purchasers of the State of Iowa;

And, *Whereas*, A large portion of the lands sold by the State to individuals and since falling within the limits of the grant known as that of the Mississippi & Missouri Railroad, has become forfeited to the State, by the failure of said road to comply with the conditions of its grant, and recognizing it as the duty of the State at all times to protect individuals holding its patent for lands purchased in good faith, and for a valuable consideration, in the quiet possession of their farms and houses; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the lands and all the rights to the hereinafter described lands and the interests, rights, powers and privileges in and to, and concerning such lands, lying within five miles of the Des Moines river on either side thereof heretofore conferred or intended to be conferred upon the Mississippi & Missouri Railroad Company, if any such lands, rights, interests, powers, or privileges, were ever so conferred by an act approved July 14th, 1856, entitled "An Act to accept the grant and carry into execution the trust conferred upon the State of Iowa by an act of Congress entitled an act making a grant of lands to the State of Iowa in alternate sections, to aid in the construction of certain railroads in said State," and by an act of Congress approved May 15th, 1856, entitled "An Act making a grant of lands to the State of Iowa in alternate sections, to aid in the construction of certain railroads in said State," and by an act of Congress approved June 2d, 1864, entitled "An Act to amend an act entitled an act making a grant of lands to the State of Iowa in alternate sections to aid in the construction of certain railroads in said State," be and the same are hereby absolutely and entirely resumed by the State of Iowa.

Provided further, That the resumption herein provided for shall not be considered as a waiver of the right of the State to resume the remaining lands conferred or intended to be conferred upon the Mississippi & Missouri Railroad Company.

Parts of Section.	Sec.	Tp.	Range	Acres.
s $\frac{1}{2}$ sec. n w $\frac{1}{2}$ s $\frac{1}{2}$ n e n w, n e $\frac{1}{2}$	7	79	23	629.44
s w n e $\frac{1}{2}$, n w n w, s w n w s e.....	17	79	23	280.00
s w n w w $\frac{1}{2}$ s w.....	31	80	23	143.34
lot 6.....	9	78	24	43.79
s $\frac{1}{2}$ sec. and fraction on left bank.....	17	78	24	320.47
all.....	19	78	24	653.12
n w n w.....	21	78	24	40.00
n w n e, e $\frac{1}{2}$ n w, n w n w.....	29	78	24	160.00
n $\frac{1}{2}$ s w, n e s w.....	29	78	24	120.00
n e $\frac{1}{2}$ e $\frac{1}{2}$, n w n $\frac{1}{2}$ s e.....	31	78	24	320.00
e $\frac{1}{2}$ n $\frac{1}{2}$ n w s $\frac{1}{2}$ s w.....	1	79	24	508.62
s w n w.....	3	79	24	40.00
n w s w lots 5 and 6.....	5	79	24	121.70
w $\frac{1}{2}$ n e, s w n e, s $\frac{1}{2}$ s e, and w $\frac{1}{2}$	7	79	24	523.42
w $\frac{1}{2}$ n e, w $\frac{1}{2}$ s e, w $\frac{1}{2}$ s w.....	11	79	24	240.00
s e s w.....	11	79	24	40.00
e $\frac{1}{2}$ s w $\frac{1}{2}$ and e $\frac{1}{2}$ n w $\frac{1}{2}$	13	79	24	560.00
all.....	15	79	24	640.00
w $\frac{1}{2}$ s w, s e s w, lots 7, 8, 9.....	17	79	24	280.25
all.....	19	79	24	646.74
w $\frac{1}{2}$ s w, s w n w.....	21	79	24	120.00
s $\frac{1}{2}$ sec. n w s $\frac{1}{2}$, n e $\frac{1}{2}$ n w $\frac{1}{2}$ n e.....	23	79	24	600.00
s $\frac{1}{2}$ n w, w $\frac{1}{2}$ s w.....	25	79	24	160.00
n $\frac{1}{2}$ n e, n $\frac{1}{2}$ n w.....	29	79	24	160.00
n w $\frac{1}{2}$	31	79	24	169.96
s $\frac{1}{2}$ s w.....	7	80	24	86.61
s w $\frac{1}{2}$	9	80	24	160.00
n w $\frac{1}{2}$ and s e $\frac{1}{2}$	15	80	24	320.00
n e n e.....	17	80	24	40.00
e $\frac{1}{2}$ n e.....	19	80	24	80.00
n e $\frac{1}{2}$ and w $\frac{1}{2}$	23	80	24	480.00
n e $\frac{1}{2}$ and w $\frac{1}{2}$	25	80	24	480.00
n e n e, s w s w s e.....	27	80	24	240.00
e $\frac{1}{2}$ s e, and s w s e.....	29	80	24	120.00
n w $\frac{1}{2}$ and w $\frac{1}{2}$ s e $\frac{1}{2}$	33	80	24	240.00
all.....	31	80	24	527.43
e $\frac{1}{2}$ n e.....	35	80	24	80.00
s $\frac{1}{2}$ n w, s $\frac{1}{2}$ n e, and n w n e.....	1	78	25	643.65
e $\frac{1}{2}$ n w, and e $\frac{1}{2}$ s w.....	3	78	25	617.12
e $\frac{1}{2}$ n e, s w n e, and s e n w.....	11	78	25	160.00
n e s e.....	13	78	25	40.00
w $\frac{1}{2}$ n e s e n e, w $\frac{1}{2}$ s e $\frac{1}{2}$	23	79	25	600.00
all.....	25	79	25	640.00
n $\frac{1}{2}$, n $\frac{1}{2}$ s w s e, s w s e.....	27	79	25	600.00
w $\frac{1}{2}$ n e $\frac{1}{2}$, w $\frac{1}{2}$ s e and w $\frac{1}{2}$	35	79	25	480.00

Parts of Sections.	Sec.	Tp.	Range	Acres.
$s\frac{1}{2}$ ne $\frac{1}{2}$	1	80	25	80.00
ne ne, sen w, e $\frac{1}{2}$ sw se.....	5	80	25	332.81
ne $\frac{1}{2}$ w $\frac{1}{2}$, e $\frac{1}{2}$ se.....	9	80	25	560.00
lots 1, 2, 6.....	11	80	25	105.83
lots 3, 4, 7, 8.....	13	80	25	180.15
n $\frac{1}{2}$ s es w, and sw se, and n $\frac{1}{2}$ se.....	15	80	25	480.00
sw ne, s $\frac{1}{2}$ n wn $\frac{1}{2}$ sw.....	17	80	25	200.00
ses w, w $\frac{1}{2}$ se.....	17	80	25	120.00
e $\frac{1}{2}$ ne, and e $\frac{1}{2}$ nw, n wn w.....	21	80	25	200.00
e $\frac{1}{2}$ e $\frac{1}{2}$, n w e $\frac{1}{2}$, s w s w s w.....	23	80	25	520.00
n $\frac{1}{2}$ s wn $\frac{1}{2}$ se, se se.....	25	80	25	600.00
e $\frac{1}{2}$ ne, n wn e, w $\frac{1}{2}$ sw, e $\frac{1}{2}$ se.....	27	80	25	280.00
sw ne, sen w, n $\frac{1}{2}$ sw, sw se.....	29	80	25	200.00
n w, e $\frac{1}{2}$ sw, se.....	33	80	25	400.00
e $\frac{1}{2}$, ne, n w, and e $\frac{1}{2}$ se.....	35	80	25	320.00
n $\frac{1}{2}$ ne, n w se.....	11	80	26	120.00
w $\frac{1}{2}$ n w.....	13	80	26	80.00
n $\frac{1}{2}$	21	81	26	320.00
n $\frac{1}{2}$ se.....	23	81	26	480.00
Amounting in all to.....				19,734.45

SECTION 2. That in lieu of the land hereby confirmed to individual purchasers, the Register of the State Land Office shall set apart to, and for the Mississippi & Missouri Railroad Grant an equal number of acres from the Grant known as "Indemnity Lands," (reserved in Section 5 of Chapter 108 of the Acts of the 10th General Assembly) granted by Acts of Congress approved July 12th, 1862, and accepted by the General Assembly by Joint Resolution, dated Sept. 11th, 1862, *Provided*, That none of the indemnity Lands set apart in this section shall be certified to the Mississippi and Missouri Railroad Company unless the Supreme Court of the United States shall decide that the lands, described in Section 1 of this Act, were included in the Grant of Lands made to the State of Iowa by Act of Congress approved May 15th, 1856; *Provided*, further, that before any of the indemnity lands aforesaid shall be certified to the said Railroad Company all the incumbrances created or suffered by said Company upon the said lands hereby confirmed, or any part thereof shall be removed therefrom.

SECTION 3. That before any lands included in the Grant to the

Mississippi and Missouri Railroad Company shall be certified to said Company or its assignees, and before the Governor of this State shall certify to the completion of any part of said Road, they shall file with the Register of the State Land office, a formal and legal release of all lands described in the first section of this act, and an acceptance in lieu thereof of the indemnity lands set apart by said Register.

SECTION 4. That should the rights and grants conferred upon the Mississippi and Missouri Railroad Company by act of the General Assembly approved July 14th, 1856, be at any time resumed by the State and granted to another company, then all the provisions of this Act shall be held to apply to the company upon which such rights and grants are conferred.

Approved April 2d, 1866.

9TH—RAILROAD GRANTS.

The questions of a judicial and legislative character presented in the complicated position of the railroad land grants, were stated in the last Biennial Report from this office. Nothing has since transpired to render the relation of the companies claiming these lands, to the State, or the general Government, more satisfactory than at that time.

With two or three exceptions, nothing has been done for several months to extend the several railroads intended to be advanced by these grants, while other roads in the State, unaided by grants, are being pushed forward with energy and success.

Whether anything can be done by legislation to insure the building of the railroads as contemplated by the act of Congress making the grants, does not come within the province of this office to inquire, only so far as such failure may affect the title to land of which the State is the trustee, and should have a supervisory care. In this view it seems that though the Dubuque & Sioux City Railroad Company—which received the most munificent grant of any in the State—have not found it convenient, or as shown by the correspondence between Mr. Platt Smith and other members of the company did not design to construct any road west of Iowa Falls, nevertheless, the company has had the remarkable enterprise to go as far west as the Des Moines Valley, sixty miles in advance of any completed road, where its agents have

sold large quantities of valuable lands. As the right of these companies to dispose of land more than twenty miles in advance of completed road, was generally questioned by the best legal minds, to give these transactions a businesslike air, the land was first transferred through the agency of mortgages and a process in the courts, to what was called the "Homestead Company," (generally understood to be an *alias* for Dubuque & Sioux City Railroad Company), and then sold out in small tracts by this company. And now since the decision of the Supreme Court of the United States, December term, 1866, in the Walcott case, it turns out that even though other irregularities would not have vitiated these sales, that the odd numbered sections within five miles of the Des Moines river, being a reservation when the act of May 15, 1856, became a law, were not included in that grant, in fact were specially excepted from it.

It will, therefore, become the legislature seriously to inquire how the rights of these innocent purchasers under the "Homestead Company" may be protected. It is to be hoped that if the Dubuque & Sioux City Railroad Company is allowed, like a barren fig tree, to cumber all the odd sections between the Des Moines and Missouri rivers for the next two years, it will be with the express condition that the company make good the money illegally obtained from these purchasers.

And then, as the Des Moines Valley Railroad Company, to whom it is thought these lands will enure under the decision of the court, have not fulfilled the law under which they became the beneficiaries of the grant of July 12th, 1862, it should be made a condition of the extension of time to this Company, if the Legislature should grant further time, that all parties holding claims in virtue of these sales, by the "Homestead Company," or other persons having equitable rights in any portion of these lands, shall receive a title on payment of a fair price; at least not more than pre-emptors pay along the line of other roads. These suggestions are thrown out in reference to these two roads, about which I am informed, and of course the same rule should be applied to others, when delinquency on the part of the Company, will justify legislative interference. It certainly will not be unjust to demand security for the future and a little indemnity for the past.

