

REPORT  
OF THE  
SECRETARY OF STATE

TO THE  
GOVERNOR OF IOWA,  
Of the Transactions of the Land Department.

JULY 1, 1889.

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FRANK D. JACKSON, Secretary of State.

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## REPORT.

OFFICE OF SECRETARY OF STATE, {  
DES MOINES, IOWA. }

*To his Excellency, WILLIAM LARRABEE, Governor of Iowa :*

SIR — The following report of the transactions of the land department of this office for the biennial period ending with June 30, 1889, is respectfully submitted. I have also included in said report such further information relative to the land matters of the State as seemed to me would be of general interest. As will be seen by this report, there is a large amount of the School and University lands yet unsold, and a much larger amount of these lands, together with the Agricultural College and Railroad lands, for which the State has made no conveyances; so that the work of issuing patents and certificates for such State lands will continue for many years.

A few patents and certificates for swamp and railroad lands are still occasionally received from the general government.

Besides the issuing of patents and certificates for the several classes of State lands, there is still the usual amount of current work of the office, such as the correspondence, furnishing copies of the records, attending to the wants of those who wish to inspect the records, etc., which class of labor, in the nature of things, will continue indefinitely.

The quarters in the basement, now occupied by the State land office, are much more appropriate for its use than were those originally designed for it on the first floor of the Capitol, and which it vacated in the early part of this year.

The present quarters are well lighted, and the vault accommodations are excellent, having been especially constructed for the use of the records. It is presumed that these will be the *permanent* quarters of the State land office.

The number of reports of the land department of this office required to be printed, by the act of the Nineteenth General Assembly, was 5,000 copies. The Twenty-second General Assembly limited the number to be printed to 3,000 copies, but provided in the same act for the distribution of 4,000 copies. The Secretary of State must, of course, comply with the law in making the distribution, but with a shortage of 1,000 copies it is no easy duty to perform.

Although there were 5,000 copies of the report of two years ago printed, so great has been the demand for the same that but very few are left.

The demand for such reports naturally increases with the constantly increasing population of the State, and there should be a sufficient number published to satisfy the reasonable wants of the public. The diminution of the number to be printed, as provided by the act of the last legislature, is unfortunate.

Very respectfully,

FRANK D. JACKSON,  
*Secretary of State.*

## THE SCHOOL LANDS.

The school lands proper of our State are the sixteenth section in each congressional township, granted by act of congress of March 3, 1845, or lands given in lieu thereof where any such have been sold or otherwise disposed of. Also the lands received by the State under the act of congress of September 4, 1841, usually known as the "500,000-acre grant." The proceeds of the sales of these lands, with five per cent of the net proceeds of the sales of the public lands in the State, and the proceeds of the sales of intestate estates which escheat to the State, constitutes the permanent school fund of the State, the interest of which is used for the support of the common schools, but the principal can never be impaired or diminished.

There is another class of school lands that do not belong to either of the grants, denominated "mortgage school lands." These are lands the State has acquired under foreclosure of mortgages given to secure loans of school fund made in the various counties, and which the mortgagor has failed to pay. When such lands have been acquired prior to January 1, 1874, they will be sold and patented just like any other school lands, as provided by section 1850 of the Code; but where such lands have been acquired subsequent to January 1, 1874, it will be competent for the board of supervisors to sell and convey them. See sections 1910, 1917, 1918 and 1919 of Code.

The reason for the difference in the manner of disposing of the lands acquired before said date, and of those acquired after said date, will be understood by reference to section 1881 of the Code, which seems to place upon the county all responsibility for loss by reason of the loans of school fund, and relieves the State. This section provides that "on and after the first day of January, A. D. 1874, the board of supervisors of the several counties shall have sole control and management of all loans on mortgages then held or thereafter made, and shall, when necessary, have them foreclosed at the expense of the county; and any losses sustained or gains



realized upon foreclosures and resales of mortgaged property, shall be made good by or enure to the benefit of the county, as the case may be." The quantity received by the State under the sixteenth section grant has been given in the reports of the State land department, heretofore issued, as 1,013,614.21 acres. By a careful footing of the quantities of the sections and fractional sections received under the grant as they are given on the government plats in the office,

I find that there are of the lands in place.....	1,002,441.24 acres
And of the lands given in lieu.....	11,889.81 acres
Making in all.....	1,014,331.05 acres

However, it appears that a considerable quantity of these lands have disappeared by encroachments of the Mississippi and Missouri rivers. In one instance a full half section—320 acres—in Fremont county, has been washed away, so that the quantity, as originally given, is now, perhaps, very nearly the true quantity.

As ascertained by the Land Department of the general government, there was an excess of lands selected under the 500,000-acre grant of 35,473.54 acres, making the total quantity selected 535,473.54 acres. In the settlement made by the Hon. J. A. Harvey, as Commissioner for the State, with the general government in 1866, this excess was accounted for and settled by permitting the general government to retain an equal amount from the Des Moines River land indemnity, which was at that time supposed to be due the State under the act of congress of July 12, 1862.

It must be understood that 12,813.51 acres, known as "Des Moines River School Lands," are a portion of this excess. These lands were on February 20, 1851, approved by the Secretary of the Interior as part of the 500,000-acre grant, but subsequently the approval was canceled, because the lands were found to be within the five-mile limits of the Des Moines river, and they were on December 30, 1853, approved by the Secretary of the Interior as part of the river grant. This action of the Secretary in canceling the approval of said lands under the 500,000-acre grant and approving them under the Des Moines River grant, was disapproved of by the Secretary of the Interior under date of February 28, 1865, and on May 28, 1866, the lands were affirmed by the said Secretary as enuring to the State under the original approval of February 20, 1851. Since this time the said lands have been treated as part of this grant. They are, however, all included in

the deeds made by Governor Lowe, May 3, 1858, to the Des Moines Navigation & Railroad Company, and as this company's title appears to be sustained by the courts, these lands should, perhaps, be excluded from the 500,000-acre grant, which would reduce the quantity to 522,660.03 acres. In case the Attorney-general of the United States institutes a suit for the recovery of the Des Moines River lands north of the forks of the Raccoon and Des Moines rivers, as contemplated, would the successful determination of such suit have the effect to restore these lands to the State as school lands?

By a very careful examination of the tract and plat books of this office, I find that there were unpatented at the close of the last biennial period—

Lands of the 500,000-acre grant.....	14,499.75 acres
And of the lands of the sixteenth section grant.....	95,064.61 acres
Making a total of.....	109,564.34 acres

I have no means of knowing just what amount of mortgage school lands are unpatented, as those lands bid in have never been fully reported by the counties.

The amount patented during the last biennial period	
is, 500,000-acre grant lands.....	1,165.27 acres
Sixteenth section grant lands.....	22,313.90 acres
Mortgage school lands.....	319.20 acres
Total.....	23,798.37 acres
Also one town lot was patented.	

In order to furnish in this report information as full and complete as possible relative to the school lands, I addressed a circular letter to each county auditor in the State, requesting him to furnish a list, by description, of the unsold school lands in his county, including of the mortgage school lands only those that were acquired prior to January 1, 1874. All have responded, and from a summing up of their reports I find that the quantities of the unsold school land of the three classes are as follows:

Sixteenth section grant lands.....	37,280.97 acres
500,000-acre grant lands.....	1,863.37 acres
Mortgage school lands.....	1,272.76 acres
Total number of acres unsold.....	40,417.10

Also thirty-eight town lots are unsold, which are part of the mortgage school lands.



The disposition of the school lands is under the control of the county board of supervisors. Whenever such board deems it for the best interest of the school fund, they can have any portion of the school lands appraised by the township trustees, who are, by law, the legal appraisers of such lands, and, if necessary, subdivided and allotted, conforming as near as the best interest of the fund demands, to the legal sub-divisions of government survey. Under direction of said board, the county auditor sells the school lands at public auction to the highest bidder, after first having them properly advertised. They may be sold for cash, or for one third cash, and the balance payable in ten years at eight per cent per annum, payable annually. The minimum price is six dollars per acre, but in no case can they be sold for less than their appraisal. When sold on a partial credit, a contract is made with the purchaser, and when the terms of the contract have been complied with, and full payment has been made of the balance of the purchase money, including the interest, by the original purchaser, heir or assignee, as the case may be, such party is entitled to a certificate from the county auditor, upon which patent will issue for the land when presented at this office. If, however, the lands are sold for cash in hand, such certificate shall issue at once to the purchaser. The contract made with the purchaser is assignable during its continuance, and the holder and owner thereof has the right at any time to make full payment and receive the county auditor's certificate. The certificate so issued is not assignable, but patent must issue thereon to the party that the certificate shows is entitled to it, as the law requires. The county auditor's certificate, as required by section 88 of the Code, must set forth the following facts: "The appraised value per acre, name of person to whom sold, date of sale, price per acre, amount paid, name of person making final payment, and of person who is entitled to patent, and if thus entitled by assignment from the original purchaser setting forth fully such assignment."

According to section 1856 of the Code, all school lands are taxable from and after the execution and delivery of contract to purchaser.

As provided by chapter 101, acts Seventeenth General Assembly, the purchaser at tax sale of school land under contract, in any case, takes only the interest of the original purchaser, and that in no case are the rights of the State interfered with by such tax sale.

The purchaser of any such land at tax sale when he has acquired the county treasurer's tax deed, pursuant to his purchase, has the

right to pay up the balance due under the contract as the legal assignee of the same, and receive a certificate of purchase from the county auditor, but in order to procure patent from this office he is expected to quiet his title by decree of court, and to present with his certificate of purchase a copy of such decree, with proof that the holder of the contract had personal service of notice of the proceedings to quiet title in court; also, to furnish with same his tax deed, or a certified copy of it, as of record in the county recorder's office.

A party, other than the State or county, that bids off school land at sheriff's sale under foreclosure of a contract must, in order to procure a patent for the same, pay up the balance due upon the contract, and when the county auditor's certificate of purchase is presented for patent, it must be accompanied by the sheriff's deed issued to such purchaser, or a duly certified copy thereof, to show that he is legally vested with the interest of the original purchaser.

For method of procedure to sell school lands for less than the minimum price of six dollars per acre, when they will not sell for that price at public auction, see section 1849 of Code.

## SCHOOL LANDS PATENTED AND UNPATENTED—CONTINUED.

## SCHOOL LANDS PATENTED DURING LAST TWO YEARS AND UNPATENTED.

A statement, giving the number of acres of the school lands of the sixteenth section and 500,000-acre grants, in each county, patented during the last biennial period; also, the number of acres of such lands in each county still remaining unpatented.

COUNTIES.	500,000-ACRE GRANT.		SIXTEENTH SECTION GRANT.	
	No. of acres patented during last biennial period.	No. of acres remaining unpatented.	No. of acres patented during last biennial period.	No. of acres remaining unpatented.
Adams	25.00			
Allamakee	1,137.15		914.90	
Appanoose	80.00		360.00	
Audubon			30.00	
Benton	406.00		262.50	
Black Hawk	90.00		258.20	
Boone	80.00		250.00	
Bremner	460.00	130.00	239.00	
Buchanan	41.71	379.13	40.00	
Buena Vista		560.00	2,000.00	
Butler			380.00	
Calhoun		1,160.00	2,080.00	
Cass		245.00	400.00	
Cedar			200.00	
Cerro Gordo		40.00	268.00	
Cherokee			800.00	1,480.00
Chickasaw		360.00	160.00	580.00
Clarke	40.00	676.70	520.00	
Clay			640.00	4,790.92
Clayton		1,388.62	704.41	
Clinton		181.76	773.80	
Crawford			20.00	
Dallas	80.00	469.03	255.00	
Davis		125.65	169.00	
Decatur	160.00	2,200.55	80.00	800.00
Des Moines			1,471.38	
Dickinson			5,680.80	
Dubuque		300.00		80.00
Emmet			160.00	2,730.00
Fayette		267.04	60.00	60.00
Floyd		80.00		480.00
Franklin			640.00	640.00