By an Act of Congress approved March 3d, 1865, entitled: An Act extending the time for the completion of certain railroads in the State of Minnesota and Iowa, and for other purposes, the 10th Section reads as follows: "*And be it further enacted*, That the time mentioned in an act entitled an act making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of certain railroads in said State, for the completion of the railroads named in said act, be and the same is hereby extended two years" (U. S. Statutes, page 526, chapter 105, laws 38th Congress). The time being thus extended to the State two years, which will end May 15th, 1868, these delinquent companies will doubtless ask the Legislature to besiege Congress by a joint resolution for additional time, while they will look to the State, for a like extension; and it will then be within the power of the State to settle all of the disputed points in relation to the tenure by which the companies profess to hold these grants. By nearly all the companies, if not all, the trusteeship of the State seems to be entirely ignored, they deeming a formal transfer of these lands, by patent, from the State, upon the completion, in accordance with the terms of the grant, of any portion of said roads, unnecessary. In any new terms made for extension of time, or resumption and transfer to new Companies, it should be plainly "nominated in the bond," that under no circumstances shall the trusteeship which Congress designed the State should exercise over these grants, be surrendered, until a final transfer, by patent, under the great seal of the State. This should be done not more for insuring the fulfillment of the law in respect to the construction of the Railroads, than to protect innocent purchasers or pre-emptors who have prior rights upon tracts of these lands, and to insure the settlement of Swamp land confusions, especially when third parties, holding titles under the Counties, will otherwise suffer.

Letters of similar import to that which follows, are frequently referred to this office:

DEPARTMENT OF THE INTERIOR, }
GENERAL LAND OFFICE, Sept. 3, 1867. }

His Excellency, Hon. Wm. M. Stone, Governor of Iowa; Des Moines, Iowa:

Sir:—Under date of July 18, 1856, Robert Cole filed a decla-

ratory statement upon the $w \frac{1}{2} s w \frac{1}{2}$ Sec. 3, T. 83 n R. 21 w, Des Moines, Iowa, Land District, alleging settlement thereon four days previously, and on June 13, 1857, Mr. Cole "proved up" and located Warrant No. 12,057, 80 acres, act of 1855, upon said tract, showing by good and sufficient testimony that he had settled upon the land described in good faith.

This land is within six miles of the "Central Air Line Railroad," and was approved to the State of Iowa, for the use of said railroad, October 24, 1859, the right of the road having attached to land in T. 83 n R. 21 west, March 17, 1857.

Mr. Cole having proved a settlement upon said land *eight months* before the right of said railroad attached thereto, it is respectfully requested that the proper State and Company authorities will execute a release of their color of title to said tract, and forward the same to this office, in order that a patent may issue to Mr. Cole, upon his said location with Warrant No. 12,057.

I have the honor to be very respectfully,

Your obedient servant,
JOS. S. WILSON, Commissioner.

In one or two instances I made out releases to the color of title held by the Railroad Companies, and forwarded blank copies to the Secretaries of the Companies interested, asking that they have them executed by the proper officers of their Companies, under their Corporate Seal, &c., in order that I might enclose them with the release of the State to the Commissioner of the General Land Office, and thus insure a patent from the Government, for the land, without annoying delays to the owner. But not even receiving a reply to my communications, I enclosed and forwarded the relinquishment of the Governor, deeming that sufficient; especially so long as no transfer had been made to the Companies by the State, and as prior existing rights were expressly provided for in the lists of land certified to the State, for the benefit of these Railroads.

In this connection I would respectfully suggest that the attention of the Legislature be called to the necessity of passing a law authorizing the Governor to release the color of title which the State may have in all cases of a like character with the foregoing; and also when in individual donations to the State, the record shows mistakes in the description, the Governor should be

empowered to release, in order that deeds may be received, by the State, for the proper tracts of land. Several instances of this nature have happened in reference to the donations for the Agricultural College, made by parties in the counties of Story and Boone.

Herewith will be found lists of the lands enuring to the State of Iowa under the Act of Congress of July 12, 1862. The lists of those *in place*, are given in full, with description of the subdivisions; while the aggregate of the indemnity lands certified to the State under the same act, will also be found immediately following the lists.

In addition to these, several thousand acres (probably not less than 18,000 unincumbered) of the most valuable land in the Des Moines Valley—lying within fifteen miles of the Dubuque and Sioux City Railroad line, and claimed by that company, previous to the decision of the Supreme Court of the United States, commonly called the Walcott case, and herewith published, but by that decision enuring to the State under the act of July 12th, 1862—are to be disposed of in accordance with Chapter 108, of the laws of the Tenth General Assembly, and Chapter 22, of the laws of the Eleventh General Assembly, entitled "An act supplemental to Chapter 108, of the laws of the Tenth General Assembly," which reads as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all moneys received by the Register of the State Land Office, as provided by section 13 of chapter 108, of the Laws of the Tenth General Assembly, shall be paid over to the State Treasurer, who shall pay out the same as follows: 1st, The expenses of such classification, appraisement, advertisement and sale; 2d, sums due the State for moneys advanced or due other parties as mentioned in section 9 of the Act to which this Act is supplemental; 3d, he shall pay the warrants provided for in section 2 of this act, *pro rata*, as such moneys shall be received.

SEC. 2. That there is hereby appropriated out of the money thus to be paid into the State Treasury the sum of one hundred and seventy thousand dollars, or so much thereof as may be necessary for the payment of the claims of the following persons, or their assignees:

James J. Kinnersly, Jonas Houghton, Adam Hine, Wm. Baker,

R. Jackson for heirs of A. Miller, Wm. Armstrong, Edwin Manning, John Parker, H. D. Stewart, Van Buren county; Meek & Bros., Joseph Benning, George Grey, D. Kennedy, S. Dwight Eaton, Peter Tobie, Thomas H. Harlan, Guy Wells, J. P. Gray, Robert P. Gray, Felix Deck, John Stafford, J. Benning, Administrator, Wm. McCowan, Isaac P. Gray, Gray & Co., Wells, Chedester & Co., Green, Bragg & Co., E. T. Colton, Meek & Sons, O. H. P. Scott, H. K. Love & Co.; and the Auditor of State is hereby required to draw warrants therefor upon the written application of James J. Kinnersly and the other parties mentioned in this section, or their assignees, which warrants shall be payable out of the moneys mentioned in Section 1 of this Act, and shall draw interest at the rate of seven per cent. per annum, provided such warrants shall not be construed as rendering the State liable to pay the said warrants except out of the aforesaid Fund.

Sec. 3. The written application for said warrants shall specify the amount of warrants that shall be issued in the name of each of said parties, or their assignees, the correctness of which shall be evidenced by the certificate of the Register of the State Land Office.

Sec. 4. The warrants issued under the provisions of this Act shall be receivable in payment for lands sold under the provisions of the Act to which this Act is supplemental.

Sec. 5. The Des Moines Valley Railroad Company may at any time pay any of the warrants mentioned in this Act upon the like condition that they are authorized by the Act to which this is supplemental, to pay off the claims therein mentioned; and if the said company shall be unadvised of the whereabouts of such warrants they may pay the funds for the redemption thereof into the State Treasury, from which time interest shall cease to accrue on such warrants: Provided, however, that no part of the lands mentioned in this Act, or in the Act to which this is supplemental, shall be conveyed to said Railroad company until all of said warrants shall have been paid.

Sec. 6. When the funds for the redemption of said warrants shall be received by the State Treasurer, he shall give notice thereof in the manner now required to be given for the redemption of outstanding warrants.

Sec. 7. That after the lands mentioned in section 4, of the act

to which this act is supplemental, shall have been offered for sale, under the provisions of said act, for the space of three months and remain unsold, it shall be competent for the Register of the State Land Office with the advice and approval of the Census Board, to sell such lands at a less price per acre, if by said Board deemed advisable, provided the said lands should not be sold at a price less than \$1.25 per acre, and provided said Register shall first give thirty days' notice by publication in the State Register, and the Iowa North-West, of the time of said sale, at such reduced price.

Sec. 8. All persons who may at the date of the passage of this Act be in actual occupation and possession of any portion of said lands, shall have prior right to purchase the same at \$2.50 per acre, not exceeding 160 acres to any one settler.

Sec. 9. This Act being deemed of immediate importance by the General Assembly, shall take effect, and be in force from and after its publication in the Iowa State Register and Iowa Home-stead, newspapers published at Des Moines, Iowa.

Approved March 12th, 1866.

May 12, 1864, an Act of Congress was approved for the benefit of the McGregor Western Railroad entitled, "An Act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a Railroad in said State;" (which Act may be found on page 72, chapter 84, Statutes at Large of the 38th Congress, or in Mr. Harvey's last Report.)

In response to this the Eleventh General Assembly passed the two following laws:

AN ACT to accept of the Grant and carry into execution the Trust conferred upon the State of Iowa, by an Act of Congress entitled "An Act for a grant of lands to the State of Iowa in alternate sections, to aid in the construction of a railroad in said State."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the lands, rights, powers and privileges conferred upon the State of Iowa by the Act of Congress entitled "An Act for a grant of land to the State of Iowa in alternate sections, to aid in the construction of a railroad in the State of Iowa," approved May 12, 1864, be, and the same are hereby accepted upon the terms, conditions, and restrictions contained in said Act of Congress.

Sec. 2. That so much of the lands, interests, rights, powers,

and privileges, as are or may be granted and conferred in pursuance of the Act of Congress aforesaid, for the purpose of aiding in the construction of a railroad from Sioux City, in the said State of Iowa, to the south line of the State of Minnesota, at such point as the said State of Iowa may select between the Big Sioux and the west fork of the Des Moines River be, and are hereby disposed of, granted and conferred upon the Sioux City and St. Paul Railroad Company, a body corporate existing under and by virtue of the laws of the State of Iowa.

SEC. 3. That said company shall locate and definitely fix the line and route of said road as soon as practicable after the passage of this Act, and shall file a map showing such line or route in the office of the Governor of the State of Iowa, and also in the office of the Secretary of State of the State of Iowa; and it shall be the duty of the said Governor after affixing his official signature thereto, to file, or cause to be filed such map in the office of the Secretary of the Interior. But the location of such line or route, however, shall be considered final only so far as to fix the limit and boundary within which lands may be selected under, and by virtue of said Act of Congress.

SEC. 4. The said road shall be constructed upon the usual gauge (gauge) of other first class roads in this State, and the iron used in the track shall be of approved quality and pattern; and the said road shall be constructed and finished in a style and of a quality equal to the average of other first class western roads; and when the said road shall be intersected by any other railroad hereafter constructed, it shall be the duty of the company receiving the benefit of this Act to furnish all proper and reasonable facilities, and to join such other company in making all necessary crossings, turnouts, sidings, and switches, and other conveniences for the transportation of all freight and passengers over their road, and the rates for transportation shall not in any case exceed the regular tariff of charges on said road.

SEC. 5. The said company shall assent to and accept the grant by this act conferred, by a written instrument under the seal of such corporation, and signed by its President and Secretary, and shall file the same in the office of the Secretary of State of the State of Iowa within six months after the passage of this Act.

SEC. 6. The said company is hereby authorized and empowered

to select and designate the point upon the south line of the State of Minnesota, to which the said road shall be built, between the "Big Sioux" and the "west fork" of the Des Moines Rivers, as designated in said Act of Congress.

SEC. 7. The Company accepting the provisions of this Act shall at all times be subject to such rules, regulations and restriction of rates for the transportation of passengers and freight as may be enacted and imposed by the General Assembly of the State of Iowa, not inconsistent with the provisions of this Act and the act of Congress making the grant aforesaid.

SEC. 8. The said Company accepting the grant of land under the provisions of this Act, shall take the same with the conditions imposed and the terms provided by this Act, and in no event shall said Company have any claim or recourse upon the State of Iowa by reason of the conditions imposed by this Act.

SEC. 9. All persons who, at the time said grant was made, held valid claims by actual occupation and improvement upon any of the lands embraced in said grant, shall be protected in the same and entitled to purchase and enter the same upon the terms and conditions provided in Sections 1308 and 1309, Chapter 55, of the Revision of 1860.

SEC. 10. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register, a newspaper published in Des Moines, and the Sioux City Journal, a newspaper published in Sioux City, said publication to be without expense to the State.

Approved April 3d, 1866.

AN ACT to accept the grant of land to the State of Iowa, made by Act of Congress of May 12, 1864, and to carry out the provisions of said Act, 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."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the lands, rights, powers, duties, and trusts conferred upon the State of Iowa by an Act of Congress, approved July 12th, 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, are hereby accepted by said State, upon the terms, conditions, and restrictions contained in said Act of Congress.

SEC. 2. Whenever any lands shall be patented to the State of

Iowa, in accordance with the provisions of said Act of Congress, said lands shall be held by the State in trust for the benefit of the Railroad Company entitled to the same by virtue of said Act of Congress, and to be deeded to said Railroad Company as shall be ordered by the Legislature of the State of Iowa, at its next regular session, or at any session thereafter.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved April 20th, 1866.

What the position of this grant now is, I am not informed, no lists of the land enuring to the State, under the grant, having as yet been certified from the Department of the Interior. I believe, however, the plats of the roads, as required, have been filed with the Secretary of State, and other preliminary steps were being taken to insure the certification of the land.

It however transpired in the course of these proceedings, that complaints were made to Mr. Harlan, who was then Secretary of the Interior, that the Company had not fulfilled the conditions of the grant, neither in the initiatory point from which the line started westward from the Mississippi river, nor in the route located; a portion of the line running through Southern Minnesota.

Mr. Harlan therefore sent a special agent to examine into, and report upon these disputed matters. This agent reported adversely to the right of the Company and against the certification of the land grant to the State. Consequently the claims of the Company still remain in abeyance. I, however, have but little information in respect to the questions involved, and that is unofficial, as neither the report of this special agent, nor any of the previous or subsequent proceedings, relative to these lands, have reached this office.

The following lists exhibit all of the Des Moines River Lands *in place*, which have been approved and certified to the State of Iowa, under the act of Congress of July 12, 1862, and contain in the aggregate, 167,109.02 acres:

A list of Des Moines River Lands in place approved to State, June 14, 1866, Act of July 12th, 1862,—in Fort Dodge District.

Parts of Section.	Sec.	Tr.	Range	Area.
lots 3, 4, 5 and w hf sec.	7	91	28	203.50
se sec and w fr hf of sec.	7	91	28	336.80
frl part of sec. (west of river)....	17	91	28	4.40
lots 5, 6, 7, 8, 9 and 10.	19	91	28	214.00
n fr hf nw and sw fr qr of nw....	19	91	28	108.21
nw fr qr sw.	19	91	28	32.62
lot 5 (west of river).....	29	91	28	9.00
lots 2, 3, 4, 5.	31	91	28	163.02
w hf ne and w fr hf sec.	31	91	28	389.28
n hf sec. and se qr.	17	92	28	480.00
w hf sw.	17	92	28	80.00
nw ne and se ne.	19	92	28	80.00
e hf nw and e hf sw.	19	92	28	160.00
se qr.	19	92	28	160.00
nw qr and n hf sw.	21	92	28	240.00
se sw.	21	92	28	40.00
e hf.	29	92	28	320.00
lots 5 and 6 (west of river)....	33	92	28	41.42
n fr hf nw.	5	90	29	71.13
all.	1	91	29	663.10
nw fr qr of nw and s hf of nw ...	3	91	29	128.87
s hf.	3	91	29	320.00
e fr hf.	5	91	29	337.87
e hf of sec. and nw qr.	9	91	29	480.00
sw.	9	91	29	160.00
all.	11	91	29	640.00
all.	13	91	29	601.83
all.	15	91	29	640.00
e hf.	17	91	29	320.00
all.	21	91	29	640.00
all.	23	91	29	640.00
all.	25	91	29	640.00
all.	27	91	29	640.00
e hf sec. and e hf nw.	29	91	29	400.00
e hf sw.	29	91	29	80.00
e hf ne and e hf se.	31	91	29	160.00
all.	33	91	29	634.00
n hf sec. and n hf se.	35	91	29	400.00
sw se and sw.	35	91	29	200.00
s hf ne and nw fr of ne.	1	92	29	135.01
nw fr qr and s hf sec.	1	92	29	509.18
all.	3	92	29	691.86
all.	5	92	29	689.82

Parts of Section.	Sec.	Tp.	Range	Area.
all	7	92	29	628.20
n hf sec. and w hf se.	9	92	29	400.00
ne se and sw	9	92	29	200.00
all	11	92	29	640.00
n hf sec. and w hf se.	13	92	29	400.00
sw	13	92	29	160.00
all	15	92	29	640.00
n hf sec. and e hf se.	17	92	29	400.00
sw se and sw	16	92	29	200.00
ne and s hf sec.	23	92	29	480.00
n hf sec. and n hf se.	25	92	29	400.00
sw se.	25	92	29	40.00
ne ne.	27	92	29	40.00
n hf and s hf sec.	31	92	29	491.96
n hf sw and sw sw.	29	93	30	120.00
nw ne and s hf ne.	31	93	30	120.00
nw fr qr and n hf se.	31	93	30	233.83
n fr hf sw.	31	93	30	77.20
ne fr ne and s hf ne.	1	92	30	129.17
nw fr nw and s hf nw.	1	92	30	128.76
s hf.	1	92	30	320.00
all	3	92	30	674.02
ne fr ne and s hf ne.	5	92	30	126.40
ne fr nw and s hf nw.	5	92	30	127.04
s hf.	5	92	30	320.00
se se and lot 1.	7	92	30	114.96
n hf sec. se and lot 1.	9	92	30	494.60
w hf ne and e hf sw.	11	92	30	160.00
w hf se and se se qr.	11	92	30	120.00
n hf ne and sw ne.	13	92	30	120.00
nw, w hf se.	13	92	30	240.00
lots 1, 5 and 7.	15	92	30	140.24
lot 1 and sw se.	17	92	30	104.28
all	19	92	30	662.80
all	21	92	30	640.00
lots 1, 2, 3, 4, 5 and 10.	23	92	30	216.78
sw nw.	23	92	30	40.00
all	29	92	30	640.00
all	35	92	30	640.00
nw fr.	1	93	30	198.42
nw sw and se sw.	1	93	30	80.00
n fr hf ne and nw fr.	3	93	30	317.34
ne se and s hf se.	3	93	30	120.00
nw fr ne and n fr hf nw.	5	93	30	181.00
lots 1, 2 and 3.	7	93	30	78.33

Parts of Section.	Sec.	Tp.	Range	Area.
s hf ne and nw ne.	9	93	30	120.00
w hf se.	9	93	30	80.00
e hf ne and sw ne.	11	93	30	120.00
e hf nw and sw nw.	11	93	30	120.00
se and ne sw.	11	93	30	200.00
w hf sw.	13	93	30	80.00
w hf ne and s hf se.	15	93	30	160.00
e hf nw and nw nw.	15	93	30	120.00
e hf sw and sw sw.	15	93	30	120.00
e hf nw and nw nw.	17	93	30	120.00
n hf se and se se.	21	93	30	120.00
n hf sw and sw sw.	21	93	30	120.00
ne ne and sw ne.	23	93	30	80.00
n hf nw and sw nw.	23	93	30	120.00
n hf se and sw se.	23	93	30	120.00
nw sw and s hf sw.	23	93	30	120.00
nw ne and nw.	25	93	30	200.00
w hf se and se se.	25	93	30	120.00
e hf sw and sw sw.	25	93	30	120.00
n hf ne and sw ne.	27	93	30	120.00
nw and n hf sw.	27	93	30	240.00
sw sw.	27	93	30	40.00
e hf nw and nw fr nw.	31	93	30	120.42
w hf nw and se nw.	33	93	30	120.00
w hf ne and n hf nw.	35	93	30	160.00
sw nw and n hf se.	35	93	30	120.00
se se and w hf sw.	35	93	30	120.00
se sw.	35	93	30	40.00
all	7	94	30	648.10
s hf sw.	15	94	30	80.00
ne ne and w hf nw.	17	94	30	120.00
se nw and w hf se.	17	94	30	120.00
se se and sw.	17	94	30	200.00
n fr hf sec. and sw fr.	19	94	30	485.84
n hf se and se se.	19	94	30	120.00
w hf.	21	94	30	320.00
w hf se and se se.	21	94	30	120.00
sw qr.	29	94	30	160.00
nw fr qr nw and s hf nw.	19	95	30	120.16
e hf sw and nw fr sw.	19	95	30	120.20
e hf ne and nw ne.	31	95	30	120.00
w fr hf nw s fr hf sec.	31	95	30	404.60
nw qr ne, nw fr qr.	3	92	31	219.74
n hf sw.	3	92	31	80.00
s hf ne and s hf nw.	5	92	31	160.00

Parts of Section.	Sec.	Tp.	Range	Area.
n hf se and sw se.	5	92	31	120.00
n hf sw and se sw.	5	92	31	120.00
s hf ne and e hf se.	7	92	31	160.00
nw se.	7	92	31	40.00
nw ne and nw.	9	92	31	200.00
nw se and s hf se.	9	92	31	120.00
n hf sw and se sw.	9	92	31	120.00
se qr and s hf sw qr.	11	92	31	240.00
n hf sec. and se.	13	92	31	480.00
e hf nw and sw nw.	15	92	31	120.00
s hf.	15	92	31	320.00
n hf ne and nw.	17	92	31	240.00
e hf se and nw se.	17	92	31	120.00
e hf sw and nw sw.	17	92	31	120.00
n hf ne and sw ne.	21	92	31	120.00
s hf nw and nw se.	21	92	31	120.00
sw.	21	92	31	160.00
all.	23	92	31	640.00
all.	1	93	31	683.66
lots 1 and 2.	3	93	31	54.56
n fr hf sec. and sw.	5	93	31	553.44
ne and sw fr.	7	93	31	318.87
e hf nw and sw fr nw.	7	93	31	119.01
nw ne and ne nw.	9	93	31	80.00
sw nw and ne se.	9	93	31	80.00
n hf sw and sw sw.	9	93	31	120.00
se se.	9	93	31	40.00
sw nw.	15	93	31	40.00
nw ne and w hf nw.	17	93	31	120.00
se nw.	17	93	31	40.00
ne ne and w fr hf nw.	19	93	31	122.12
w fr hf sw and se sw.	19	93	31	122.36
e hf ne and sw ne.	21	93	31	120.00
lots 1, 2, 3, 4, 5, 6, 7, 8, and n hf ne.	25	93	31	331.52
se nw.	25	93	31	40.00
se sw.	27	93	31	40.00
sw ne.	29	93	31	40.00
ne ne and sw ne.	31	93	31	80.00
w fr hf.	31	93	31	320.96
n fr hf sec., se and e hf sw.	1	94	31	569.03
n fr hf ne and n fr hf nw.	3	94	31	173.20
sw ne and s hf nw.	3	94	31	120.00
w hf se and sw.	3	94	31	240.00
w hf sw.	5	94	31	80.00
e hf ne and sw ne.	7	94	31	120.00