COUNTIES.	500,000-ACRE GRANT.		SIXTEENTH SECTION GRANT.	
	No. of acres patented during last biennial period.	No. of acres remaining unpatented.	No. of acres patented during last biennial period.	No. of acres remaining unpatented.
Fremont			80.00	1,161.52
Greene				480.00
Grundy				280.00
Guthrie			40.00	240.00
Hamilton			320.00	200.00
Hancock				240.00
Hardin				280.00
Harrison	40.00		40.00	742.27
Henry				220.00
Howard			80.00	887.50
Humboldt				240.00
Ia			160.00	
Iowa		120.00		280.00
Jackson			120.00	197.35
Jasper			300.00	120.00
Johnson	40.00			60.00
Jones	363.56	880.00		910.00
Keokuk			400.00	320.00
Kossuth				9,360.00
Lee				100.00
Linn		251.60		146.33
Louisia			20.00	103.65
Lyon			1,412.55	7,883.83
Madison		360.00		100.00
Mahaska				160.00
Marion	160.00	160.00	120.00	640.00
Marshall				100.00
Mills				280.00
Mitchell			440.00	680.00
Monona				2,600.00
Monroe				40.00
Muscatine				475.00
O'Brien			2,457.39	1,640.00
Osceola			1,520.00	3,520.00
Page				580.00
Palo Alto				880.00
Plymouth			1,280.00	4,360.00
Pocahontas			720.00	4,182.70
Polk				190.00
Pottawattamie			390.11	540.00
Poweshiek	160.00	200.00		1,080.00
Ringgold		2.50		180.00
Scott				110.00
Sioux			3,400.00	6,836.07
Story		80.00		40.00
Tama	942.61	80.00		280.00
Taylor				55.00

## SCHOOL LANDS PATENTED AND UNPATENTED—CONTINUED.

COUNTIES.	500,000-ACRE GRANT.		SIXTEENTH SECTION GRANT.	
	No. of acres patented during last biennial period.	No. of acres remaining unpatented.	No. of acres patented during last biennial period.	No. of acres remaining unpatented.
Union.....		575.00	160.00	80.00
Wapello.....	80.00	80.00		200.00
Warren.....		400.00		160.00
Washington.....				180.00
Wayne.....		205.05		730.00
Webster.....		245.14	1,300.00	1,560.00
Winnebago.....			640.00	2,080.00
Winnesiek.....		1,231.20		120.00
Woodbury.....			1,720.00	3,275.00
Worth.....			120.00	1,120.00
Wright.....			308.25	2,188.69
Total.....	1,165.27	14,499.73	22,313.90	95,064.61

## MORTGAGE SCHOOL LANDS.

The lands of this class that have been patented during the last two years, are as follows:

In Bremer county.....	80.00 acres.
In Decatur county.....	119.00 acres.
In Mitchell county.....	80.00 acres.
In Howard county.....	40.00 acres.
In Poweshiek county.....	20 acres.

Total.....319.20 acres.

And in Pottawattamie county one town lot was patented.

## UNSOLD SCHOOL LANDS.

A statement giving by particular description the unsold school lands of the three classes in the several counties of the State, as exhibited by reports received from the county auditors, and naming also the counties in which there are no unsold school lands.

COUNTY.	PARTS OF SECTION.	Section.	Town.	Range.	Acres.	CLASS.
Adair.....	(All sold).....	.....	.....	.....	.....	.....
Adams.....	(All sold).....	.....	.....	.....	.....	.....
Allamakee.....	lots 1, 2, 3, 4, 5, 6, w hf of sw.....	16	99	3	314.20	Sixteenth section.
Allamakee.....	w hf of ne, ne of nw s hf of nw, nw of sw, nw of so.....	16	100	4	280.00	Sixteenth section.
Allamakee.....	s hf of nw, w hf of sw.....	6	99	3	120.00	500,000 acre.
Allamakee.....	s hf of ne of sw, s hf of nw of se, se of nw.....	10	96	3	80.00	500,000 acre.
Allamakee.....	lot 10.....	18	97	2	32.50	500,000 acre.
Allamakee.....	nw of sw.....	12	96	5	40.00	500,000 acre.
Allamakee.....	lot 9.....	1	96	3	50.50	Mortgage school.
Allamakee.....	ne of nw.....	7	96	3	40.00	Mortgage school.
Allamakee.....	se of ne.....	16	99	4	160.00	Mortgage school.
Allamakee.....	nw qr.....	23	94	4	20.00	Mortgage school.
Allamakee.....	undiv hf ne of ne.....	16	100	5	40.00	Mortgage school.
Allamakee.....	sw of nw.....	.....	.....	.....	.....	.....
Total.....	.....	.....	.....	.....	1,230.00	.....
Appanoose.....	(All sold).....	.....	.....	.....	.....	.....
Audubon.....	(All sold).....	.....	.....	.....	.....	.....
Benton.....	(All sold).....	.....	.....	.....	.....	.....
Black Hawk.....	(All sold).....	.....	.....	.....	.....	.....
Boone.....	(All sold).....	.....	.....	.....	.....	.....
Bremer.....	s hf of sw.....	16	91	11	80.00	Sixteenth section.
Buchanan.....	(All sold).....	.....	.....	.....	.....	.....
Buena Vista.....	All.....	16	92	36	640.00	Sixteenth section.
Buena Vista.....	ne of se.....	16	90	35	40.00	Sixteenth section.
Buena Vista.....	n hf of ne.....	16	92	37	80.00	Sixteenth section.
Buena Vista.....	ne.....	16	93	38	160.00	Sixteenth section.
Total.....	.....	.....	.....	.....	920.00	.....
Butler.....	s hf of nw.....	16	91	17	80.00	Sixteenth section.
Crawford.....	(All sold).....	.....	.....	.....	.....	.....
Calhoun.....	sw of sw, se of nw.....	16	86	31	80.00	Sixteenth section.
Calhoun.....	sw of sw.....	16	86	33	80.00	Sixteenth section.
Calhoun.....	w hf of ne.....	16	86	34	80.00	Sixteenth section.
Calhoun.....	w hf of ne.....	16	88	34	80.00	Sixteenth section.
Total.....	.....	.....	.....	.....	360.00	.....
Carroll.....	(All sold).....	.....	.....	.....	.....	.....
Cass.....	(All sold).....	.....	.....	.....	.....	.....
Cedar.....	(All sold).....	.....	.....	.....	.....	.....
Cerro Gordo.....	(All sold).....	.....	.....	.....	.....	.....



## UNSOLD SCHOOL LANDS—CONTINUED.

COUNTY.	PARTS OF SECTION.	Section.	Town.	Range.	Acres.	CLASS.
Cherokee	w hf of nw, n hf of sw, se of sw	16	90-41	230.00	Sixteenth section.	
Cherokee	se of ne, nw qr, ne of sw	16	90-41	240.00	Sixteenth section.	
	Total				440.00	
Chickasaw	(All sold)					
Clarke	e hf of sw, nw of sw, nw of se	16	71-24	160.00	Sixteenth section.	
Clarke	sw of sw	16	71-24	40.00	Sixteenth section.	
Clarke	nw of se	16	71-25	40.00	Sixteenth section.	
Clarke	ne of nw	25	71-25	40.00	500,000 acre.	
Clarke	south hf of sw of se	25	71-25	20.00	Mortgage school.	
Clarke	e hf of nw, se of sw	25	71-25	120.00	500,000 acre.	
Clarke	ne of ne, se of sw	36	71-25	80.00	500,000 acre.	
	Total				500.00	
Clay	n hf	16	94-35	320.00	Sixteenth section.	
Clay	All	16	95-35	640.00	Sixteenth section.	
Clay	n hf of nw	16	96-35	80.00	Sixteenth section.	
Clay	nw qr	16	96-36	160.00	Sixteenth section.	
Clay	sw qr	16	97-35	160.00	Sixteenth section.	
Clay	n hf and sw qr	16	97-38	480.00	Sixteenth section.	
	Total				1,840.00	
Clayton	lots 1, 2, 3, sw of sw	16	92-42	197.86	Sixteenth section.	
Clayton	se of qr, sw of se	16	93-42	80.00	500,000 acre.	
Clayton	ne of nw, nw of ne	19	93-42	80.00	500,000 acre.	
Clayton	sw of nw	21	91-42	40.00	500,000 acre.	
Clayton	n hf of nw, sw of nw	22	92-42	120.00	Mortgage school.	
	Total				517.86	
Clinton	(All sold)					
Dallas	se of se	11	78-29	40.00	500,000 acre.	
Dallas	w hf of se	12	78-29	80.00	500,000 acre.	
	Total				120.00	
Davis	(All sold)					
Decatur	n hf of ne, sw of ne	16	68-26	120.00	Sixteenth section.	
Decatur	se qr	16	69-25	160.00	Sixteenth section.	
Decatur	nw of se	16	68-25	40.00	Sixteenth section.	
Decatur	sw of sw	6	69-24	40.00	500,000 acre.	
Decatur	se of sw	36	69-25	40.00	500,000 acre.	
Decatur	w hf of ne	32	69-26	80.00	500,000 acre.	
Decatur	sw of ne	6	70-26	40.00	500,000 acre.	
Decatur	n hf of nw, se of nw, e hf of sw	8	70-26	360.00	500,000 acre.	
Decatur	nw of nw	19	70-26	40.00	500,000 acre.	
Decatur	nw of sw	22	70-26	40.00	500,000 acre.	
Decatur	e hf of ne, e hf of se	1	70-27	160.00	500,000 acre.	
Decatur	ne of se	1	70-27	40.00	500,000 acre.	
Decatur	e hf of ne	15	70-27	80.00	500,000 acre.	
Decatur	sw of nw	18	69-24	40.00	Mortgage school.	
Decatur	sw qr	35	69-24	160.00	Mortgage school.	
Decatur	qr of se of se	12	69-25	16.00	Mortgage school.	
Decatur	e hf of sw	22	69-26	80.00	Mortgage school.	
Decatur	sw of sw	1	70-26	40.00	Mortgage school.	
Decatur	se of sw, nw of se	22	70-26	80.00	Mortgage school.	
	Total				1,530.00	
Delaware	(See lots)					
Dow Holmes	(All sold)					

## UNSOLD SCHOOL LANDS—CONTINUED.

COUNTY.	PARTS OF SECTION.	Section.	Town.	Range.	Acres.	CLASS.
Dickinson	n hf, se qr	16	98-35	480.00	Sixteenth section.	
Dickinson	n hf	16	99-35	320.00	Sixteenth section.	
Dickinson	All	16	100-25	640.00	Sixteenth section.	
Dickinson	e hf of ne, w hf of sw	16	98-38	160.00	Sixteenth section.	
Dickinson	All	16	99-37	640.00	Sixteenth section.	
Dickinson	n hf, sw qr, n hf of se, sw of se	16	100-37	640.00	Sixteenth section.	
Dickinson	All	16	98-28	640.00	Sixteenth section.	
Dickinson	All	16	99-28	640.00	Sixteenth section.	
Dickinson	ne, w hf of nw	16	100-28	240.00	Sixteenth section.	
	Total				4,840.00	
Dubuque	(All sold)					
Emmet	All	16	98-31	640.00	Sixteenth section.	
Emmet	All	16	99-31	640.00	Sixteenth section.	
Emmet	nw qr	16	99-32	160.00	Sixteenth section.	
Emmet	All	16	98-34	640.00	Sixteenth section.	
	Total				2,720.00	
Fayette	n fr hf of ne	3	93-8	197.04	500,000 acre.	
Floyd	(All sold)					
Franklin	All	16	93-22	640.00	Sixteenth section.	
Fremont	s hf of nw, w hf of sw	16	70-43	160.00	Sixteenth section.	
Geevie	(All sold)					
Grundy	(All sold)					
Guthrie	(All sold)					
Hamilton	(All sold)					
Hancock	e hf of se	16	97-24	80.00	Sixteenth section.	
Hancock	ne qr	16	97-25	160.00	Sixteenth section.	
Hancock	sw qr	21	94-24	160.00	Mortgage school.	
	Total				400.00	
Hardin	(All sold)					
Harrison	(All sold)					
Henry	(All sold)					
Howard	(All sold)					
Humboldt	(All sold)					
Ila	(All sold)					
Iowa	(All sold)					
Jackson	(All sold)					
Jasper	(All sold)					
Jefferson	(All sold)					
Johnson	(All sold)					
Jones	e hf of sw	16	83-3	80.00	Sixteenth section.	
Kearuk	All sold					
Kossuth	All	16	97-27	640.00	Sixteenth section.	
Kossuth	w hf	16	98-27	320.00	Sixteenth section.	
Kossuth	All	16	99-27	640.00	Sixteenth section.	
Kossuth	All	16	100-27	640.00	Sixteenth section.	
Kossuth	sw qr	16	94-28	160.00	Sixteenth section.	
Kossuth	All	16	99-28	640.00	Sixteenth section.	
Kossuth	All	16	100-28	640.00	Sixteenth section.	
Kossuth	nw qr	16	94-29	160.00	Sixteenth section.	
Kossuth	nw qr	16	96-29	160.00	Sixteenth section.	
Kossuth	All	16	100-29	640.00	Sixteenth section.	
Kossuth	ne qr, sw qr, s hf of se	16	96-30	480.00	Sixteenth section.	
Kossuth	All	16	100-30	640.00	Sixteenth section.	
Kossuth	All	16	98-28	640.00	Sixteenth section.	
	Total				6,060.00	