Parts of Section.	Sec.	Tp.	Range	Area.
n fr hf nw and e hf se.	7	94	31	157.18
se ne and e hf sw.	9	94	31	120.00
nw ne and s hf ne.	11	94	31	120.00
e hf se and w hf nw.	11	94	31	160.00
nw sw and s hf sw.	11	94	31	120.00
e hf sec. and n hf nw.	13	94	31	400.00
se nw and ne sw.	13	94	31	80.00
s hf ne and e hf sw.	15	94	31	160.00
nw.	15	94	31	160.00
ne se and sw se.	15	94	31	80.00
nw, w hf sw.	17	94	31	240.00
ne, sw fr, and e hf nw.	19	94	31	395.19
ne se and sw se.	19	94	31	80.00
e hf.	23	94	31	320.00
w hf sw.	23	94	31	80.00
nw.	23	94	31	160.00
ne and w hf sec.	25	94	31	480.00
w hf ne and se ne.	27	94	31	120.00
lots 1, 2, 3, and w hf ne.	29	94	31	84.14
e hf ne and nw ne.	31	94	31	120.00
n hf se and sw se.	31	94	31	120.00
ne nw and sw fr.	31	94	31	198.05
e hf ne and nw nw.	35	94	31	120.00
nw fr nw, sw, w hf se.	3	95	31	293.48
s hf ne, s hf nw.	3	95	31	160.00
all.	5	95	31	687.42
w hf ne, w hf se.	7	95	31	160.00
w fr hf.	7	95	31	313.88
n hf sec, e hf se.	9	95	31	400.00
sw se, ne sw.	9	95	31	80.00
sw sw.	9	95	31	40.00
all.	11	95	31	640.00
nw ne, s hf ne.	13	95	31	120.00
nw, s hf sec.	13	95	31	480.00
ne, s hf nw.	15	95	31	240.00
n hf se, sw.	15	95	31	240.00
w hf ne, e hf nw.	17	95	31	160.00
sw nw and se.	17	95	31	200.00
e hf sw, sw sw.	17	95	31	120.00
w hf nw, ne nw.	19	95	31	117.36
nw fr sw.	19	95	31	38.20
e hf sec, nw.	21	95	31	480.00
n hf ne, se ne.	23	95	31	120.00
s hf nw, e hf se.	23	95	31	160.00
sw.	23	95	31	160.00

Parts of Section.	Sec.	Tp.	Range	Area.
all	25	95	31	640.00
all	27	95	31	640.00
sw ne, w hf se	31	95	31	120.00
s fr hf nw, sw fr	31	95	31	235.11
w hf ne, nw	35	95	31	240.00
s hf	35	95	31	320.00
s fr hf	31	96	31	313.32
s hf	33	96	31	320.00
ne fr ne, sw ne	1	93	32	97.99
nw fr, w hf se	1	93	32	273.65
se se, n hf sw	1	93	32	120.00
n hf se, sw se	3	93	32	120.00
ne, n hf se	11	93	32	240.00
s hf nw, ne nw	11	93	32	120.00
e hf sw, sw sw	11	93	32	120.00
all	13	93	32	640.00
n fr hf sec, se	1	94	32	461.52
n hf sw, se sw	1	94	32	120.00
w fr hf sec, ne fr ne	3	94	32	342.65
sw ne, ne se	3	94	32	80.00
sw se	3	94	32	40.00
e fr hf sec, e hf sw	5	94	32	388.18
sw sw	5	94	32	40.00
all	7	94	32	631.59
all	9	94	32	640.00
e hf sec, e hf nw	11	94	32	400.00
e hf sw	11	94	32	80.00
n hf sec, ne se	13	94	32	360.00
sw se, n hf sw	13	94	32	120.00
se sw	13	94	32	40.00
n hf sec, n hf se	15	94	32	400.00
n hf sw, se sw	15	94	32	120.00
ne ne, sw ne	17	94	32	80.00
w hf nw, e hf se	17	94	32	160.00
sw qr	17	94	32	160.00
ne ne, sw ne	19	94	32	80.00
nw fr nw, se nw	19	94	32	79.56
e hf sec, w hf nw	21	94	32	400.00
n hf sw	21	94	32	80.00
s hf ne, nw ne	23	94	32	120.00
s hf nw, nw nw	23	94	32	120.00
e hf se, sw se	23	94	32	120.00
sw	23	94	32	160.00
n hf sec, e hf se	25	94	32	400.00
nw se, w hf sw	25	94	32	120.00

Parts of Section.	Sec.	Tp.	Range	Area.
ne sw	25	94	32	40.00
n hf sec, w hf sw	27	94	32	400.00
n hf se	27	94	32	80.00
n hf ne, s hf sec	35	94	32	400.00
sw ne, nw se	1	95	32	80.00
w fr hf sec	1	95	32	346.27
w fr hf ne, se ne	3	95	32	132.91
nw fr, e hf se	3	95	32	266.71
nw fr qr ne, e fr hf nw	5	95	32	140.00
ne ne	7	95	32	40.00
w hf ne, se ne	9	95	32	120.00
e hf ne, se nw	11	95	32	120.00
se, nw sw	11	95	32	200.00
se sw	11	95	32	40.00
e hf sec, sw sw	13	95	32	360.00
n hf sec, se	15	95	32	480.00
ne sw	15	95	32	40.00
w fr hf sw, se sw	19	95	32	116.29
ne se	21	95	32	40.00
nw se, se se	23	95	32	80.00
n hf sw sw sw	23	95	32	120.00
nw nw, se sw	25	95	32	80.00
lot 4	25	95	32	33.93
w hf sw	29	95	32	80.00
w fr hf	31	95	32	311.00
e hf ne, sw ne	33	95	32	120.00
se nw, se	33	95	32	200.00
sw	33	95	32	160.00
e hf	35	95	32	320.00
e fr hf sec, e fr hf nw	3	96	32	379.90
nw fr nw	3	96	32	33.70
lots 1, 2, 3, 4, 9, nw fr nw	5	96	32	168.69
sw nw	5	96	32	40.00
w fr hf	7	96	32	219.80
all	9	96	32	640.00
all	15	96	32	640.00
all	17	96	32	639.10
sw ne, n hf se	19	96	32	120.00
lots 1, 2, 3, se se	19	96	32	175.90
all	21	96	32	640.00
sw sw	23	96	32	40.00
ne ne, sw ne	27	96	32	80.00
s hf nw, s hf sec	27	96	32	400.00
w hf ne, se ne	29	96	32	120.00
nw, se, n hf sw	29	96	32	400.00

Parts of Section.	Sec.	Tp.	Range	Area.
ne nw	31	96	32	40.00
e hf sec. nw nw	33	96	32	360.00
se nw, e hf sw	33	96	32	120.00
sw sw	33	96	39	40.00
all	35	96	32	640.00
all	5	97	32	610.88
n fr hf sec., sw fr	7	97	32	473.60
e hf se, sw se	7	97	32	120.00
s hf ne, nw, s hf sec.	17	97	32	560.00
all	19	97	32	642.40
s hf ne, nw ne	21	97	32	120.00
s hf nw, nw nw	21	97	32	120.00
s hf sec.	21	97	32	320.00
sw ne, nw	27	97	32	200.00
w hf se, w hf sw	27	97	32	160.00
se sw	27	97	32	40.00
w hf sec., se qr	29	97	32	480.00
w hf ne, ne ne	29	97	32	120.00
e hf ne, nw ne	31	97	32	120.00
nw fr se, w fr sw	31	97	32	392.28
se sw	31	97	32	40.00
n hf sec., e hf se	33	97	32	400.00
nw se, w hf sw	33	97	32	120.00
ne sw	33	97	32	40.00
w fr hf sw, se sw	7	98	32	109.60
sw se	7	98	32	40.00
w hf sw	17	98	32	80.00
all	19	98	32	619.32
w hf	29	98	32	320.00
w hf ne, se	29	98	32	240.00
all	31	98	32	622.00
n fr hf sec, w hf se	1	94	33	387.79
sw	1	94	33	160.00
ne fr, se nw	3	94	33	184.55
s hf se, ne sw	3	94	33	120.00
e hf ne, w hf nw	11	94	33	160.00
se, and w hf sw	11	94	33	240.00
se sw	11	94	33	40.00
n hf ne, n hf nw	13	94	33	160.00
se n hf sw	13	94	33	240.00
se sw	13	94	33	40.00
n fr hf sec, e hf sw	3	95	33	452.76
nw se, sw	3	95	33	200.00
w fr hf ne, ne ne	5	95	33	146.03
w fr hf sec, n hf se	5	95	33	425.97

Parts of Section.	Sec.	Tp.	Range	Area.
all	7	95	33	635.04
e hf sec, e hf sw	9	95	33	400.00
w hf sw	11	95	33	80.00
e hf se, nw se	13	95	33	120.00
n hf sec, e hf se	15	95	33	400.00
sw se, e hf sw	15	95	33	120.00
e hf ne, sw ne	17	95	33	120.00
se, w hf sec	17	95	33	480.00
e hf ne	19	95	33	80.00
n hf sec, se	21	95	33	480.00
n hf sw, se sw	21	95	33	120.00
ne, w hf nw	23	95	33	240.00
ne nw, w hf se	23	95	33	120.00
se se, w hf sw	23	95	33	40.00
ne sw	23	95	33	400.00
e hf sec, n hf sw	25	95	33	400.00
w hf sec, w hf ne	27	95	33	120.00
ne ne, w hf se	27	95	33	240.00
ne, e hf nw	29	95	33	80.00
ne hf se	29	95	33	160.00
n hf ne, n hf nw	33	95	33	200.00
sw ne, nw	35	95	33	320.00
s hf	1	96	33	307.37
e fr hf	1	96	33	108.47
n fr hf nw, se sw	3	96	33	303.19
nw fr, se	3	96	33	120.00
e hf sw, nw sw	5	96	33	459.92
ne fr, s hf sec	7	96	33	470.57
n fr hf sec, se	7	96	33	114.39
e hf sw, n w fr sw	9	96	33	120.00
e hf ne, sw ne	9	96	33	480.00
nw, s hf sec	13	96	33	40.00
se sw	15	96	33	400.00
n hf sec, n hf se	15	96	33	120.00
e hf sw, sw sw	17	96	33	480.00
n hf sec, sw	17	96	33	120.00
e hf se, nw se	19	96	33	471.68
n fr hf sec, se	19	96	33	116.38
n fr hf sw, se sw	21	96	33	480.00
n hf sec, se	21	96	33	120.00
n hf sw, se sw	27	96	33	400.00
w hf sec, w hf ne	29	96	33	240.00
ne, n hf nw	29	96	33	120.00
sw nw, w hf sw	29	96	33	120.00
n hf se, se se	29	96	33	120.00

Parts of Section.	Sec.	Tp.	Range.	Area.
w hf ne, nw fr.	81	96	33	235.49
s fr hf.	31	96	33	315.83
n hf nw, se nw.	33	96	33	120.00
e hf sec, e hf sw.	33	96	33	400.00
sw ne, nw fr.	1	97	33	180.32
s hf.	1	97	33	320.00
n fr hf sec., se.	3	97	33	415.66
w hf sw, se sw.	3	97	33	120.00
all.	5	97	33	589.94
w fr hf sec., w hf ne.	7	97	33	362.60
ne ne, n hf se.	7	97	33	120.00
w hf ne, w hf se.	9	97	33	160.00
w hf.	9	97	33	320.00
n hf sec., w hf se.	11	97	33	400.00
se se, n hf sw.	11	97	33	120.00
all.	13	97	33	640.00
e hf sec., n hf nw.	15	97	33	400.00
se nw, e hf sw.	15	97	33	120.00
e hf sec. w hf nw.	17	97	33	400.00
sw.	17	97	33	160.00
all.	19	97	33	620.08
w hf sec., n hf ne.	21	97	33	400.00
sw ne, se.	21	97	33	200.00
e hf sec., e hf nw.	23	97	33	400.00
nw nw, ne sw.	23	97	33	80.00
sw sw.	23	97	33	40.00
all.	25	97	33	640.00
ne ne, s hf nw.	27	97	33	120.00
ne, e hf nw.	29	97	33	240.00
sw nw w hf se.	29	97	33	120.00
se se, sw.	29	97	33	200.00
sw ne nw fr.	31	97	33	176.40
sw se, ne sw.	31	97	33	80.00
e hf sec., nw.	33	97	33	480.00
e hf sw, nw sw.	33	97	33	120.00
ne qr, n hf se.	35	97	33	240.00
w fr hf ne, nw fr.	1	98	33	230.44
e hf se, nw se.	1	98	33	120.00
w hf sw, ne sw.	1	98	33	120.00
all.	3	98	33	629.60
all.	5	98	33	641.88
all.	9	98	33	640.00
n hf ne, nw.	11	98	33	240.00
w hf sw.	11	98	33	80.00
lot 1, e hf sec.	13	98	33	258.55

Parts of Section.	Sec.	Tp.	Range.	Area.
e hf sw, sw sw.	13	98	33	120.00
nw, lot 1.	15	98	33	196.20
e hf sec., e hf nw.	17	98	33	400.00
sw.	17	98	33	160.00
n fr hf sec., sw fr qr.	19	98	33	464.36
n hf se qr, se se.	19	98	33	120.00
all.	21	98	33	640.00
all.	23	98	33	621.46
all.	25	98	33	640.00
all.	27	98	33	640.00
all.	29	98	33	640.00
all.	31	98	33	622.60
all.	33	98	33	640.00
all.	35	98	33	640.00
w fr hf sec., se.	3	99	33	530.09
all.	5	99	33	739.50
all.	7	99	33	610.48
all.	9	99	33	640.00
w hf nw, sw.	11	99	33	240.00
sw se.	11	99	33	40.00
all.	15	99	33	640.00
all.	17	99	33	640.00
all.	19	99	33	617.12
all.	21	99	33	640.00
all.	23	99	33	640.00
all.	25	99	33	320.00
w hf.	27	99	33	416.73
all.	29	99	33	640.00
all.	31	99	33	230.49
nw fr, n hf se.	31	99	33	151.49
sw fr.	33	99	33	611.38
all.	35	99	33	115.00
lot 1 and w hf ne.	35	99	33	360.00
ne ne, w hf sec.	35	99	33	80.00
s hf se.	7	100	33	531.12
all.	17	100	33	186.10
w hf ne, se fr.	17	100	33	320.00
w hf.	19	100	33	623.10
all.	21	100	33	120.00
s hf nw, nw nw.	21	100	33	240.00
w hf se, sw.	29	100	33	640.00
all.	31	100	33	609.80
all.	33	100	33	640.00
all.	33	100	33	127159.73

Total.
 Filed in State Land Office August 2, 1866.

A list of Des Moines River Lands in place approved to the State June 14, 1866, under Act of July 12th, 1863 — in Sioux City District.

Parts of Section.	Sec.	Tp.	Range	Area.
w fr hf sec, e fr hf ne	1	95	34	429.52
ne se, sw se	1	95	34	80.00
n hf ne, se ne	13	95	34	120.00
ne se	13	95	34	40.00
all	1	96	34	618.14
ne ne	11	96	34	40.00
w hf ne, se ne	13	96	34	120.00
w hf se ne se	13	96	34	120.00
e hf nw, se sw	13	96	34	120.00
e hf se	23	96	34	80.00
w hf ne, w hf se	25	96	34	160.00
n hf nw, se nw	25	96	34	120.00
nw sw, se sw	25	96	34	80.00
e hf ne, ne se	35	96	34	120.00
e fr hf sec, s hf nw	1	97	34	387.43
n hf sw, se sw	1	97	34	120.00
n fr hf sec, se	3	97	34	456.56
w hf sw, ne sw	3	97	34	120.00
ne, ne nw	9	97	34	200.00
ne se	9	97	34	40.00
s hf ne, n hf nw	11	97	34	160.00
n hf se, sw se	11	97	34	120.00
n hf sw	11	97	34	80.00
e hf sec, nw	13	97	34	480.00
se sw	13	97	34	40.00
ne, n hf se	15	97	34	240.00
sw se, e hf nw	15	97	34	120.00
w hf ne, ne ne	23	97	34	120.00
w hf nw, ne nw	23	97	34	120.00
e hf se, e hf sw	23	97	34	160.00
sw sw	23	97	34	40.00
se ne, w hf nw	25	97	34	120.00
se, w hf sw	25	97	34	240.00
e hf ne, ne se	27	97	34	120.00
w hf ne, se ne	35	97	34	120.00
w hf nw, ne nw	35	97	34	120.00
se, ne sw	35	97	34	200.00
all	1	98	34	638.64
all	3	98	34	629.36
e fr hf sec, nw fr	5	98	34	458.44
e hf sw, nw sw	5	98	34	120.00
all	9	98	34	640.00
all	11	98	34	640.00

Parts of Section.	Sec.	Tp.	Range	Area.
all	13	98	34	640.00
all	15	98	34	640.00
e hf sec, e hf sw	17	98	34	400.00
all	21	98	34	492.35
all	23	98	34	640.00
all	25	98	34	640.00
all	27	98	34	640.00
lots 1, 2, s hf ne, se	29	98	34	307.45
all	33	98	34	640.00
all	35	98	34	640.00
s hf	1	99	34	320.00
sw sw	3	99	34	40.00
all	5	99	34	735.02
all	7	99	34	610.00
w hf sec, ne	9	99	34	480.00
e hf nw	13	99	34	80.00
nw sw	15	99	34	40.00
all	17	99	34	640.00
all	19	99	34	612.00
all	21	99	34	587.56
e hf ne, nw ne	23	99	34	120.00
s hf	23	99	34	320.00
all	25	99	34	640.00
all	27	99	34	640.00
all	29	99	34	611.72
all	31	99	34	615.20
all	33	99	34	640.00
all	35	99	34	640.00
e hf ne, w fr hf nw	7	100	34	80.47
sw se, sw fr	7	100	34	154.46
all	9	100	34	544.70
nw fr, s hf sec	11	100	34	430.89
all	13	100	34	640.00
all	15	100	34	640.00
all	17	100	34	640.00
all	19	100	34	585.00
n hf sec, e hf sw	21	100	34	400.00
all	23	100	34	640.00
all	25	100	34	640.00
e hf sec, sw	27	100	34	480.00
all	29	100	34	640.00
all	31	100	34	606.40
ne ne, w hf ne	33	100	34	120.00
nw, s hf sec	33	100	34	480.00
n hf sec, e hf se	35	100	34	400.00

Parts of Section.	Sec.	Tp.	Range	Area.
n hf sw.....	35	100	34	80.00
all.....	1	99	35	730.04
ne fr, e hf se.....	3	99	35	280.55
n hf sec, se.....	11	99	35	480.00
e hf sw, nw sw.....	11	99	35	120.00
all.....	13	99	35	589.20
n hf ne, se ne.....	23	99	35	120.00
e hf se.....	23	99	35	80.00
n hf sec, se.....	25	99	35	480.00
e hf sw.....	25	99	35	80.00
all.....	9	100	35	547.08
all.....	11	100	35	555.74
all.....	13	100	35	640.00
all.....	15	100	35	640.00
e hf ne, nw ne.....	17	100	35	120.00
ne se.....	17	100	35	40.00
n hf sec, se.....	21	100	35	480.00
e hf sw.....	21	100	35	80.00
all.....	23	100	35	511.25
all.....	25	100	35	640.00
e fr hf sec, nw.....	27	100	35	424.10
n hf sw, se sw.....	27	100	35	120.00
all.....	35	100	35	640.00
Total.....				39,949.29

Filed in State Land Office August 2d, 1866.

In addition to the lands included in the foregoing lists, there have been approved and certified to the State of Iowa, three lists of Des Moines River Indemnity Lands, embracing 298,914.45 acres, and are as follows:

In Sioux City Land District, 200,704.28 acres.

In Fort Dodge Land District, 98,215.17.

Two of these lists embracing 297,593.74 acres were Approved to the State June 14, 1866, and filed in this office August 2, 1866; the other list, embracing 1,315.71 acres, was approved to the State March 13, 1867, and filed in this office April 3, 1867.

10TH—THE AGRICULTURAL COLLEGE GRANT.

These lands were donated by act of Congress approved July 2d, 1862.

These selections were made by the agent of the State, in latter

part of the year 1863, and were approved by the Secretary of the Interior on the 13th of December, 1864, and are located as follows, to wit:

IN THE FORT DES MOINES DISTRICT.

COUNTIES.	AMOUNT IN RAIL ROAD LIMITS.	OUTSIDE OF RAIL ROAD LIMITS.	TOTAL ACRES.
Worth.....		196.56	196.56
Winnebago.....		2,429.75	2,429.75
Greene.....	4,178.65		4,178.65
Total in this district.....			6,804.96

IN THE SIOUX CITY DISTRICT.

COUNTIES.	AMOUNT IN RAIL ROAD LIMITS.	OUTSIDE OF RAIL ROAD LIMITS.	TOTAL ACRES.
Buena Vista.....	1,765.33	4,072.25	5,837.58
Cherokee.....	2,249.62		2,249.62
Clay.....		8,719.42	8,719.42
Dickinson.....		5,159.67	5,159.67
Emmett.....		8,594.15	8,594.15
Ida.....	5,212.32	3,426.55	8,638.87
Lyon.....		1,120.00	1,120.00
O'Brien.....		1,600.00	1,600.00
Palo Alto.....		1,600.00	1,600.00
Plymouth.....	1,760.00	2,082.60	3,842.60
Sac.....	320.00		320.00
Sioux.....		1,280.00	1,280.00
Woodbury.....	3,201.17	6,902.29	10,103.46
Total.....	14,518.44	44,556.93	59,075.37

IN THE FORT DODGE DISTRICT.

COUNTIES.	AMOUNT IN RAIL ROAD LIMITS.	OUTSIDE OF RAIL ROAD LIMITS.	TOTAL ACRES.
Calhoun.....	3,068.00		3,068.00
Emmett.....		8,054.84	8,054.84
Hamilton.....	2,481.50		2,481.50
Humboldt.....		3,063.13	3,063.13
Kossuth.....		84,198.29	84,198.29
Palo Alto.....		26,118.14	26,118.14
Pocahontas.....	3,549.04		3,549.04
Webster.....	3,249.72		3,249.72
Wright.....	4,645.45		4,645.45
Total.....	16,994.57	121,434.40	138,428.97
Aggregate number of acres, 204,309.30.			

In addition to the lands granted by Congress, there are, according to the records of this office, appropriated for the benefit of the Agricultural College, and under the control of the Trustees thereof, the following lands to-wit:

Five Section Grant (in Jasper County).....	3,200.00 acres.
Lands donated in Story County.....	721.00 acres.
Lands donated in Boone County.....	200.00 acres.

Total.....4,121.00 acres.

Of these lands there have been sold and patented all (3,200 acres) of the five section grant in Jasper county and 135.00 acres of the lands donated in Story county.

The following Act was passed by the 11th General Assembly in relation to the sale and lease of the lands granted to the State by Act of Congress:

SECTION 1. Be it enacted by the General Assembly of the State of Iowa, That the Trustees of the Iowa State Agricultural College and Farm, are hereby authorized to sell or lease all of the lands granted to the State of Iowa, by the Act of Congress entitled, "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and Mechanic Arts," approved July 2d, 1862, which grant was accepted by the General Assembly of the State of Iowa, September 11th, 1862, upon the following conditions, regulations and restrictions, to-wit: None of said lands shall be sold for a less sum than fifty per cent. above the price that each piece of said lands respectively was appraised at, by the Trustees of the Agricultural College and Farm, in the year 1865, but may be sold by the purchaser paying one-fourth at the time of sale, and the balance at any time within ten years from the day of sale, the purchaser to pay eight per cent. interest per annum, annually in advance on the deferred payment. And a failure to pay the interest or the principal within sixty days after it becomes due, the purchaser shall forfeit all claim to said land, as well as that portion of principal and interest he had paid to the Agricultural College.

SEC. 2. That any of said lands may be leased in amounts not to exceed 160 acres, to any one man, for any term not exceeding ten years, the lessee to pay eight per. cent. per annum in advance

upon the price of said land, which is hereby declared to be fifty per cent. additional to the price at which each piece of said lands respectively, were appraised by the Trustees of the Iowa State Agricultural College and Farm, in the year 1865, and the said lessee shall have the privilege of purchasing said land at or before the expiration of the lease, at the above described advance price. The lessee failing to pay the interest on said lease within sixty days from the time the same becomes due, shall forfeit his lease, together with the amount of the interest he has paid, and the improvements thereon.