## UNSOLD SCHOOL LANDS—CONTINUED.

## UNSOLD SCHOOL LANDS—CONTINUED.

COUNTY.	PARTS OF SECTION.	Section.	Town.	Range.	Acres.	CLASS.
Low	(All sold)	16	90 43	160.00	Sixteenth section.	
Linn	(All sold)	16	98 44	320.00	Sixteenth section.	
Louisa	(All sold)	16	90 47	640.00	Sixteenth section.	
Lucas	(All sold)	16	100 47	640.00	Sixteenth section.	
Lyon	nw qr	16	90 43	160.00	Sixteenth section.	
Lyon	e hf	16	98 44	320.00	Sixteenth section.	
Lyon	All	16	90 47	640.00	Sixteenth section.	
Lyon	All	16	100 47	640.00	Sixteenth section.	
Lyon	lots 1, 2, 3, 4, ne qr, ne of nw, se of sw,	16	98 48		Sixteenth section.	
Lyon	s hf of se, ne of se	16	99 48	24.80	Sixteenth section.	
Lyon	lot 1	16	100 48	640.00	Sixteenth section.	
Lyon	All	16	100 48	640.00	Sixteenth section.	
	Total	16		2,913.83		
Madison	(All sold)	16				
Marion	(All sold)	16				
Mahaska	nw of nw, sw of ne, w hf of se of ne	17	73 14	100.00	Mortgage school.	
Mahaska	nw of sw	23	73 14	40.00	Mortgage school.	
	Total	17		140.00		
Marshall	(All sold)	16				
Mills	(All sold)	16				
Mitchell	(All sold)	16				
Monroe	(All sold)	16				
Monona	sw of nw	16	83 43	40.00	Sixteenth section.	
Monona	s hf of ne, s hf of sw	16	85 46	160.00	Sixteenth section.	
	Total	16		200.00		
Montgomery	(All sold)	16				
Muscataine	lot 6	16	77 3	37.25	Sixteenth section.	
O'Brien	(All sold)	16				
Oscola	s hf of se	16	98 39	80.00	Sixteenth section.	
Oscola	All	16	99 39	640.00	Sixteenth section.	
Oscola	se qr	16	100 39	160.00	Sixteenth section.	
Oscola	n hf, se qr, e hf of sw	16	98 40	560.00	Sixteenth section.	
Oscola	w hf, ne qr	16	100 40	480.00	Sixteenth section.	
	Total	16		1,920.00		
Page	(All sold)	16				
Paló Alto	e hf	16	97 33	320.00	Sixteenth section.	
Plymouth	All	16	91 47	640.00	Sixteenth section.	
Plymouth	w hf, s hf of ne	16	91 47	640.00	Sixteenth section.	
Plymouth	All	16	91 48	640.00	Sixteenth section.	
	Total	16		1,680.00		
Pocahontas	s hf of nw	16	93 31	80.00	Sixteenth section.	
Pocahontas	n hf, se qr	16	92 32	480.00	Sixteenth section.	
Pocahontas	sw qr	16	92 32	160.00	Sixteenth section.	
Pocahontas	s hf of nw, sw qr	16	92 33	340.00	Sixteenth section.	
Pocahontas	s hf of sw	16	90 33	80.00	Sixteenth section.	
Pocahontas	All	16	92 33	640.00	Sixteenth section.	
Pocahontas	All	16	92 34	640.00	Sixteenth section.	
Pocahontas	lot 1	16	93 34	22.70	Sixteenth section.	
	Total	16		2,342.70		

COUNTY.	PARTS OF SECTION.	Section.	Town.	Range.	Acres.	CLASS.
Polk	(All sold)	16				
Poweshiek	(All sold)	16				
Ringgold	(All sold)	16				
Sac	(All sold)	16				
Scott	(All sold)	16				
Shelby	(All sold)	16				
Sioux	e hf, e hf of nw, ne of sw, s hf of sw	16	90 47	520.00	Sixteenth section.	
Sioux	se qr	16	97 47	160.00	Sixteenth section.	
Sioux	lot 1	16	93 48	37.28	Sixteenth section.	
Sioux	lots 1, 2, 3, 4, ne qr, ne of sw	16	97 48	307.35	Sixteenth section.	
	Total	16		1,075.13		
Story	s hf of nw of se	18	83 22	20.00	Mortgage school.	
Tama	s hf of nw of nw, n hf of sw of nw	16	85 13	40.00	Sixteenth section.	
Tama	nw fr of nw	11	84 13	43.26	Mortgage school.	
	Total	16		83.26		
Taylor	(All sold)	16				
Union	n hf of se, ne of sw	23	71 28	130.00	500,000 acres.	
Van Buren	(All sold)	16				
Vapello	(All sold)	16				
Warren	(All sold)	16				
Washington	(All sold)	16				
Wayne	(All sold)	16				
Webster	n hf of ne	16	87 30	80.00	Sixteenth section.	
Winnebago	w hf of sw	16	100 23	80.00	Sixteenth section.	
Winnebago	e hf	16	99 24	320.00	Sixteenth section.	
Winnebago	n hf of ne, n hf of nw, s hf of se	16	100 24	240.00	Sixteenth section.	
Winnebago	All	16	99 25	640.00	Sixteenth section.	
Winnebago	All	16	99 26	640.00	Sixteenth section.	
Winnebago	All	16	99 26	640.00	Sixteenth section.	
	Total	16		2,560.00		
Winnebago	All sold	16				
Woodbury	nw qr, sw of ne, ne of sw, nw of se	16	86 43	280.00	Sixteenth section.	
Woodbury	ne qr, s hf of nw of nw, sw of nw, s hf of se of sw, sw qr, s hf of se, ne of se	16	87 43	520.00	Sixteenth section.	
Woodbury	n hf of sw, sw of sw	16	88 43	130.00	Sixteenth section.	
Woodbury	w hf of ne, e hf of ne	16	80 44	160.00	Sixteenth section.	
Woodbury	ne qr, s hf of nw, n hf of se	16	88 46	320.00	Sixteenth section.	
Woodbury	nw of se	16	86 47	40.00	Sixteenth section.	
	Total	16		1,440.00		
Worth	All	16	99 19	640.00	Sixteenth section.	
Worth	e hf of sw, s hf of se	16	100 19	160.00	Sixteenth section.	
Worth	w hf of nw, nw of sw	16	96 22	120.00	Sixteenth section.	
	Total	16		920.00		
Wright	ne qr, s hf	16	92 25	480.00	Sixteenth section.	
Wright	n hf, se qr	16	92 25	480.00	Sixteenth section.	
Wright	n hf of nw	16	92 26	80.00	Sixteenth section.	
	Total	16		1,040.00		
	Aggregate No. acres unsold	16		40,417.16		

The following lots, taken under foreclosure of mortgages prior to January 1, 1874, for the use of the school fund, are reported as unsold. They are included as part of the "Mortgage School Lands":

COUNTY.	No. of lot.	No. of block.	TOWNS
Allamakee.....	5, 6, 7, 8	10	Capoli.
Allamakee.....	6	7	Capoli.
Allamakee.....	3	21	Capoli.
Allamakee.....	3	22	Capoli.
Allamakee.....	2	23	Capoli.
Allamakee.....	3	26	Capoli.
Allamakee.....	3, 13	37	Capoli.
Allamakee.....	Undiv. hf 1	30	Capoli.
Allamakee.....	6	27	Capoli.
Allamakee.....	7	28	Capoli.
Allamakee.....	1	33	Capoli.
Allamakee.....	4, 10	38	Capoli.
Allamakee.....	6, 13	39	Capoli.
Allamakee.....	3, 13	40	Capoli.
Allamakee.....	1	41	Capoli.
Allamakee.....	3	42	Capoli.
Allamakee.....	4	43	Capoli.
Allamakee.....	2	44	Capoli.
Allamakee.....	116, 118, 119, 120, 121	.....	Johnsonsport.
Allamakee.....	Undiv. hf 36, 38, 40, 42, 44, 46, 48, 50, 54, 56, 58, 60, 62	.....	Johnsonsport.
Delaware.....	2, 3	8	Delhi.
Total town lots.....	38		

## THE UNIVERSITY LANDS.

The history of the University lands has been given very fully in previous reports of this office. In the report of 1871, pages 10 to 16, are complete lists of the lands of both grants as they were approved and certified to the State by the Interior Department. So that it will only be necessary for the purposes of this report to make a brief reference thereto.

These lands consist of the two grants: the University grant, act of Congress of July 20, 1840, and the Saline land grant, act of Congress of May 27, 1852. According to the original certificates on file here, the first of these grants contains 45,928.84 acres, and the latter 46,202.53 acres. But the certification under the Saline land grant of the following tracts, viz.: the south half of section 13 and northeast quarter of section 23, township 70, range 16, containing 480 acres, was subsequently canceled by the Secretary of the Interior, and the same were certified under the Burlington & Missouri River Railroad grant, act of Congress of May 15, 1856. This reduces the quantity to 45,722.53 acres. There still appears to be unpatented of the lands of the University grant 2,425.42 acres; and of the lands of the Saline land grant 3,527.75 acres. But 240 acres of the latter are part of the 480 acres referred to, and have been certified by the State to the Burlington & Missouri River Railroad Company, under chapter 167, acts of the Eighteenth General Assembly. Of course, if it should transpire that the Interior Department canceled the certification of said land erroneously, and under a misapprehension, and that the land is really a part of the Saline land grant, then the certificate to the Railroad Company, according to the stipulation of the act under which it was issued, would be void and of no force whatever.

The University has also lands acquired by donations and otherwise, but there is no authority given the State for issuing patents for these. If it is desired that conveyances shall issue from this office for these lands, authority will have to be given by act of the legislature.



But few lands held by the State for the use of this institution have been patented during the last biennial period. A statement is given herewith, also a list of the unsold lands.

According to the report of the Treasurer of the University, the quantity of unsold lands of the two grants is 2,595.96 acres, and of the lands otherwise acquired for said institution, there are unsold 441.45 acres.

*A statement of the University lands patented during the last two years, with name of patentee and date of patent.*

## UNIVERSITY GRANT.

PARTS OF SECTION.	Section. Township. Range.	Acres.	NAME OF PATENTEE.	DATE OF PATENT.
n fr hf of ne, n fr hf of nw.	8 31 25	109.33	S. M. Thornley	Jan. 18, 1888.
se of ne	36 71 14	40.00	Edward Dawson	Jan. 19, 1888.
s hf of nw	8 69 15	80.00	Elizabeth K. Shuck	Jan. 22, 1889.
Total		229.33		

## SALINE GRANT.

sw of ne	N. W.	Acres.	DATE OF PATENT.
23 70 17		40.00	W. D. Turner
			Jan. 17, 1889.

## UNSOLD UNIVERSITY LANDS.

*Herewith is given a list of the unsold State University lands; which list was kindly furnished by John N. Coldren, Esq., of Iowa City, Treasurer of the State University, who has charge of the sale of these lands, under direction of the Board of Regents of said institution.*

## UNIVERSITY LAND GRANT.

PARTS OF SECTION.	Section. Township. Range.	Acres.	IN WHAT COUNTY SITUATED.
s hf of ne, nw qr, n hf of sw, se of sw	31 70 15	377.53	Davis.
ne of se	8 69 15	40.00	Davis.
se of sw, sw of se	13 70 27	80.00	Decatur.
se of nw	8 88 19	40.00	Hardin.
nw of ne, e hf of se of ne	8 88 19	60.00	Hardin.
se of ne	9 88 19	40.00	Hardin.
n hf of nw, sw of nw, n hf of ne	1 71 23	22.34	Lucas.
se of sw	33 71 14	40.00	Wapello.
nw of nw, ne of ne, nw of sw, w hf of se, se of se	36 71 14	240.00	Wapello.
ne of ne	7 74 24	40.00	Warren.
Total		1,185.87	

## SALINE LAND GRANT.

	N.	W.	Acres.	County.
s hf of ne	1 70 17		80.00	Appanoose.
nw qr	24 70 16		160.00	Appanoose.
s hf of ne, nw of se	1 69 17		123.60	Appanoose.
se of se	26 70 17		40.00	Appanoose.
sw of se	21 70 17		40.00	Appanoose.
s hf of ne	18 70 17		80.00	Appanoose.
s hf of ne	20 70 17		80.00	Appanoose.
nw qr, s hf of nw, ne of sw	18 70 17		280.00	Appanoose.
n hf of se, sw of se	9 70 17		120.00	Appanoose.
nw of nw	31 70 17		44.40	Appanoose.
ne of se	10 70 17		40.00	Davis.
w hf of se	33 69 24		80.00	Decatur.
se of sw, sw of se	28 69 24		80.00	Decatur.
ne of sw, se of se	9 72 21		80.00	Lucas.
nw of se	29 71 21		40.00	Lucas.
nw of sw	15 71 22		40.00	Lucas.
Total			1,410.00	

## DONATED TO STATE UNIVERSITY BY CITIZENS OF IOWA CITY.

nw qr	34 10 36	160.00	Clay.
ne of nw	29 86 22	40.00	Calhoun.
se of se	14 84 28	40.00	Crawford.
qr of nr	22 86 14	40.00	Tama.
e hf of nw	25 100 23	80.00	Winnesh.
s hf of sw	18 91 25	81.45	Wright.
Total		441.45	

## THE AGRICULTURAL COLLEGE LANDS.

The State acquired these lands by grant, purchase and donation. Under the Congressional grant of July 2, 1862, the State was entitled to 240,000 acres of lands, that were vacant and subject to sale, at \$1.25 per acre or less. The lands approved and certified to the State under said grant were accounted as 240,000.96 acres; but 35,691.66 acres of these lands are "double minimum" selected within the railroad limits, and therefore were accounted to the State at double their quantity, which makes the quantity actually received under the grant, 204,309.30 acres.

The five sections of land in Jasper county, acquired by the State under act of Congress of March 3, 1845, for the purposes of a capital, were by the eleventh section of the act of the General Assembly of March 22, 1858, being the act that established the Agricultural College and Farm, appropriated for the use of said College and Farm, provided Congress would consent thereto. Congress by act of July 11, 1862, consented to the diversion. The lands, usually known as the "Cusey Purchase", amounting to 15,023.18 acres, were located by James C. Cusey, agent of said College and Farm, with Agricultural College scrip of other States, purchased with funds which had accumulated by reason of the interest paid in upon the leases of the lands acquired under the Congressional grants. Mr. Cusey located this scrip in his own name, and the government patents for the lands located were issued to him; he deeded the lands to the State for the benefit of the College and Farm. The deeds have all been recorded in the proper counties, and the said deeds and patents are all on file in this office.

About 1,577.88 acres of land have been donated by individuals for the benefit of said College and Farm, and the Trustees of said institution have purchased for the use of the same an additional amount of about 240 acres.

The following statement will give the quantities patented and unpatented of the several classes of these lands:

CLASS.	NO. ACRES ACQUIRED.	NO. ACRES PATENTED.	NO. ACRES UNPATENTED.
Grant of July 2, 1862.....	204,309.30	117,417.06	86,892.24
Five section grant in Jasper Co..	3,200.00	3,200.00	.....
Cusey purchase.....	15,023.18	6,720.00	8,303.18
Total.....	222,532.48	127,337.06	95,195.42

About all of the lands acquired by donations, as aforesaid, have been sold and patented, except such portions as have been reserved as grounds for the use of the College and Farm.

During the last two years there have been patented of the Agricultural College lands 16,641.07 acres; 14,321.07 acres of which are a part of the Congressional land grant, and the balance, 2,320 acres, are of that class known as the "Cusey Purchase." The following statement gives the counties in which said lands lie, with number of acres in each county:

COUNTY.	NO. OF ACRES.
Buena Vista.....	480.00
Cherokee.....	800.00
Clay.....	640.00
Dickinson.....	2,057.48
Emmet.....	1,209.13
Humboldt.....	137.00
Ida.....	320.00
Kossuth.....	6,031.75
Lyon.....	1,200.00
O'Brien.....	160.00
Palo Alto.....	1,105.56
Plymouth.....	80.00
Pocahontas.....	160.00
Woodbury.....	1,720.00
Wright.....	480.00
Total.....	16,641.01

## AGRICULTURAL COLLEGE LANDS.—CONTINUED.

## AGRICULTURAL COLLEGE LANDS PATENTED DURING LAST TWO YEARS.

A statement, giving a description of the Agricultural College lands patented during the last two years, with name of patentee and date of patent in each case.

PARTS OF SECTION.	Section. Town. Range.	Acres.	NAME OF PATENTEE.	DATE OF PATENT.
nw qr.....	13 95 27	160.00	Mary O. and George T. Brown.....	July 8, 1888
n hf.....	13 95 27	320.00	W. A. Turner.....	July 8, 1888
se qr.....	13 95 27	160.00	Frank Desael.....	July 8, 1888
e hf.....	13 95 27	320.00	W. H. Tollaro.....	July 8, 1888
nw qr.....	13 95 27	160.00	Peter Moore.....	July 8, 1888
e hf of nw fr qr.....	4 63 27	57.00	Dietrich Marly.....	August 17, 1887
nw qr.....	31 95 27	164.32	Martha E. Burtis.....	August 17, 1887
s hf.....	31 95 27	320.00	Susie R. Beardsley.....	August 17, 1887
e hf.....	31 95 27	160.00	J. H. Beardsley.....	August 17, 1887
nw qr.....	19 90 30	160.00	John L. Blair, adm'r.....	August 17, 1887
e hf of se.....	4 90 30	80.00	Lula C. Lawson.....	August 17, 1887
no qr of ne.....	34 90 30	40.00	J. H. Beardsley.....	Sept. 21, 1887
no qr.....	20 90 30	160.00	Robert R. Chapman.....	Sept. 21, 1887
nw qr, nw of ne, a hf of ne.....	34 90 30	260.00	S. Frances Davenport.....	Sept. 22, 1887
nw qr.....	36 93 30	160.00	Agnes R. Zinser.....	Nov. 5, 1887
sw qr.....	36 93 30	160.00	J. P. Zinser.....	Nov. 5, 1887
sw qr.....	14 95 27	160.00	Bridget Tobin.....	Nov. 5, 1887
nw qr.....	14 94 28	160.00	Samuel Stouey.....	Nov. 5, 1887
no qr.....	12 90 38	160.00	Simon Shoecraft.....	Dec. 9, 1887
nw qr.....	12 90 38	160.00	John Grein.....	Dec. 9, 1887
no qr.....	12 90 38	160.00	John Roseman.....	Dec. 9, 1887
no qr.....	17 90 31	160.00	Bray D. Halsted.....	Dec. 9, 1887
w hf.....	17 90 31	320.00	Isaac H. Roll.....	Dec. 9, 1887
sw qr.....	12 90 31	160.00	Barbara Smierkovsky.....	Dec. 9, 1887
e hf.....	12 90 31	320.00	A. Gordon.....	Dec. 9, 1887
no qr.....	11 90 28	160.00	Herman Knapp.....	Dec. 14, 1887
e hf.....	12 90 41	320.00	Jonah Clark.....	Jan. 19, 1888
lots 2 and 4 and w hf of se.....	12 90 41	148.12	A. Gordon.....	Feb. 15, 1888
s hf of ne.....	26 97 29	80.00	Louisa M. Call.....	March 19, 1888
n hf of ne.....	26 97 29	80.00	M. A. Shaeffer.....	March 19, 1888
no qr.....	11 90 30	160.00	William Meyer.....	April 14, 1888
e hf.....	12 90 31	320.00	H. Roll.....	April 14, 1888
w hf.....	12 90 31	320.00	John W. Stocks.....	April 14, 1888
n hf of sw.....	14 80 42	80.00	George W. Canty.....	April 14, 1888
w hf of no.....	19 80 48	80.00	B. L. Richards.....	April 14, 1888
n hf se.....	12 87 45	80.00	L. Wightman.....	May 11, 1888
no qr.....	12 90 30	160.00	M. & J. A. Ryrie.....	May 11, 1888
no qr.....	26 98 27	160.00	Albert Overding.....	May 11, 1888
nw qr.....	26 90 24	160.00	F. J. Gade.....	May 11, 1888
sw qr.....	26 90 24	160.00	Joseph Rush.....	May 11, 1888
nw qr.....	22 88 41	160.00	C. P. Fredendall and Maggie Fredendall.....	May 16, 1888
no qr.....	34 97 27	160.00	Lars A. Oppadal.....	June 18, 1888
no fr qr.....	1 55 28	157.50	H. H. Spencer.....	June 18, 1888
e hf of se.....	36 96 30	80.00	Cornelia Pettibone.....	June 18, 1888
no qr.....	22 88 31	160.00	Mrs. Hans Harrison Herum.....	June 18, 1888
no qr.....	20 100 48	160.00	J. S. Knowles.....	June 18, 1888
sw qr.....	36 96 27	160.00	Heirs of estate of Asa C. Call.....	July 14, 1888
nw fr qr.....	1 96 22	145.36	E. H. & F. V. Frederick.....	July 14, 1888
no qr.....	31 90 33	160.00	Henry Sanders.....	July 14, 1888
w hf of no.....	34 94 37	80.00	James Smart.....	July 14, 1888
sw qr.....	14 100 45	160.00	V. G. Coe.....	July 14, 1888

PARTS OF SECTION.	Section. Town. Range.	Acres.	SAME OF PATENTEE.	DATE OF PATENT
s hf.....	1 90 33	320.00	E. R. Murdock.....	July 18, 1888
s hf of se.....	1 90 33	80.00	Walter H. Moulin.....	August 6, 1888
no qr.....	1 90 33	160.00	W. Wirt Edwards.....	August 6, 1888
no qr.....	1 90 33	160.00	Frank J. Kernan.....	Sept. 11, 1888
no qr.....	1 90 33	160.00	Francis and Julie Carpenter.....	Oct. 8, 1888
s hf of ne.....	22 93 30	80.00	Joseph Thelien.....	Oct. 8, 1888
nw qr.....	22 93 30	160.00	J. M. Ryrie.....	Oct. 8, 1888
w hf of se.....	31 94 37	80.00	Christmas Powell.....	Oct. 8, 1888
sw qr.....	30 90 41	160.00	James Draper.....	Oct. 8, 1888
sw of nw.....	4 91 27	40.00	Deltrich Marly.....	Nov. 5, 1888
nw qr.....	23 96 27	160.00	James Kernan.....	Nov. 5, 1888
no qr.....	28 80 43	160.00	Anna M. Rumbaugh.....	Nov. 5, 1888
no qr.....	31 97 29	160.00	Isaac Ames.....	Nov. 5, 1888
no qr.....	29 97 29	160.00	John Bahling.....	Dec. 8, 1888
no qr.....	34 94 30	160.00	Daniel Seaman.....	Dec. 8, 1888
w hf of nw.....	10 86 42	80.00	Harry Thompson and John Thompson.....	Dec. 8, 1888
no qr.....	32 86 44	160.00	James Rozzi.....	Dec. 8, 1888
no qr.....	32 86 44	160.00	Peter Johnson.....	Jan. 14, 1889
w hf of se.....	21 90 30	80.00	J. L. Torpin.....	Jan. 14, 1889
e hf of se.....	21 90 30	80.00	Joseph Lininger.....	Jan. 14, 1889
se qr.....	14 95 28	160.00	Andrew P. Clarke.....	Feb. 4, 1889
sw qr.....	8 94 36	160.00	Ida Lundt.....	Feb. 4, 1889
nw qr.....	17 94 36	160.00	John Seemann.....	Feb. 4, 1889
se qr.....	17 94 36	160.00	John M. Niemand.....	Feb. 4, 1889
se qr.....	6 87 43	40.00	Katharine Hall Smith.....	Feb. 4, 1889
w hf of se.....	32 86 44	80.00	Christian Fredericksen.....	Feb. 4, 1889
w hf of se.....	32 86 44	80.00	L. E. Ford.....	Feb. 4, 1889
no qr.....	32 86 44	160.00	James Christenson.....	Feb. 12, 1889
no qr.....	28 97 29	160.00	Harris Spofford.....	March 9, 1889
n hf.....	32 97 30	320.00	John Willbrod.....	March 9, 1889
nw fr qr.....	10 100 35	115.50	John S. Miller and Jay D. Miller.....	March 23, 1889
sw qr.....	1 90 35	160.00	J. M. Ryrie.....	April 8, 1889
All of fr.....	2 90 36	160.00	.....	.....
sw qr.....	9 90 36	160.00	.....	.....
no fr.....	32 87 40	160.00	Solomon C. Niehoff, J. E. Johnson and J. E. Johnson.....	April 8, 1889
w hf.....	12 90 45	320.00	W. O. Johnson and J. E. Johnson.....	April 8, 1889
se qr.....	14 90 36	160.00	J. M. Ryrie.....	May 6, 1889
se qr.....	21 90 36	160.00	.....	.....
sw fr qr.....	30 97 28	150.20	Melvin L. Mayhew.....	May 24, 1889
no fr qr.....	18 97 33	160.00	Leslie H. Adams.....	June 8, 1889
s hf.....	12 100 35	118.75	Thos. Lovell.....	June 8, 1889
e hf.....	34 90 41	320.00	Cyrus Butler.....	June 8, 1889
e hf.....	27 100 45	320.00	C. Puckett.....	June 8, 1889
no qr.....	10 100 48	160.00	Francis M. Williams.....	June 8, 1889
Total.....	.....	16,641.91	.....	.....