SEC. 3. The money arising from the sale of said lands, shall be paid into the State Treasury, which shall be invested by the State Treasurer, in bonds of the State of Iowa, or United States Registered bonds, as directed by the Act of Congress, granting said lands. And the moneys arising from the interest on the leases of said lands, shall be paid over to the Trustees of the Iowa State Agricultural College and Farm, to be loaned by said Board of Trustees, on good and sufficient security, until needed to defray the expenses of the College.

SEC. 4. The Trustees of the Iowa State Agricultural College and Farm, are hereby endowed with all necessary authority to appoint agents, or do any other Acts to carry out the provisions of this Act as well as the provisions of Chapter one hundred and seventeen, of the laws of the Tenth General Assembly; and all parts or provisions of Chapter one hundred and seventeen, of the Acts of the Tenth General Assembly, conflicting with this Act, are hereby repealed.

SEC. 5. This Act being deemed by the General Assembly of immediate importance, it shall be in force from and after its publication in the Iowa State Register, published at Des Moines, Iowa, and the Iowa North-West, published at Ft. Dodge, Iowa.
Approved March 29, 1869.

I understand that the Hon. G. W. Bassett, as Agent appointed to sell and lease these lands, has leased a quantity of them. I have, however, no official knowledge of the amount so leased.

The following law bearing upon this Land Grant is given in full:

AN ACT to amend the fifth section of an act entitled "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and Mechanic Arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted, and such Colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July 2, eighteen hundred and sixty-two, entitled "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and Mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office; *Provided*, when any territory shall become a State and be admitted into the Union, such new State shall be entitled to the benefits of said act of July 2, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act; *Provided further*, that any State which has heretofore expressed its acceptance of the act herein referred to, shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July 2, eighteen hundred and sixty-two, shall have expired.

Approved July 23, 1866.

11TH—REAL ESTATE BOUGHT IN ON FORECLOSURE OF MORTGAGES GIVEN TO JAMES D. EADS, IN SECURITY FOR FIVE PER CENT FUND.

The following real estate was mortgaged to secure the payment of school fund loaned by Jas. D. Eads, as Superintendent Public Instruction. The mortgages have been foreclosed, the property sold upon execution and bid off by the State and sheriff's deeds for same are upon record in this office.

Lots.	Block.	Addition.
5, 6, 7, 8, 13, 14, 15, 16.....	6	Nassau add. to Keokuk..
1, 2.....	7	" " " " " "
1, 2, 3, 4, 5, 6, 11, 12, 15, 16, 17, 18.	8	" " " " " "
1, 2, 3, 4, 9, 10, 12.....	9	" " " " " "
5, 6, 7, 8, 15, 16.....	10	" " " " " "
5, 6, 7, 8, 9, 10, 16, 17, 18.....	11	" " " " " "
1, 2, 5, 6, 9, 10.....	12	" " " " " "
1, 2, 3, 4, 5, 8, 9.....	13	" " " " " "
5, 6.....	14	" " " " " "
all of fractional.....	16	" " " " " "
that part of block 18 lying west of a north and south line running through the center of block 21 and produced through said block 18, (6 $\frac{1}{2}$ acres, more or less)....	18	Nassau add. to Keokuk..
w hf (5 acres).....	21	" " " " " "
w hf (5 acres).....	22	" " " " " "
w hf (5 acres).....	25	" " " " " "
e hf (5 acres).....	27	" " " " " "
sw qr (2 hf acres more or less)....	28	" " " " " "
7, 8, 9, 10, 11, 12.....	60	partly in Mason's lower add. to Keokuk and partly in Reid's add. to Keokuk.....

Thirty-five acres described as follows: Commencing at the south-east corner of the south-west quarter of section 1, township 65, range 5 west, thence west on the south line of said quarter section to the south-west corner of said quarter section, thence north on the west line of said quarter section, 11 chains and 42 links to a stone, thence east parallel to the south line of said quarter section, 30 chains and 50 links to a post, thence south 10 chains and 92 links to a post, thence east parallel to the south line of said quarter section 9 chains and 50 links to a post, thence south 50 links to the place of beginning, situate and lying in the county of Lee and State of Iowa.

Parts of Section.	Sec.	Tp.	Range	Acres.
n hf of sw qr.....	3	01	26	.....
w hf of nw qr.....	25	84	23	.....
w hf of ne qr.....	25	84	23	.....

Parts of Section.	Sec.	Tp.	Range.	Acres.
ne qr of se qr.....	25	84	23	.....
se qr of ne qr.....	25	84	23	.....
w hf of se qr.....	31	71	25	.....
sw qr.....	4	77	25	160.00
w hf.....	7	77	25	248.00
n hf of nw qr.....	18	77	25	88.00
sw qr.....	15	77	25	160.00
w hf of ne qr.....	30	77	25	80.00
Total.....				836.00

Although the following report was received after ours had gone into the hands of the Printer, we insert it in its natural connection:

ATTORNEY GENERAL'S OFFICE,
DES MOINES, Nov. 15th, 1867.

Hon. C. C. Carpenter, Register State Land Office:

SIR:—In accordance with requirements of chapter 94, of the acts of 1864, relative to Cavenor's land in Warren county, I beg leave to report:

That on the 22d of October, 1867, said lands (for particular description see deed of Sheriff) were sold at Sheriff's sale. The south half of north-west quarter of section 15, township 77, range 25, was bid in by Robert Dickey for \$800.00—the remaining lands were bid in by me for the State.

The lands, 915 acres brought at the sale.....	\$7,547.00
The original debt was.....	4,125.00
Interest up to date of sale.....	4,537.50
Costs paid by the State.....	162.02½
	\$8,824.52½
Amount of sale.....	\$7,547.00
Balance on judgment.....	\$1,277.52½

By the terms of the settlement made by the General Assembly in the act above cited, the sale of the land cancels the mortgage and satisfies the debt in full.

Out of the proceeds of the sale the original debt, \$4,125.00, goes to the permanent school fund, the remaining portion that may be realized will go to the temporary school fund.

The lands will sell readily for the price at which they were bid off by the State; one tract, viz: the south-west quarter of section 4, township 77, range 25, has been already sold for \$2,320.00, being \$14.50 per acre.

For further particulars I respectfully refer you to record of proceedings of the Commissioners named in said act, and also of the Census Board, in reference to disposition of said land, in the office of Secretary of State.

Very respectfully your obedient servant,

HENRY O'CONNOR,

Attorney General.

12TH—CLAIMS AGAINST THE STATE UNDER CHAPTER 16, APPROVED MARCH 3, 1860, LAWS OF EIGHTH GENERAL ASSEMBLY.

It will be observed that warrants have been issued on all except three of these claims. Several of the claimants did not apply for their warrants until within a few months, owing to the fact that after the claims were allowed and filed, they drew ten per cent. interest, while the warrants issued by the Auditor drew seven per cent.

Although the claims for which warrants remain unissued only amount to little more than eleven thousand dollars, yet the difference in interest amounts to several hundred dollars per annum, and it seems to me it should be reduced on claims to the same per cent. as paid on warrants.

Claimant.	Amount of claim allowed.	When filed.	When certified to Auditor.	To whom warrants were issued.	Amount issued.
Jas. J. Kinnerly.	\$9000.00	June 22, '61	March 22, '66	J. J. Kinnerly.	\$12975.00
				John Mitchell..	60.00
				D. O. Finch.....	240.00
Jonas Houghton.	8904.80	June 22, '61	" " " "	Williamson & Nourse.....	737.50
				Noah G. Brown & Geo. L. Moore, exrs. of Jas. A. Brown, dec'd..	4737.27
			March 22, '66	.....same.....	295.80
Adam Hine	880.00	June 22, '61	Oct. 15, '67	Adam Hine....	1424.60
William Baker...	700.00	" " " "	March 22, '66	William Baker..	1032.50
R. Jackson for heirs of A. Miller }	750.00	" " " "	April 5, '66	R. Jackson for A. Miller's heirs..	998.44
			Oct. 16, '67	.....same.....	123.44
Geo. C. Allender..	8037.25	" " " "	" " " "	Pd. under act '62	.....
Wm. Armstrong..	100.00	" " " "	April 3, '66	Wm. Armstrong.	147.75
Edwin Manning..	45.00	" " " "	Dec. 5, '66	Edwin Manning.	69.65
John Parker	400.00	" " " "	March 30, '66	John Parker...	590.89

13TH—MISCELLANEOUS.

Claimant.	Amount of claim allowed.	When filed.	When certified to Auditor.	To whom warrants were issued.	Amount issued.
H. D. Stewart...	100.00	June 22, '61	March 30, '66	H. D. Stewart...	118.00
Van Buren Co...	114.00	June 22, '61	.....same.....	.....same.....	29.50
Meek & Bros...	1652.68	"....."	April 5, '66	Meek & Bros...	244.00
Joseph Benning...	250.00	"....."	March 22, '66	Joseph Benning...	231.87
George Gray...	700.00	June 22, '61	Oct. 16, '67	.....same.....	40.77
D. Kennedy...	700.00	June 22, '61	March 22, '66	John W. Bidman	929.25
S. Dwight Eaton...	800.00	"....."	April 12, '66	.....same.....	103.40
Peter Tobie...	265.92	"....."	".....5, '66	D. Kennedy...	1035.40
Thos. H. Harlen...	550.00	"....."	July 20, '66	S. Dwight Eaton	452.84
			June 11, '66	Peter Tobie...	595.10
			March 22, '66	John W. Bidman	605.87
			.....same.....	.....same.....	63.25
Guy Wells...	1000.00	June 22, '61	Oct. 18, '67	.....same.....	89.71
James A. Brown...	19159.21	"....."	"....."	Pd. under act '62	.....
I. P. Gray...	1400.00	"....."	March 22, '66	L. P. Gray...	1738.50
			"....."	John Mitchell...	120.00
			"....."	L. P. Gray...	198.49
Robert P. Gray...	700.00	June 22, '61	March 22, '66	Robt. P. Gray...	781.75
			April 5, '66	.....same.....	147.90
Felix Deck...	600.00	June 22, '61	Oct. 16, '67	.....same.....	114.19
John Stafford...	550.00	"....."	April 28, '66	Felix Deck...	890.00
			March 22, '66	John Stafford...	730.12
			Oct. 16, '67	.....same.....	89.71
J. Benning, Ad. }	100.00	June 22, '61	May 29, '66	J. Benning Ad.	149.20
Isaac Gray, dec. }	100.00	"....."	July 20, '66	Isaac Gray dec.	150.50
Wm. McCowan...	800.00	"....."	March 22, '66	J. C. Knapp...	763.00
Isaac P. Gray...		"....."	"....."	I. P. Gray...	300.00
			Oct. 16, '67	John Mitchell...	51.00
Adam Hine...	300.00	Feb. 10, '62	".....15, '67	L. P. Gray...	470.41
Gray & Co...	10215.00	"....."	March 22, '66	Adam Hine...	8932.10
			June 21, '66	Gray & Co...	4401.81
			Sept. 24, '67	.....same.....	522.93
			Oct. 16, '67	.....same.....	1067.84
Wells, Chidester }	876.20	Feb. 10, '62	March 22, '66	Wells, Chidester }	873.87
& Gray..... }			"....."	& Gray..... }	120.00
			Oct. 16, '67	John Mitchell...	45.80
			"....."	L. P. Gray...	91.60
			"....."	Wells Chidester...	1147.57
Green, Bragg & Co	8150.00	July 18, '62	March 22, '66	Green, Bragg & Co	265.50
E. Colton...	18500.00	June 22, '61	July 20, '66	J. C. Knapp...	300.00
			March 22, '66	John Mitchell...	1923.17
			July 18, '66	Wm. Baker & Co	4090.45
Meek & Sons...	4025.62	Dec. 20, '63	April 5, '66	Meek & Sons...	187.04
O. H. P. Scott...	150.00	Feb. 16, '64	Aug. 8, '66	O. H. P. Scott...	9720.20
Peter Tobie...	9097.20	July 6, '64	June 11, '66	Peter Tobie...	1140.20
			".....27, '68	.....same.....	3398.89
H. K. Love & Co.	2634.81	July 6, '64	May 30, '67	H. K. Love & Co	8789.48
O. H. P. Scott...	7270.88	"....."	Aug. 8, '66	O. H. P. Scott...	561.11
Jas. J. Kinnersly...	500.00	".....29, '64	March 22, '66	J. J. Kinnersly...	.....