## THE SWAMP LANDS.

By the act of Congress, of September 28, 1850, all the swamp and overflowed lands within the State, that were undisposed of at that date, were granted to the State. The purpose of the grant was to enable the State, by the use of said lands, or the proceeds derived from their sale, to reclaim them by the construction of levees and drains, and render them dry and cultivable.

The State, by act of January 12, 1853, granted to the several counties in which such lands are situated, the lands received under said Congressional grant. The counties, in turn, have quite generally disposed of their swamp lands and swamp land interests. The Supreme Court of the United States has, twice at least, held that this grant of September 28, 1850, was a present grant, and vested title in the State at the date of the act to all lands that were swamp or overflowed within the meaning of the act. This doctrine was announced in the decision of the case of the *Railroad Company v. Smith*, decided at the December term, 1869; and more recently in the case from California, entitled "*Wright v. Roseberry*," decided in May, 1887. As this latter is an important decision, and reviews quite thoroughly the history of the swamp land grant, as it relates to the laws and decisions with regard thereto, I have thought best to embody it in this report.

The second section of the act of Congress of September 28, 1850, places the duty of selecting the swamp lands upon the Secretary of the Interior, in the following language: "*And be it further enacted*, That it shall be the duty of the Secretary of the Interior, as soon as may be practicable after the passage of this act, to make out an accurate list and plats of said lands described as aforesaid, and transmit the same to the Governor of the State of Arkansas, and at the request of said Governor, cause a patent to be issued to the State therefor; and on that patent the fee simple to said lands shall vest in the said State of Arkansas, subject to the disposal of the

legislature thereof." (The fourth section of the act makes its provisions apply to all other States in the Union having undisposed of swamp lands.)

In the decision of the case entitled "*The Railroad Company v. Smith*," referred to, the court held, in effect, that the failure or neglect of the Secretary of the Interior to list the swamp lands and transmit to the Governor, while it might embarrass the State, could not defeat its title, for that does not depend upon his action, but upon the act of Congress. The court in the "*Wright v. Roseberry*" case, has expressed the same view, and after reviewing at some length various decisions bearing upon the swamp land grant, gives a conclusion, as follows: "The result of these decisions is that the grant of 1850 is one *in presenti*, passing the title to the lands as of its date, but requiring identification of the lands to render the title perfect; that the action of the Secretary in identifying them is conclusive against collateral attack, as the judgment of a special tribunal to which the determination of the matter is intrusted, but when that officer has neglected or failed to make the identification, it is competent for the grantees of the State to prevent their rights from being defeated, to identify the lands in any other appropriate mode which will effect that object. A resort to such mode of identification would also seem permissible where the Secretary declares his inability to certify the lands to the State for any cause other than a consideration of their character."

The laws for the identification of the swamp lands in the State of California are different from those that apply for such purpose in our State. California, in the year 1861, passed a law requiring the county surveyor to survey and segregate the swamp lands, and make a plat of such segregation and file a duplicate with the Surveyor-general of the State. Congress passed an act, July 23, 1866, requiring the Surveyor-general to recognize these plats if the surveys were made in accordance with the system of United States surveys, and he was required to make plats of them and forward them to the Commissioner of the General Land Office for approval, the lands so platted to be certified to the State as swamp lands.

Now, there is no such segregation law in the State of Iowa; nor has Congress ever provided any other method for selecting and identifying the swamp lands in this State than that set forth in the second section of the act of September 28, 1850, heretofore quoted, unless it might be as to those lands for which the State claims indemnity under the act of Congress of March 2, 1835; this act provides, in effect, that before the United States will grant indemnity

for such lands, due proof that they are swamp must be furnished the Commissioner of the General Land Office by the "authorized agent of the State"; yet it seems that the Land Department of the general government will not receive this proof without first verifying it by a personal examination of the lands by an agent of their own.

The act of Congress of March 2, 1860, extending the swamp land grant to Minnesota and Oregon, fixed a limit in which the swamp lands in the several States should be made; but this act can hardly be interpreted as authorizing the States to make the selections, for it says they are to be made under authority of the act of September 28, 1850, which, as will be seen, only authorizes the Secretary of the Interior to make these selections.

The act of Congress of March 3, 1857, confirmed to the State as swamp or overflowed, the selections that were made by the several counties and reported to the Commissioner of the General Land Office, "so far as the same shall remain vacant and unappropriated and not interfered with by an actual settlement under any existing law of the United States"; but this act provides that these lands should be approved by the Secretary of the Interior and transmitted to the Governor, and patents issued at the request of the Governor, just as is required by the act of September 28, 1850, as to other swamp lands.

It will be seen that Congress, in granting the swamp lands, so far as the State of Iowa is concerned, has provided but the one method for their identification and selection. If it is found that, for any reason, this method fails in the accomplishment of the purpose intended, is it not competent for Congress to employ other means? It did this in the State of California.

While the act of September 28, 1850, grants to the State the swamp lands, yet the title, as will be seen, is inchoate. Does it not require the approval and patenting of the lands to the State, as provided for by the second section of the granting act, to enable the legislature of the State to give a perfect title to a grantee? Are the lands subject to the control of the legislature until the title is perfected by the issuing of patent to the State? Is it not questionable whether, in our State, parties claiming lands as swamp under the State or county, can exercise control and ownership over them, in the absence of any such approval or patent?

Some of the swamp land claimants, who claim to have purchased the entire swamp land interests of several of the counties, are of the opinion that, under the decisions of the courts, they have the right,

in the counties whose interests they have purchased, to select every forty acre tract of land, or other smallest legal subdivision, which they may deem to be swamp land within the meaning of the act making the grant, that was not disposed of prior to the date of the granting act, or which the general government has not already accounted for under the grant, and to exercise control and ownership of the same. Under this impression said parties, as it appears, have made a large number of selections and continue to make others. They have issued circular letters, as I learn, to the adverse claimants of these lands, who in many cases have owned them unmolested for many years under government entries or under other congressional grants, notifying them that *they* own the lands under the swamp land grant, and offering to settle and give them a quit-claim for a stipulated price per acre.

Now, if this thing is permitted, the consequence will be that no matter what may be the character of the land, whether swamp, in fact or not, the purchaser from the government, or other adverse claimant, is subjected to the hardship of either paying for his land the second time or of being obliged to defend his title in court against the claim of the swamp land claimant. And often, to avoid the expense and trouble of a suit in court, he will yield, likely, to a demand that may be extremely unjust, and pay the swamp claimant in accordance with the terms he has dictated.

If possible, a remedy should be provided against hardships of this nature, which, from the present outlook, are likely to be of frequent occurrence.

If parties claiming under a county can make swamp land selections on their own motion, without any liability of being called to account by the State or National authorities, who can foretell, in view of the rapacity which a dealing with this class of lands seems to beget, what will be the ultimate limits of the swamp land grant in our State?

Numerous notices still continue to be served upon the Governor from the local government land office in this city, looking toward a determination before said office as to whether the tract or tracts described in the notices received are or are not swamp lands, as such lands are defined by the act of September 28, 1850. Most of the investigations are ordered at the instance of parties who desire to enter the lands under the homestead or timber culture acts, and who think they can show that the lands are not swamp in fact. In some cases the notices state that a party has been permitted to enter the tract described under one of the laws mentioned, and if the



State desires to object to the perfection of the entry, on the ground of the swamp claim, a limited time is given in which to make such objection in accordance with the rules of the land department.

In this report the matters and things pertaining to indemnity swamp lands, will be found under a sub-heading entitled "Swamp Land Indemnity."

In accordance with the records of this office, the swamp and overflowed land account with the general government appears to stand about as follows:

Number of acres of swamp and overflowed lands patented to the State by the United States .....	885,524.33
Number of acres of swamp and overflowed lands located with land warrants or scrip, for which land indemnity has been awarded under act of March 2, 1855 .....	350,100.00
Number of acres of swamp and overflowed lands sold by the United States for cash, for which cash indemnity has been allowed under act of March 2, 1855 .....	405,543.33
Making the total number of acres .....	1,641,168.56
Deduct from this quantity the number of acres for which land indemnity has been awarded but not paid .....	27,833.25
Leaving a balance as the number of acres accounted for .....	1,613,335.25

# SWAMP LANDS PATENTED DURING THE LAST TWO YEARS.

*The following is a statement of the swamp and overflowed lands patented by the United States to the State of Iowa during the last two years, the same having been patented by the State to the respective counties named, in which they are situated:*

## BUCHANAN COUNTY.

PARTS OF SECTION.	Section.			Acres.
	N.	Town.	Range.	
se of se .....	30	88	8	40.00

## CALHOUN COUNTY.

w hf of se .....	2	89	34	80.00
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## DICKINSON COUNTY.

se of ne .....	2	98	35	40.00
se of sw .....	7	100	37	40.00
sw of ne .....	34	98	38	40.00
ne of nw, sw of sw .....	3	99	38	91.18
nw of nw .....	15	100	38	40.00
se of nw .....	19	100	38	40.00
sw of sw .....	23	100	38	40.00
nw of ne, ne of nw .....	25	100	38	80.00
Total in Dickinson county .....				411.18

## GREENE COUNTY.

se of nw, ne of sw .....	20	85	30	80.00
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## HUMBOLDT COUNTY.

e hf of ne .....	19	92	29	80.00
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## KOSSUTH COUNTY.

se of se .....	17	95	30	40.00
sw of se .....	8	95	30	40.00
Total in Kossuth county .....				80.00



## PALO ALTO COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
sw of ne .....	23	95	31	40.00
sw fr of sw fr .....	19	96	31	39.97
ne of ne, s hf of ne, n hf of se .....	35	96	31	200.00
ne of ne, se of nw .....	35	97	31	80.00
sw of nw fr .....	3	94	33	40.00
e hf of se .....	7	94	33	80.00
nw of nw .....	17	94	33	40.00
e hf of ne, ne of se .....	19	94	33	120.00
nw of nw .....	21	94	33	40.00
sw of ne, se of nw, e hf of se .....	27	94	33	160.00
Total in Palo Alto county .....				836.97

## POLK COUNTY.

sw of sw .....	20	81	24	40.00
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## SAC COUNTY.

sw of ne .....	2	86	36	40.00
se of se .....	22	86	37	40.00
Total in Sac county .....				80.00

## WEBSTER COUNTY.

w hf of se .....	20	90	27	80.00
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## WOODBURY COUNTY.

se of ne .....	31	87	47	40.00
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Aggregate number of acres..... 1,848.15

## DECISION OF SUPREME COURT OF UNITED STATES.

(Vol. 121, p. 488, U. S. Sup. Court Reports.)

## WRIGHT V. ROSEBERRY.

*Error to the Supreme Court of the State of California. Submitted March 21, 1887; decided May 2, 1887.*

The grant of swamp and overflowed lands to the several States by Act of September 28, 1850, is one *in praesenti*, passing title to the lands of the character therein described, from its date, and requiring only identification thereof to render such title perfect.

Such identification by the Secretary of the Interior is conclusive against collateral attack as being the judgment of the special tribunal on which such duty was imposed.

On neglect or failure of that officer to make such designation, it is competent for the grantees of the State to identify the lands in any other appropriate mode to prevent their rights from being defeated.

After segregation of the lands by the State and adoption of the segregation surveys by the proper federal officers, the right of the State's grantees to maintain an action for recovery thereof cannot be defeated because such lands have not been certified or patented to the State.

The issue of patents for these lands to defendants or their grantors, under the pre-emption laws, upon claims initiated subsequent to the swamp grant to the State is not conclusive at law as against parties claiming under such grant, and in an action for their possession evidence is admissible to determine whether or not the lands were in fact swamp and overflowed at the date of the swamp land grant. If proved to have been such, the rights of subsequent claimants under other laws are subordinate thereto.

The provisions contained in section 1, of the Act of July 23, 1896, "to quiet land titles in California," do not relate to the swamp lands granted to the State by the Act of September 28, 1850; the provisions in sections 4 and 5 relate to swamp lands.

The legislation of Congress respecting swamp lands, the departmental construction of that legislation, the line of decisions by this court respecting it, and the decisions of the highest courts of many of the States concerning it, stated.

This was an action to recover possession of a tract of land situated in the county of Yolo, in the State of California, consisting, according to the public surveys, of portions of sections 24, 25 and 36, of township 11 north, range 2 east, in that county, and embracing 560 acres. The land was particularly described as follows: The north half of the southeast quarter and the southeast quarter of the southeast quarter of section twenty-four (24), the east half of the northeast quarter and the southwest quarter of the northeast quarter of section twenty-five (25), the southeast quarter of section twenty-five (25), and the northeast quarter of section thirty-six (36); all in township eleven (11) north, range two (2) east, Mount Diablo base and meridian. It

was alleged to be swamp and overflowed land, which was granted to the State by the Act of Congress of September 28, 1850, "to enable the State of Arkansas and other States to reclaim the 'swamp lands' within their limits," 9 Stat., 519. The complaint was in the usual form in such actions, alleging the plaintiff's seizin in fee of the land and his right of possession, the unlawful entry thereon of the defendants and their ousting him therefrom, and their continued withholding of the possession to his damage of \$1,000. It also alleged that the rents and profits of the land were of the value of \$360 a year. The prayer was for judgment of restitution of the premises, and for the damages, rents and profits claimed.

Two of the defendants united in their answer, one of them being a tenant of the other; the other defendants answered separately. All denied the allegations of the complaint, and, except in the case of the tenant, asserted ownership in fee of portions of the demanded premises, which they described in their respective answers; and all set up the statute of limitations in bar of the action.

The action was twice tried by the State District Court in which it was commenced, and, by stipulation of parties, without a jury. At both trials the plaintiff asserted title to the premises as swamp and overflowed lands by conveyance from parties who had purchased them from the State. The defendants claimed the premises through patents of the United States, issued under the pre-emption laws to them, or to parties from whom they derived their interest. On the first trial the court found that 160 acres were swamp and overflowed land on the 28th of September, 1850, within the meaning of the act of Congress of that date, and gave judgment in favor of the plaintiff for their possession; but, as to the other portions of the premises, the court failed to find whether or not the plaintiff was the owner thereof or entitled to their possession. For this failure the Supreme Court of the State, on appeal, reversed the judgment, and remanded the cause to the District Court, with directions to find upon those issues from the evidence already taken, and such further evidence as might be adduced, and to render judgment upon the whole case. Upon the second trial thus ordered, further testimony was accordingly taken. The court thereupon set aside its previous findings, found on all the issues in favor of the defendants, and gave judgment in their favor. On appeal to the Supreme Court this judgment was affirmed.

MR. JOHN MULLAN, *for plaintiff in error.*

MR. W. C. BELCHER, *for defendant in error.*

I. Under the act of Congress of September 28, 1850, granting swamp and overflowed lands to the States, the Secretary of the Interior is the officer and his department the tribunal to determine what lands are within the grant, and his decision is conclusive. *French v. Fyan*, 93 U. S., 169, 171. That decision has been many times recognized and affirmed, and by it the rule was settled that when the Land Department has issued a patent for any given tract of land as high land, and particularly where, as here, it has issued a patent after having made special inquiry and examination through its subordinate officers to determine the character of the land with reference to the

grant, the question of character is conclusively settled in favor of the patentee, and cannot be re-examined in an action at law.

Here we have as evidence of the decision of the Department of the Interior as to the character of these lands:

*First.* Patents of the United States to defendants as pre-emptors.

*Second.* Report of the United States Surveyor-general of his investigation made upon the application of the plaintiff, and the decision of the Commissioner upon that report.

*Third.* Decision of the Commissioner and Secretary of the Interior refusing to list the land to the State upon its application made by the State Surveyor-general.

II. In an action of ejectment, patents of the United States for the lands involved are conclusive evidence of the legal title. *French v. Fyan*, 93 U. S., 169; *Johnson v. Towsley*, 13 Wall., 73; *Leese v. Clark*, 18 Cal., 535, 572; *Miller v. Dale*, 44 Cal., 562; *Churchill v. Anderson*, 56 Cal., 55; *Gibson v. Chouteau*, 13 Wall., 92, 102; *Bagnell v. Broderick*, 13 Pet., 436; *Patterson v. Tatum*, 3 Sawyer, 164, 172; *Moore v. Robbins*, 96 U. S., 530; *Cahn v. Barnes*, 7 Sawyer, 48.

In *French v. Fyan* it appeared that the United States had issued a patent to the State, upon its request, for the land as swamp and overflowed land, under the act of September 28, 1850; that Congress had in 1852 made a grant of land to the Missouri Pacific Railroad Company, and the land involved had been surveyed and returned as high land, and had been certified by the Commissioner to the railroad company as part of the land granted to it. The plaintiff claimed under the certificate and grant to the railroad company, the defendants under the State; and the party resisting the patent offered to prove by witnesses that the land was not in fact swamp and overflowed land within the meaning of the act, while in our case the plaintiff sought to prove that the land was swamp and overflowed land within the meaning of the act by witnesses, by the State segregation map, and the new plat constructed by the United States Surveyor-general under the fourth section of the act of July 23, 1866.

In *Leese v. Clark*, 18 Cal., 572, Mr. Justice Field, then Chief Justice of the Supreme Court of California, speaking of the conclusive character of a patent, says:

"Upon all the matters of fact and law essential to authorize its issuance, it purports absolute verity; and it can only be vacated and set aside by direct proceedings instituted by the government, or by parties acting in the name and by the authority of the government.

"Until thus vacated it is conclusive, not only as between the patentee and the government, but between parties claiming in privity with either by title subsequent."

And in *Gibson v. Chouteau*, 13 Wall., 102, the same learned judge says:

"But in the action of ejectment in the Federal courts, the legal title must prevail, and the patent, when regular on its face, is conclusive evidence of that title. So, also, in the action of ejectment in the State courts, when the question presented is whether the plaintiff or defendant has the superior legal title from the United States, the patent must prevail."

*Miller v. Dale*, 44 Cal., 562, was ejectment for land in Santa Clara county. The land was embraced within the calls of two Mexican grants—*Las Animas*



and *El Solis*—both of which had been finally confirmed by the proper tribunals of the United States. For *El Solis* a patent had been issued. For *Las Animas* the survey had been finally approved by the United States District and Circuit courts, but no patent had been issued. The plaintiff, claiming under the *Las Animas*, sought to attack the *El Solis* patent, under which the defendants claimed, on the ground that the confirmation of the grant had been procured by false testimony; but it was held that the patent could not be collaterally attacked, and that it was, so long as it remained unvacated, conclusive against the government and against all parties claiming under the government by title subsequent. The judgment in that case was reviewed in this court, and affirmed in *Miller v. Dale*, 92 U. S., 473.

Here the issuing of the patent was by the act of Congress made to depend upon the existence of particular facts in reference to the condition of the land, whether it was high land, suited to cultivation, and open to settlement and purchase under the pre-emption laws.

The Department of the Interior had been appointed to ascertain and determine the facts, and had given its decision, and upon that decision the patents had been issued, and they were not open to collateral attack.

The rights of the defendants were based upon settlements made and declaratory statements filed prior to the passage of the act of July 23, 1866, and their rights were saved by special provisions of that act. Roseberry's patent for the southeast quarter of section twenty-five was issued prior to the passage of that act.

In *Cahn v. Barnes*, decided in 1881, in the United States Circuit Court for the District of Oregon, the plaintiff claimed under a patent from the United States issued under a wagon-road grant to the State of Oregon. The defendant claimed under a certificate of purchase from the State, for the land as swamp and overflowed land.

The facts in that case were in many respects like the facts in this. There the State had selected the land as swamp and overflowed, and issued to the defendant its certificate of purchase, but the land had not been listed or patented to the State as swamp. There, too, the United States had issued a patent for the land as high land.

The reasoning of the learned judge in that case applies very exactly to this case, and here, as there, the patent of the United States must be held conclusive evidence that the lands patented as agricultural lands were not, and are not, swamp land.

There the Secretary of the Interior had not been asked to determine the character and list the lands. Here investigations had been had and reports made at the instance of the State, and after investigation, the Secretary had refused to list or certify the land to the State. The patents were not open to collateral attack. They were issued under authority of law, and by the officers to whom the law intrusted "the issuing of patents for all grants of land under the authority of the government," and for lands, the title to which was in the government. If there was any error, it was an error of judgment in the Secretary, in determining the actual character of the land, but that was an error which a court of law cannot correct. The act of July 23, 1866, could not affect the case, because the rights of the defendants were initiated before its passage, and were specially protected by its provisions.

III. There was no error in the rulings of the district court as to the admissibility of evidence.

*First.* Plaintiff asked the witness, Twitchell, whether the map filed in the Surveyor-general's office, by Mathews, had been recognized as the segregation map of Yolo county. Recognition by the officers of the Surveyor-general's office could not give character to the map. The map itself was in evidence, and was allowed to tell its own story. It was offered in evidence to show that the land in controversy had been actually surveyed and segregated as swamp and overflowed land by Mathews, as county surveyor, in 1862. It must speak for itself, and recognition by the Surveyor-general could add nothing to it.

*Second.* The documentary evidence offered by the defendants and admitted against the objections of the plaintiff was admissible, because it showed that the Land Department and the Secretary of the Interior, as the head of that department, had, upon application of the State, refused to list or patent the land involved to the State.

Mr. Justice Field, after making the foregoing statement of the case, delivered the opinion of the court.

It does not distinctly appear what caused the district court to change its first decision with respect to those lands, which it had originally held to be swamp and overflowed; but as it admitted in evidence the patents of the United States, and held that they passed the title to the defendants, it probably had reached the conclusion which the Supreme Court subsequently announced, that the plaintiff could not maintain an action upon the title to swamp and overflowed lands until they had been certified as such to the State, pursuant to the fourth section of the act of Congress of July 23, 1866, "to quiet land titles in California." For want of such certificate, the court decided that the title to the demanded premises never vested in the State, and that she could not convey a title to the plaintiff upon which he could maintain an action of ejectment against persons in possession under patents of the United States. This ruling constitutes the alleged error for which a reversal is sought. To determine its correctness, it will be necessary to consider the nature of the grant to the State of the swamp and overflowed lands, the proceedings taken under the laws of the State and of the United States to ascertain and define their boundaries, and the effect of the act of July 23, 1866, and of section 2488 of the revised statutes, as confirmatory of previous segregations by the State. The following is the swamp land act of September 28, 1850.

"An Act to enable the State of Arkansas and other States to reclaim the 'swamp lands' within their limits:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made unfit thereby for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby, granted to said State.

"Sec. 2. And be it further enacted, That it shall be the duty of the Secretary of the Interior, as soon as may be practicable after the passage of this



act, to make out an accurate list and plats of the lands described, as aforesaid, and transmit the same to the Governor of the State of Arkansas, and, at the request of said Governor, cause a patent to be issued to the State therefor; and on that patent the fee-simple to the lands shall vest in the said State of Arkansas, subject to the disposal of the legislature thereof; *provided, however*, that the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid.

"Sec. 3. *And be it further enacted*, That in making out a list and plats of the land aforesaid, all legal subdivisions, the greater part of which is 'wet and unfit for cultivation,' shall be included in said list and plats; but, when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom.

"Sec. 4. *And be it further enacted*, That the provisions of this act be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamp and overflowed lands, known and designated as aforesaid, may be situated." 9 St., 519.

Soon after the passage of this act, the question arose as to the time the grant took effect—whether, at the date of the act, or on the issue of the patent to the State upon the request of the Governor, after the list and plats of the lands were made out by the Secretary of the Interior and transmitted to him. The question was one of great importance to all the States in which there were swamp and overflowed lands. These lands amounted to many millions of acres. In California alone there were, according to the reports of the Land Department, nearly two millions of acres.

The object of the grant, as stated in the act, was to enable the several States to which it was made to construct the necessary levees and drains to reclaim the lands; and the act required the proceeds from them, whether from their sale or other disposition, to be used, so far as necessary, *exclusively for that purpose*. The early reclamation of the lands was of great importance to the States, not only on account of their extraordinary fertility when once reclaimed, but for the reason that until then they were the cause of malarial fevers and diseases in the neighborhood.