In closing this Report, I will be pardoned for making a few suggestions in reference to matters connected with the business of this office. It is of great importance to the people of a State that land titles should be unqualifiedly good, as upon such titles the good order, content and prosperity of the community are largely dependent. It therefore becomes the duty of the Legislature to provide, as far as possible, that citizens deriving title directly from the State shall receive a patent without a cloud or blemish.

By an act of Congress approved June 15th, 1844, it was enacted that when the sixteenth Section was wholly or in part, included in private land claims, held to be legal, the State could select other lands "which have been offered at public sale and remain unsold," to an equivalent amount; and by an act approved February 26th, 1859, other lands were appropriated to compensate for deficiencies of school lands in fractional townships, when section Sixteen is fractional, or in case of deficiency from any natural cause.

There is no record of lands selected under these laws, in this office, and when certificates are sent here on which patents are to be obtained for this class of lands, such patents must either be issued upon the bare certificates, unsupported by any evidence of record found here that the land described is school land, or be deferred until we can write to Washington and receive an answer as to whether the land has been selected and approved to the State in lieu of the sixteenth section.

The duty of getting plats of these lands and procuring the certificate of the Commissioner of the General Land Office as to their character, might be added to those of Mr. Harvey, and could probably be obtained at small cost, while he is in Washington, and such plats in the future would doubtless save great trouble and expense, and might prevent the ruin of private individuals, who had become the purchasers of land to which the State had no title.

This office should also be supplied with plats of all fractional subdivisions of the sixteenth section. In fact there should have been plats of the entire sixteenth section grant, before any patents were issued, so they could have been marked up as the sales

progressed, and thus have precluded the danger of double, or overlapping sales; but as they were not obtained, and the grant is now partially disposed of, it would perhaps not pay to get them. It would, however, have saved many conflicts in titles if they had been furnished years ago; and the *fractional* sections should still be platted, and kept here in order to avoid errors in making out patents, and to detect mistakes in selling, so frequently made, by the local authorities in the different counties, where such fractions are found.

Plats should also be obtained on the Des Moines River Lands *in place* enuring to the State, under the act of July 12, 1863, especially will they be necessary if sales take place under chapter 108, acts 10th General Assembly.

The 12,813.51 acres of land belonging to the 500,000 acre grant, which owing to the construction put upon the grant of August 8th, 1846, was not platted with the balance of that grant, now forever settled by the adjustment with the State, and the decisions of the Supreme Court, should also be platted for the use of this office before sales commence or patents are issued upon it. For the balance of that grant, amounting to over 522,000 acres, the State was furnished with plats years ago, and they have been of great service in keeping the business in connection with it, in proper order; and are to-day more frequently referred to for information, than any other book among the records of this office.

The person having charge of this office should also be authorized to get books, the binding of which is nearly worn out from long and constant use, re-bound.

The various lists of railroad lands, and other grants, and copies of patents from the General Government to the State, should also be bound in a durable and permanent form, not only as a matter of convenience to those frequently referring to them, but for safe keeping, as in their present shape, from frequent handling, a few years will nearly, if not quite destroy them.

My predecessor reported upon the apportionment to the different counties of the Swamp Land Indemnity Funds, obtained by the State under the act of March 2d, 1855. But as those warrants do not pass through this office, and as I have no official knowledge in regard to the amount issued, or to what counties, I have not the data upon which to found any report in reference to it. And

as that more appropriately belongs to the Department of the Treasury, any information desired respecting it, will doubtless be found in the Treasurer's Report.

In Chapter 29, laws of the Eleventh General Assembly, the clause in favor of Ezra Vincent is evidently a mistake, as it authorizes the said Vincent to purchase 280 acres of the 500,000 acre grant, at \$1.25 per acre, while the other parties similarly situated, only get a quarter section each, that being the number of acres evidently designed to be secured to each one of these claimants.

Mr. Vincent's application on file in this office, embraces the se qr of se qr of section 7, and the e hf of ne qr and nw qr of ne qr of section 18, township 79, range 43, west of 5th p. m.; while the law describes the se qr of se qr of section 7, and the e hf of ne qr, and nw qr of section 18, township 79, range 43 west.

It will be observed that one forty in Mr. Vincent's application is not embraced in the law, while a full quarter section is described entirely disconnected from the balance of his claim. I therefore refused to make out a patent for only the one hundred and twenty acres common both to Vincent's application and the law; and the Legislature should pass a curative Act authorizing a patent to issue for the balance of his claim, viz: the N. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Section 18, Township 79, Range 43, West, as the other quarter section described does not include this forty; and to patent the whole 280 acres, would be unjust to the School fund, as on that not settled previous to selection and approval as School Land, the right of competition among purchasers should not be withheld.

It, perhaps, is not generally understood by those parties who bought of the State, and paid for Des Moines River Lands, (previous to the contract with the Des Moines Navigation and Railroad Co.), and hold certificates for patents, that such patents are in this office ready to be delivered on presentation of the certificates, free of charge; and if called for immediately may save trouble and expense in the future, as such certificates are, liable to be lost.

EXPENDITURE OF CONTINGENT FUND.

The Eleventh General Assembly appropriated as a contingent fund for the payment of a clerk in this office, for the term of two

years, ending December 31, 1867, the sum of.....\$2000.00
 And for a deficiency for the year 1865, the sum of..... 250.00

Making in all.....\$2250.00

The expenditures from this fund have been as follows:

To D. E. Jones, regular clerk from October 1, 1865, to
 January 1, 1866.....\$ 250.00
 To D. E. Jones, from January 1, 1866, to January 1, 1867 1000.00
 To D. E. Jones, from January 1, to January 7, 1867..... 19.40
 To John M. Davis, regular clerk, from January 7, to
 November 1, 1867..... 814.00

Total.....\$ 2084.00

Leaving a balance in the treasury to the credit of this fund of
 \$166.00, sufficient for the payment of a clerk to the 31st of
 December of the present year.

Respectfully submitted,

C. C. CARPENTER, Register.

I purpose in a few pages to review some of the results which
 should flow from this vast system of land grants. When the
 historian in future years, comes to record the rapid progress of
 Iowa in wealth and education, the forecast of the legislators to
 whom the people have entrusted the management of these munifi-
 cent land grants, bestowed upon her to aid in the establishment of
 a liberal school system, and in the construction of long lines of
 railway, will constitute one of its most interesting chapters. In
 that chapter those who come after us will read the wisdom or folly
 of the men of to-day.

We have received and control, for the purpose of aiding the
 common schools of the State, an aggregate of 1,548,487.97 acres
 of land besides the five per cent. fund; 208,430.30 acres for the
 benefit of an Agricultural College; 92,030.37 acres to contribute
 towards a State University fund; and to aid in the construction of
 railroads 3,270,702 acres already certified, while the estimated
 amounts inuring to the State for the different roads under the laws
 of May 15, 1856, July 12, 1862, May 12, 1864 and June 2, 1864,
 will increase this amount by as much more. The great value of
 these grants can only be indefinitely estimated in their present
 undeveloped state. The effect they should have upon the future

growth and prosperity of Iowa, however, may be approximated by
 comparison with the advantages accruing to other States from
 grants of a like nature.

Proposing, without reference to the grants for educational pur-
 poses, or the Swamp Land Grant, to consider especially the hopes
 which have been excited, and should be realized, in view of our stu-
 pendous land grants to aid in the construction of railroads, we have
 before us the history of the Illinois Central Railroad from which
 to draw some conclusions as to the future of similar improvements
 in Iowa. From the initiatory steps taken in the survey of that
 road, to its completion, and up to the present hour, its construction,
 its management, and the per cent. it has paid to stockholders, have
 more than met the expectations of its friends. Comprising in its
 main trunk and branch more than 700 miles of road — passing
 mostly over what was seventeen years ago the treeless expanse of
 the grand prairie — it has advanced civilization in the State of
 Illinois at least one quarter of a century.

The great work wrought by the influence of this road cannot
 better be summed up, than by an extract from the last Report of
 Commissioner Edmunds of the General Land Office; he says:
 "By an act of Congress in 1850 a grant was made to Illinois to
 aid in the construction of railroads. It conveyed for the purpose
 2,595,053 acres, which have been valued as high as thirty millions
 of dollars, resulting in an extraordinary impulse to the settlement
 and prosperity of the State. At the date of the grant nearly half
 the public land within the limits of Illinois was vacant and undis-
 posed of. Now, after the lapse of only fifteen years, the United
 States has virtually retired as a landholder from the State."

Besides this influx of immigration stimulated by the Central
 Railroad, and the wealth, commerce and industries which it has
 drawn to those prairies, the per cent. paid from the earnings of
 the road into the State Treasury, has lifted a considerable burden
 from the shoulders of the people in the way of relief from tax-
 ation.

In view of this astonishing success, what may we not expect, if
 properly managed, from the influence of our Railroad grants upon
 the future of Iowa? It may be said that land grants are not a
 sufficient inducement of themselves to insure the construction of
 Railroads; but that capitalists will build Railroads where they can

rely upon local business to sustain them, or as connecting links between great centers of trade and population, while proposed land grant roads unaided by these commercial advantages, will not receive the consideration of men possessing railroad experience.

Not proposing to question these views, it requires but a cursory glance at the centers of wealth and population which will depend upon our east and west roads, to dispel any doubt of their success.

We base our estimate of the future upon the assumption that Chicago is to be the great commercial emporium of the west; and the belief that the projects of 1492 which stimulated the enterprise of Columbus, and inspired the explorations of Balboa, are now—after more than three hundred years have elapsed since their vain endeavors to find a direct western route to the East Indies and the Empires of Asia—about to be realized in the completion of the main trunk of the Union Pacific Railroad. The day is not distant when over this road and its several branches, the vast commerce of the hitherto East but future West will be transported, by a route three thousand five hundred miles shorter than the merchantmen of the British Empire and of Western Europe have heretofore traversed. Five hundred and seventeen miles of this road west from Omaha are now completed, and from the Superintendent's Report for the quarter including the months of May, June, and July when but three hundred and twenty-five miles were in operation, we learn that the net earnings on passengers, freight, telegraph and mails, excluding the transportation of contractors' materials and men, was \$485,789.04. If such is the result upon 325 miles of road terminating in a plain, uninhabited, save by hostile Indians, what may we not calculate will be its prodigious business when after A. D. 1870 it not only connects the Atlantic and Pacific Oceans, but is tapped by a great net work of feeders on the Pacific coast and in the Mississippi Valley?

Fortunately for Iowa her position is central in this great net work in the Mississippi Valley, and towards her western border the railroad routes of the Northwest as naturally converge as longitudinal lines to the poles. The commerce which will in future years grow up between the East and California, Oregon, Washington and Alaska, cannot be turned away from her Railways. These conclusions are not the vagaries of local pride, for the unmistakable evidence of engineering science proves that Iowa

is located upon a line between the commercial centers of the East and the most accessible crossings of the Rocky Mountains. To attempt a great through-line further north would be to contend perpetually with the never-melting snows, the short seasons, and the uncultivable plains—supplying few elements of local trade—of that latitude. To go further South would be to increase the distance by a curve from the direct routes between business centers, besides coming in contact with the no less formidable, waterless plains and sandy deserts of Arizona and New Mexico. These facts designate the Railroads of Iowa as the thoroughfares of a large proportion of the world's commerce. The Territories of Colorado, Montana, Idaho and Utah, each possessing inexhaustible treasures within their borders—that in future years will employ the energies of teeming populations, and are now attracting thousands of immigrants to those mountains and rivers lined and choked with gold—must also find an outlet for the wealth of these mines, and an inlet for the food to supply their inhabitants, over the main trunk and branches of the Union Pacific Railroad.