The language of the first section of the act indicates a grant *in presenti* to each State of lands within its limits of the character described. Its words, "shall be, and are hereby, granted," import an immediate transfer of interest, not a promise of a transfer in the future. It was only when the other sections of the act were read that a doubt was raised as to the immediate operation of the act. On the one hand, it was contended that these sections postponed the vesting of title in the State, until the lands granted were identified, and a patent of the United States for them was issued. On the other hand, it was insisted that effect must be given to the clear words of the granting clause of the first section, which, *ex vi termini*, import the passing of a present interest, and that, in consistency with them, the other provisions of the act should be regarded as simply providing the mode of identifying the lands, and furnishing documentary evidence of their identification, and not as a limitation upon vesting the right to them in the State, as this would make the investiture dependent upon the request of the Governor, and not upon the act of Congress. It was also urged that identification of the lands could be

made in a majority of instances from simple examination of them, and that no policy of the government could be advanced by postponing the passing of the title until the identification by the Secretary of the Interior; and that the clause providing that upon the issue of the patent the fee should pass, was merely declaratory of the nature of the title, the patent operating merely by way of further assurance.

The question thus brought to the attention of the Department, under whose supervision the act was to be carried into effect, was one upon which men might very well differ, but after its solution had been reached, and the conclusion was acted upon, necessarily affecting titles to immense tracts of land, there should be the clearest evidence of error, as well as the strongest reasons of policy and justice controlling, before a departure from it should be sanctioned.

There are numerous cases in the history of the country where Congress after confirming to parties title to lands, has directed that patents of the United States should be issued to them; yet it has been held that the patent in such cases operated merely as record evidence of the title, and added nothing to the title itself. An illustration of this is presented in the case of claims confirmed to lands in the Northwest territory, which originated previously to its cession to the United States. By the act of Congress of March 26, 1804 (2 St. 277, c. 35), every person claiming lands within certain designated limits of that territory, by virtue of a legal grant made by the French government prior to the treaty of Paris of the 10th of February, 1763; or by the British government subsequent to that period, and prior to the treaty of peace between the United States and Great Britain, on the 3d of September, 1783; or by virtue of any resolution or act of Congress subsequent to that treaty,—was required to deliver, on or before the 1st of January, 1805, to the Register of the Land Office of the district in which the land was situated, a notice stating the nature and extent of his claim, together with the plat of the tract or tracts claimed. The Register of the Land Office and the Receiver of Public Moneys were constituted commissioners within their respective districts for the purpose of examining the claims. It was made their duty to hear, in a summary manner, all matters respecting them, to examine witnesses, and to take any testimony that might be adduced before them, and decide thereon according to justice and equity, and to transmit a transcript of their decisions in favor of claimants to the Secretary of the Treasury, who was required to lay it before Congress at the ensuing session.

Among the claims presented under this act was one by the heirs of Jean Baptiste Tongas for lands in the neighborhood of Vincennes, the claim being founded upon an ancient grant to their ancestor. The commissioners decided in favor of the heirs, and confirmed their claim, and transmitted a transcript of their decision to the Secretary of the Treasury, who laid the same before Congress. By the act of March 3, 1807 (2 St., 446, c. 47), this and other decisions in favor of persons claiming lands in the same district of Vincennes, transmitted to the Secretary of the Treasury, were confirmed. The act declared that every person, or his legal representative, whose claim was confirmed, and who had not previously obtained a patent therefor from the Governor of the territory northwest of Ohio, or of Indiana Territory, should, whenever his claim was located and surveyed, have a right to receive from the Register of the Land Office at Vincennes a certificate, which should entitle

him to a patent for his land, to be issued to him in like manner as is provided by law "for the other lands of the United States." A survey of the tract thus confirmed was made in 1820, but no patent was issued until 1872, when one was issued, reciting the confirmation by the act of 1807 of the decision of the commissioners under the act of 1804. The patent purported "to give and grant" to the heirs of Tongas the tract in question in fee. A party claiming under the heirs brought ejectment for the premises. The defendant claimed as tenant under one who had been in actual possession under claim and color of title for thirty years. The question for decision was, when did the title to the land vest in the heirs of Tongas? The court below held that it vested, by the act of confirmation of 1807, when the land was located and surveyed in 1820, and that the patent was not itself the grant of the land by the United States, but merely evidence that a grant had been made to the heirs of Tongas. The defendant, therefore, had judgment. The case being brought to this court, the judgment was affirmed. *Langdean v. Hanes*, 21 Wall., 521. In deciding the case, the court said: "In the legislation of Congress a patent has a double operation. It is a conveyance by the government, when the government has any interest to convey; but, where it is issued upon the confirmation of a claim of a previously existing title, it is documentary evidence, having the dignity of a record, of the existence of that title, or of such equities respecting the claim as justify its recognition and confirmation. The instrument is not the less efficacious as evidence of previously existing rights, because it also embodies words of release or transfer from the government. In the present case the patent would have been of great value to the claimants, as record evidence of the ancient possession and title of their ancestor, and of the recognition and confirmation by the United States, and would have obviated, in any controversies at law respecting the land, the necessity of other proof, and would thus have been to them an instrument of quiet and security. But it would have added nothing to the force of the confirmation. The survey required for the patent was only to secure certainty of description in the instrument, and to inform the government of the quantity reserved to private parties from the domain ceded by Virginia."

The grants by the United States of land to aid in the construction of railroads, in relation to which we have had many cases before us, are in many particulars analogous to the grant by the swamp-land act. They are usually of a specified number of sections of land on each side of the proposed route of the road, with a reservation of certain sales or of other disposition made before such road becomes definitely fixed. The usual words of grant in such cases are similar to those in the swamp-land act—"there is hereby granted." Though it is impossible to locate the land granted until the route is fixed, yet when that is fixed the grant takes effect as of the date of the act. This would be equally the case were the mode prescribed to fix the boundaries more complicated and difficult. Thus, in the case of *Leavenworth, Lawrence & Galveston Railroad Company v. United States*, 92 U. S., 733, the language was: "There be, and is hereby, granted to the State of Kansas;" and in reference to it the court said: "It creates an immediate interest, and does not indicate a purpose to give in future. 'There be, and is hereby, granted,' are words of absolute donation, and import a grant *in presenti*. This court has held that they can have no other meaning, and the Land Department, on

this interpretation of them, has uniformly administered every previous similar grant. They vest a present title in the State of Kansas, though a survey of the lands and a location of the road are necessary to give precision to it, and attach it to any particular tract. The grant then becomes certain, and by relation has the same effect upon the selected parcels as if it had specifically described them." See, also, *Railroad Company v. Baldwin*, 103 U. S., 436; *Missouri, Kansas & Texas Railway Company v. Kansas Pacific Railway Company*, 97 U. S., 491; *Schulenberg v. Harriman*, 21 Wall., 44, 60; *Rutherford v. Greene's Heirs*, 2 Wheat., 196.

It is plain that the difficulty of identifying the swamp and overflowed lands could not defeat or impair the effect of the granting clause, by whomsoever such identification was required to be made. When identified, the title would become perfect as of the date of the act. The patent would be evidence of such identification and declaratory of the title conveyed. It would establish definitely the extent and boundaries of the swamp and overflowed lands in any township, and thus render it unnecessary to resort to oral evidence on that subject. It would settle what otherwise might always be a mooted point, whether the greater part of any legal subdivision was so wet and unfit for cultivation as to carry the whole subdivision into the list. The determination of the Secretary upon these matters, as shown by the patent, would be conclusive as against any collateral attacks, he being the officer to whose supervision and control the matter is especially confided. The patent would thus be an invaluable muniment of title, and a source of quiet and peace to its possessor. But the right of the State under the first section would not be enlarged by the action of the Secretary, except as to land, not swamp or overflowed, contained in a legal subdivision, as mentioned in the fourth section; nor could it be defeated, in regard to the swamp and overflowed lands, by his refusal to have the required list made out, or the patent issued, notwithstanding the delays and embarrassments which might ensue.

The conclusion which the Land Department reached upon its examination of the character of the grant soon after the passage of the act was, that the title passed to the State at the date of the act. In a communication to the Commissioner of the General Land Office, under date of December 23, 1851, Mr. Stuart, then Secretary of the Interior, referring to the act of 1850, and the act of 1849, to aid Louisiana to drain her swamp lands; and stating that the first question involved was as to the period when the grants took effect,—whether at the date of the law, or at the date of the approval of the selections by the Secretary,—said: "In each case, the granting clause is in the first section, and the words employed, viz.: 'are hereby granted,' seem to me to import a grant *in presenti*. They confer the right to the land, though other proceedings are necessary to perfect the title. When the selections are made and approved, or the patent issued, the title therefor becomes perfect, and has relation back to the date of the grant." And, further: "As the grants are regarded as taking effect from the date of the laws making them respectively, and as vesting the inchoate title in the States, it follows that any subsequent sale or location of swamp or overflowed lands must be held to be illegal, and the purchase money refunded, or a change of location ordered." *Lester's Land Laws*, 549, No. 578.

This construction of the grant has been followed by the Secretary's successors to this day. In a communication to the Commissioner of the General



Land Office, April 19, 1877, Secretary Schurz said: "The legal character of this grant [of 1850] has often been passed upon by the courts, and it has been uniformly held that the act was a present grant, vesting in the State, *proprio vigore* from the day of its date, title to all the land of the particular description therein designated, wanting nothing but the definition of the boundaries to make it perfect." And, therefore, he held that swamp lands were not, in March, 1833, when the pre-emption laws were extended to California, public lands, and for that reason could not be entered and sold under those laws. "The act of September 28, 1850," he added, "was notice to the world that all of the swampy lands in California were thereby granted *in presenti* to the State, and were not subject to pre-emption, entry, or sale thereafter; and the person who files a declaratory statement on lands actually swampy does so with full notice that they are not public lands, and that he cannot obtain any right thereby." Cops' Public Land Laws, Vol. 2, p. 1048.

In a communication to the Commissioner of February 25, 1886, Secretary Lamar said: "The principle has been formerly established by the decisions of the courts and of this department that the grant of swamp lands made to the several States was a grant *in presenti*, and conferred a present vested right to such lands as of the date of the grant, and that the field notes of survey may be taken as a basis in determining the character of the land, if the State so selects." Decisions of Dept. of Interior, Vol. 4, 415.

A similar construction of the grant was given by Att'y-Gen. Black in an official communication to the secretary of the interior, under date of November 10, 1858. In February, 1853, Congress had made a grant of land to the States of Arkansas and Missouri to aid in the construction of a railroad, and under this grant a part of the lands previously granted to the State of Arkansas by the act of September 28, 1850, under the designation of "swamp lands," was included; and the question asked of the Attorney-general was, which of the two acts gave the better title? In reply, he said: "Where there is a conflict between two titles derived from the same source, either of which would be good if the other were out of the way, the elder one must always prevail,—*prior in tempore potior est in jure*. This difficulty, therefore, is solved if the mere grant [of 1850] as you call it, gave the State a right to the land from the day of its date. That it did so there can be no doubt. In an opinion which I sent you on the 7th of June, 1857, concerning one of the same laws now under consideration, I said that a grant by Congress does of itself, *proprio vigore*, pass to the grantee all the estate which the United States had in the subject matter of the grant, except what is expressly excepted. I refer you to that opinion for the reasons and authorities upon which the principle is grounded. It is not necessary that the patent should issue before the title vests in the State under the act of 1850. The act of Congress was itself a present grant, wanting nothing but a definition of boundaries to make it perfect, and to attain that object the Secretary of the Interior was directed to make out an accurate list and plat of the lands, and cause a patent to be issued therefor. But when a party is authorized to demand a patent for land, his title is vested as much as if he had the patent itself, which is but evidence of his title." 9 Opinions Attorneys-general, 234.

The same view of the act as a present grant, vesting in the State from its date the title to all the land within its limits of the particular description designated, wanting only a definition of boundaries to render the title

perfect, was taken at an early period by the highest courts of several States within which swamp and overflowed lands existed. It was so held by the Supreme Court of Arkansas in 1839, in *Fletcher v. Pool*, 20 Ark., 100; in 1866, in *Branch v. Mitchell*, 24 Ark., 431, 444; and in 1874, in *Ringo's Executor v. Rotan's Heirs*, 29 Ark., 36.

In *Fletcher v. Pool* the court said: "That the act was a present grant, vesting in the State, *proprio vigore*, from the day of its date, title to all the land of the particular description therein designated, wanting nothing but the definition of boundaries to make it perfect, no doubts can be entertained. The object of the second section was not to postpone the vestiture of title in the State until a patent should issue, but was to provide for the ascertainment of boundaries, and to prevent a premature interference with the lands by the State legislature before they were so designated as to avoid mistake and confusion."