Although all these Territories do not lie due west of Iowa, yet every consideration of climate, the courses of their streams, the outlets of their rivers, and the impassable deserts and mountains which surround them, will for many years necessitate a concentration for east and west communication upon the line of the Union Pacific Railroad.

And as by far the greater portion of their wealth and population lies north and west of the main trunk, it insures the passage of travel and commerce through our State.

Aside from these facts, we have a still more telling influence in favor of Iowa in the unlimited resources she contains within her own boundaries.

After leaving the western portion of this State, and passing a narrow strip of Eastern Nebraska bordering the Missouri River, the valuable farming lands for all purposes of grain and stock raising are practically at an end, until the Pacific coast is reached. Perhaps an exception should be made in respect to a few localities like Salt Lake Valley, where by means of irrigation and other artificial aids some agricultural success is attained; but the extra cost of such farming will eventually drive all classes in those regions to the business of mining, while they will look for cheaper

food by railway transportation from states adapted to agriculture. Iowa will do much towards supplying the vast mineral region, stretching along the Cordilleras of the North American Continent, with food for the non-producing population which will dwell in its canons and gulches.

Coal is not thought to exist in any quantity between the Missouri River and the Rocky mountains, and consequently the timberless plains which intervene will naturally draw their fuel from Iowa. Stone from her quarries will be transported for building purposes to the ranches, villages and cities of those plains; hay from her prairies will be sold by the bale in the Rocky mountains; cloths from her factories, manufactured from wool shorn from sheep that feed upon her pastures, will go far towards clothing the miners along those streams; flour from her mills, made from the wheat of her fields, will do its share towards feeding the people of that region. To do the immense business growing out of this commerce, besides the local and foreign trade which will pass over our thoroughfares, will prove by the time our contemplated roads are completed, that they are none too numerous.

Who cannot see that within the next ten years, even if these Western States and Territories increase in population no faster than during the past ten—half of which have been occupied in the all-absorbing work of subduing a great rebellion—together with the natural growth of eastern trade, and the commerce of the Pacific, secured after 1870 by the completion of the main trunk of the Union Pacific Railroad—that all of our proposed roads will be fully employed, and that trade will still demand greater facilities for its increasing volume.

On the 15th of May A. D. 1856, the Law was approved making a grant of lands to aid in the construction of certain Railroads in the State of Iowa. Under this Act several corporations were organized by authority of the General Assembly of the State, and have for the last eleven years assumed to control these Land Grants, while upon the different contemplated routes, Railroad lines have been located, and the work of construction carried forward with greater or less success, according to the ability of the different companies.

The Burlington and Missouri River Company surveyed and located a route across the State, passing through the second tier

of counties north of the Missouri line—a portion of the State unsurpassed in agricultural fertility, and possessing all the advantages in climate, water, timber, and surface necessary to promote settlement and cheap construction of Railways.

Within this time the Company have completed this road to Chariton, in Lucas County, one hundred and thirty miles west of Burlington, and the work is now progressing between the former place and Afton in Union County, being nearly completed to Osceola.

This road received under the Land Grant as certified, 287,095.34 acres of land, which in connection with local advantages, should insure its speedy completion to the Missouri river.

The Mississippi and Missouri River Railroad, now the Chicago, Rock Island & Pacific, is one of the most important lines in the State; connecting when completed, by an almost direct route, Chicago and the Union Pacific at Omaha. Passing through the rich interior counties of Iowa, it binds together Davenport, Iowa City, Des Moines and Council Bluffs, with all the intervening towns.

It is now finished to Des Moines, one hundred and seventy-five miles west of Davenport, and work is being pressed west of the Capital, with a prospect of completion to Council Bluffs at an early day, where it will connect with the Union Pacific, Northwestern, and Council Bluffs & St. Joseph Roads.

This road has enduring to it under the grant of 1856, 474,674.36 acres of land.

The Iowa Central Air Line, or Cedar Rapids and Missouri River Railroad (now known as the Northwestern) is the only one completed across the State, extending from Clinton, on the Mississippi, to Council Bluffs, on the Missouri, a distance of 356 miles. It passes through a rich tier of counties and a number of important towns, crossing the Cedar river at Cedar Rapids, the Iowa near Marshalltown and the Des Moines at Montana and Boonsboro. From the vicinity of these last named places, large quantities of coal are being mined for delivery at different points east on the line of the road, besides a constant shipment west for use along the Union Pacific.

This road received 775,454.19 acres of land. Although the road is built across the State, the company are now extending a

branch of the Union Pacific Railroad, from St. John, the point at which the Cedar Rapids & Missouri River Railroad touches the Missouri valley, up the valley to terminate at Sioux City; an extension not more for the purpose of building a road to the point on the Missouri at which the Onawa branch of the Cedar Rapids and Missouri River Railroad will terminate, than to secure the business of the Upper Missouri River. This branch is reported so far completed to Little Sioux River as to be ready for the iron.

The Dubuque & Sioux City Road is now completed to Iowa Falls, one hundred and forty-three miles west of Dubuque, with a branch extending from Farley to Cedar Rapids, fifty-six miles, and a feeder from Waterloo to Waverly some twenty miles. The main line of this road passes through a rich and rapidly improving country; and the route upon which the uncompleted portion, from Iowa Falls westward, is located, is through a country equal in natural resources to any portion of the State.

The land grant which will ensure to it, upon completion, amounts to 1,226,538.32 acres. Add to these lands, the fact that with the erection of a bridge across the Mississippi at Dubuque, the completion of this road to Sioux City, and the construction through Nebraska of a branch of the Union Pacific Railroad to a junction with the main trunk at or near the South pass—which will make this as direct a route from Chicago to the Pacific States as any of the contemplated lines—and there is great reason to believe that the next two years will witness its completion to Sioux City.

This road passes through a region of Iowa which will furnish many necessities of permanent improvement required for the prairies further west. The building stone, lime, and coal found on the Iowa, Boone and Des Moines rivers will supply the demands of the coming thousands who will live and prosper upon the prairies west of these streams; while the inexhaustible quarries of gypsum abounding in the vicinity of Fort Dodge, will furnish a superior building material, both for ornamental finish and durability, that will be sought for in other States of the north-west, as soon as facilities of transportation will permit. This road is said to be under contract, from Iowa Falls to Fort Dodge, a distance of fifty-five miles, and the work progressing.

The McGregor Western Railroad is completed, west from McGregor, to Cresco, some sixty-six miles, from whence the

company have turned northward locating their road through southern Minnesota. But as the act of Congress making a grant of lands comprising over 1,500,000 acres, is for the purpose of aiding in the construction of a railroad, from McGregor to Sioux City, running west on, or near the forty-third parallel of latitude until it intersects the Sioux City and St. Paul Road, in O'Brien county; it seems improbable that this stupendous grant, through a region unexcelled in fertility, and presenting every advantage for railway construction by way of unbroken surface, and cheaply bridged streams, should be allowed to revert to the Government. Some company will doubtless be found, if opportunity is offered, willing to take it, and build a railroad in accordance with the terms and spirit of the grant.

Besides the foregoing roads, those running north and south, in the State, built, being built, and projected, are all destined to add greatly to the wealth of Iowa, and prove a success to their stockholders. Although but two of these roads receive any direct encouragement in the way of land grants, yet the indirect influence of the increase in wealth and population produced by the construction of land grant roads, creates the necessity for, and business to support numerous cross railroads. By means of these roads, will the great lumber regions of the north, whose products are destined to play so conspicuous a part in the settlement and improvement of Iowa, be made more accessible to our population, and the staples of the South, heavy and expensive to transport, especially when undergoing numerous reshipments, be brought to the doors of the consumers at cheaper rates; while our agricultural productions can be transported to both these latitudes, always requiring breadstuffs, at far less than the present cost.

Among these important railroads are the Iowa Central, controlled by an enterprising company, and in fair way for early completion through the rich counties from north Missouri to Oskaloosa, and from thence to Cedar Falls; the Cedar Falls & Minnesota road said to be under contract to Charles City, in Floyd county; the Cedar Valley road up the Cedar river from Cedar Rapids to Waterloo, Waverly, and thence through Mitchell to connect with the road running through southern Minnesota; the branch of the Chicago, Rock Island & Pacific railroad, extending through Muscatine, Washington and adjoining counties; the Keokuk, Ft. Madi-

son & Muscatine railway, passing around the rapids of the Mississippi, connecting the cities of Muscatine and Keokuk; the Iowa & Minnesota railroad in course of construction from the Missouri line to Des Moines, with the ultimate design to intersect the Northwestern in Story county, and the Dubuque & Sioux City, by uniting with a feeder now being built from this road to the coal fields near Eldora, in Hardin county, the whole line eventually to constitute a link in the great railway from St. Paul, Minnesota, to Galveston, Texas. The Des Moines Valley railroad is now completed to the city of Des Moines, one hundred and sixty-two miles from Keokuk, intersecting the Burlington & Missouri river railroad at Ottumwa, and the Chicago, Rock Island & Pacific at Des Moines. Its route lies along the Des Moines Valley, which for agricultural and mineral resources will compare favorably with any valley in the world, and having the aid of nearly half a million acres of land, a portion of which is equal to any in the country, this road ought to be built to the north line of the State, where it will intersect the St. Paul & Sioux City road, within the next two years.

The St. Paul & Sioux City railroad, another land grant road, is projected from Sioux City north-east to near the point on the Minnesota line intersected by the Des Moines river, thence to form a junction with one of the land grant railroads in Minnesota, now in course of construction from St. Paul south-west. Although this road will pass through a country comparatively timberless, there is no better prairie in the union, and with the advantage of a railroad will be speedily settled. To-day its dry unbroken surface, covered with a coat of grass that constitutes as fine natural meadows as any in the west, and drained by numerous beautiful streams, does not look so forbidding to the immigrant as did the grand prairie of Illinois previous to 1850. The Sioux City branch of the Union Pacific, designed to connect St. John, the point at which the Cedar Rapids & Missouri river railroad touches the Missouri valley, with Onawa branch of the Northwestern or Cedar Rapids & Missouri river railroad at Onawa, and the St. Paul & Sioux City railroad at Sioux City, is being constructed under the supervision of the Cedar Rapids & Missouri River Company, and is now partially graded. The Council Bluffs & St. Joseph railroad is nearly completed in its entire length.

These, together with several projected railways, among which is one called the Iowa Southwestern and Nebraska City Railroad, from Afton, in Union county through Taylor, Page and Fremont counties to Nebraska City, comprise the several lines in course of construction, constructed and projected, which will constitute the railway system of Iowa. The State now has within its borders over 1200 miles of completed railroad, with six hundred miles under contract, while the number of miles in contemplation, with certain prospect of future construction, will bring the inhabitants of every county within reasonable distance of railway communication and consequent access to a market.

Judging the future by the past, we may safely calculate that all these railroads, checkering the whole area of our State, will be completed in the next decade; then the farms, the manufactories, the mines, the mills, the cities and villages of Iowa will return a census of over two million inhabitants, while these railways will be but links in that great chain which will span every State between New York and San Francisco, and bridge every river upon the North American Continent, to stand, through coming years, as memorials of the unlimited resources, tireless enterprise and wise statesmanship of this generation.

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NOTE.—The Act of Eleventh General Assembly, commencing on page 57 of this Report, was arranged in the manuscript under the head of "Des Moines River Grant," but it has been erroneously published under the head of "Swamp Land Grant."