In *Branch v. Mitchell* the court said: "We continue satisfied with the decisions heretofore made, and again hold that all the lands in the State, which were really and in fact swamp and overflowed, and thereby unfit for cultivation, passed to and vested in the State on the 28th of September, 1850. The case is the same as if the grant had been of all the prairie land, or all the woodland, or all the alluvial land in the State; the difficulty of ascertainment of its character not affecting the question. The words of grant—the operative words—are direct and positive: 'Shall be, and the same are hereby, granted to the State;' and the provision of the second section, that the Secretary of the Interior should make out and transmit to the Governor a list and plats of the land described, and at the request of the Governor cause a patent to issue to the State, and that 'on that patent the fee simple to said lands shall vest in the said State,' can no more be held to limit the effect of the present grant in the first section than if, in a deed, after immediate and express conveyance of lands by some general description, it should be provided that, when the numbers should be ascertained, another deed should be made, 'on which the fee simple should vest.' This would make the title of the State to any of the land depend on a request of the Governor for a patent. The words of the second section must be held to be simply a definition of the nature of the title which the State took under the grant, and not a postponement of the period at which the title should vest." 24 Ark., 444, 445.

And in *Ringo's Executor v. Rotan's Heirs* the court held that the title of the State to the swamp and overflowed lands granted to her by the act of September 28, 1850, accrued from the date of the act, and that a title derived from the State took precedence over a grant by the United States subsequent to that time.

The same view was held by the Supreme Court of California in 1858, in *Owens v. Jackson*, 9 Cal., 322; and in *Summers v. Dickinson*, 9 Cal., 554; and in 1864, in *Kernan v. Griffith*, 27 Cal., 87; and in 1882 was assumed to be the correct view in *Sacramento Valley Reclamation Co. v. Cook*, 61 Cal., 341. In the first of these cases, which was an action for the possession of swamp and overflowed lands held under a patent of the State, the defendant demurred to the complaint, on the ground that it did not show that the land had been surveyed and patented to the State. The demurrer was sustained in the court below, but the Supreme Court reversed the decision, holding that the State had the right to dispose of lands of that character granted to her by the



act of 1850, prior to the patent of the United States. "The act of congress," said the court, "describes the land, not by specific boundaries, but by its quality, and is a legislative grant of all the public lands within the State of the quality mentioned. The patent is matter of evidence and description by metes and bounds. The office of the patent is to make the description of the lands definite and conclusive, as between the United States and the State." The same conclusion was reached in 1861 by the Supreme Court of Iowa, in *Allison v. Halfacre*, 11 Iowa, 459, which was subsequently followed in all its decisions on the subject.

At a later day, the Supreme Courts of Missouri and Oregon held the same doctrine. *Clarkson v. Buchanan*, 53 Missouri, 563; *Campbell v. Wortman*, 58 Missouri, 258; *Gaston v. Stott*, 5 Oregon, 48. The Supreme Court of Illinois, in 1863, expressed the same view in *Superior v. State's Attorney*, 31 Ill., 68; then receded from it in *Granham v. Atkins*, 63 Ill., 359; and, in 1873, in *Thompson v. Prince*, 67 Ill., 281; but returned to its first conclusion in 1875, in *Keller v. Bricey*, 78 Ill., 133.

The question came before this court at the December term, 1869, in *Railroad Company v. Smith*, 9 Wall., 95, and the same doctrine as to the character of the grant was affirmed. On the tenth of June, 1852, Congress had made to the State of Missouri a grant of land to aid in the construction of certain railroads, and the legislature of the State had conveyed the land to the Hannibal & St. Joseph Railroad Company. One Smith held certain swamp and overflowed lands, which he had obtained from the State, and the question presented was whether the grant to the State in aid of the railroads covered the swamp and overflowed lands granted to her by the act of September 28, 1850, the latter not having been certified to the State by the Secretary of the Interior, nor patented to her. After referring to the first section, the court said: "Here is a present grant by Congress of certain lands to the States within which they lie, but it is by a description which requires something more than a mere reference to their townships, ranges and sections to identify them as coming within it. In this respect it is precisely like the railroad grants, which only become certain by the location of the road." And after stating that it was the duty of the Secretary of the Interior to ascertain the character of the lands as swamp and overflowed, and to furnish the State with evidence of it, the court continued: "Must the State lose the land, though clearly swamp land, because that officer has neglected to do this? The right of the State did not depend on his action, but on the act of Congress, and, though the States might be embarrassed in the assertion of this right by the delay or failure of the Secretary to ascertain and make out lists of these lands, the right of the States to them could not be defeated by that delay." The court added that, as the Secretary of the Interior had no satisfactory evidence under his control to enable him to make out these lists, he must, if he attempted it, rely on witnesses whose personal knowledge would enable them to report as to the character of the tracts claimed to be swamp and overflowed; "that the matter to be shown was one of observation and examination, and, whether arising before the Secretary, whose duty it was primarily to decide it, or before the court, whose duty it became because the Secretary had failed to do it, this was clearly the best evidence to be had, and was sufficient for the purpose." And it was held that the grant in aid of the railroads did not include the swamp and overflowed lands.

In *French v. Fgan*, 93 U. S., 169, 170, which was before this court at October term, 1876, the same view was taken of the grant, and the effect to be given to a patent of the United States for swamp lands was stated. That was an action of ejectment for such lands for which a patent had been issued to the State of Missouri under the act of 1850. The lands had been conveyed to the Missouri Pacific Railroad Company by the State as part of the land granted to aid in the construction of its road by the act of June 10, 1862, and the plaintiff had by purchase become vested with the title of the company. To overcome the *prima facie* case made by him, the defendant gave in evidence the patent of the State under the swamp-land act of 1850, from which he traced title by regular conveyances. The plaintiff then offered to prove by witnesses who had known the character of the land from 1849 down to the time of the trial that the land was not swamp and overflowed, and made unfit thereby for cultivation, and that, since 1849, the greater part was not, and never had been, in that condition. The court below held that the question was concluded by the patent of the United States to the State for the land as swamp land under the act of September 28, 1850, and rejected the testimony. The admissibility of the testimony was thus presented for determination. In giving our decision we said: "This court has decided more than once that the swamp-land act was a grant *in presenti*, by which the title to those lands passed at once to the State in which they lay, except as to the States admitted into the Union after its passage. The patent, therefore, which is the evidence that the lands contained in it had been identified as swamp lands under that act, relates back and gives certainty to the title of the date of the grant. As that act was passed two years prior to the act granting lands to the State of Missouri for the benefit of the railroad, the defendant had the better title on the face of the papers, notwithstanding the certificate to the railroad company for the same land was issued three years before the patent to the State under the act of 1850; for while the title under the swamp-land act, being a present grant, takes effect as of the date of that act, or of the admission of the State into the Union, when this occurred afterward, there can be no claim of an earlier date than that of the act of 1852, two years later, for the inception of the title of the railroad company." And, upon the admissibility of parol testimony to show that the land in the patent was not swamp land, the court said that, by the second section of the act, the power and duty were conferred upon the Secretary of the Interior, as the head of the department which administered the affairs of the public lands, of determining what lands were of the description granted, and made his office the tribunal whose decision on that subject was to be controlling. The parol evidence, therefore, was held to be inadmissible. 93 U. S., 172.

In commenting upon the case of *Railroad Company v. Smith*, upon which reliance was placed for the admission of the parol testimony, the court said: "The admission was placed expressly on the ground that the Secretary of the Interior had neglected or refused to do his duty; that he had made no selections or lists whatever, and would issue no patents, although many years had elapsed since the passage of the act." "There was no means," it added, "as this court has decided, to compel him to act; and if the party claiming under the State in that case could not be permitted to prove that the land which the State had conveyed to him as swamp land, was in fact

such, a total failure of justice would occur, and the entire grant of the State might be defeated by this neglect or refusal of the Secretary to do his duty."

This view of the character of the grant was recognized in *Rice v. Sioux City & St. Paul Railroad Company*, decided at the October term, 1883; 110 U. S., 695, 697, 698. The question there was whether the swamp-land act extended to Territories upon their subsequent admission as States into the Union. It was held that it did not. Said the court, speaking by the Chief Justice: "That the swamp-land act of 1850 operated as a grant *in presenti* to the States then in existence, of all the swamp lands in their respective jurisdictions, is well settled;" citing the cases of *Railroad Company v. Smith*, 9 Wall., 95; *French v. Fyan*, 23 U. S., 109; *Martin v. Marks*, 37 U. S., 345. And, again: "The grant under the act of 1850 was to Arkansas and the other States of the Union. Arkansas was an existing State, and the grant was to all the States *in presenti*. It was to operate upon existing things, and with reference to an existing state of facts." "It was to take effect at once, between an existing grantor and several separate existing grantees."

The result of these decisions is that the grant of 1850 is one *in presenti*, passing the title to the lands as of its date, but requiring identification of the lands to render the title perfect; that the action of the Secretary in identifying them is conclusive against collateral attack, as the judgment of a special tribunal to which the determination of the matter is intrusted; but, when that officer has neglected or failed to make the identification, it is competent for the grantees of the State, to prevent their rights from being defeated, to identify the lands in any other appropriate mode which will effect that object. A resort to such mode of identification would also seem to be permissible where the Secretary declares his inability to certify the lands to the State for any cause other than a consideration of their character.

The legislation of Congress subsequent to the act of 1850, for the purpose of giving it effect, has been in consonance with the view stated of the nature of the grant. It has uniformly recognized the paramount character of the State's title, and has endeavored to correct the evils which in many cases followed from the delay of the Secretary of the Interior in identifying the lands, and furnishing to the State the required lists and plats. The legislatures of the several States in which such lands existed very generally themselves undertook to identify the lands, and to dispose of them, and for that purpose passed appropriate legislation for their survey and sale and the issue of patents to the purchasers. Much inconvenience, and in many instances conflicts of title, arose between those claiming under the State and those claiming directly from the United States. To obviate this, on the second of March, 1855, Congress passed an act "for the relief of purchasers and locators of swamp and overflowed lands." 10 St., 694, c. 147. The act provided that the President of the United States should cause patents to be issued to purchasers and locators who had made entries of the public lands claimed as swamp and overflowed lands with cash or land warrants, or scrip, prior to the issue of patents to States under the act of 1850; "provided, that in all cases where any State, through its constituted authorities, may have sold or disposed of any tract or tracts of said land to any individual or individuals, and prior to the entry, sale or location of the same under the pre-emption or other laws of the United States, no patent shall be issued by the President for such tract or tracts of land until such State, through its constituted authorities, shall

release its claim thereto in such form as shall be prescribed by the Secretary of the Interior."

The act also provided "that, upon due proof by the authorized agent of the State or States, before the Commissioner of the General Land Office, that any of the lands purchased were swamp lands within the true intent and meaning of the act aforesaid, the purchase money shall be paid over to said State or States; and when the lands have been located by warrant or scrip, the said State or States shall be authorized to locate a quantity of like amount upon any of the public lands subject to entry at one dollar and a quarter per acre, or less, and patents shall issue therefor upon the terms and conditions enumerated in the act aforesaid."

There is here a plain recognition of the prior right of the State to the swamp lands within her limits, by the declaration that no patent of the United States shall be issued to purchasers from them of such lands without a release from the State, and that, in case of completed purchases from them, the purchase-money shall be paid to the State, or, if the purchase was made by warrant or in scrip, the State may locate an equal quantity of land upon any other public lands subject to entry. By act of March 3, 1857 (11 St., 351, c. 117), "to confirm to the several States the swamp and overflowed lands selected under the act of September 28, 1850, and the act of the second of March, eighteen hundred and forty-nine," the act of March 2, 1855, was confirmed in force, and extended to all entries and locations of land claimed as swamp, made since its passage.

The act of Congress of March 12, 1860, 12 St., 3, c. 5, extending the provisions of the swamp-land act to Minnesota and Oregon, recognizes in its second section their right and that of other States to make selections of the swamp lands, or rather to provide for their identification, without waiting for the action of the Secretary of the Interior. That section provides that the selection to be made from lands already surveyed in each of the States should be made within two years from the adjournment of the legislature of the State at its next session after the date of the act, and, as to all lands thereafter to be surveyed, within two years from such adjournment at the next session, after notice by the Secretary of the Interior to the Governor of the State that the surveys have been completed and confirmed.

By an act passed on the 23d of July, 1866, entitled: "An act to quiet land titles in California," 14 St., 218, c. 219, Congress changed the provisions of law for the identification of swamp and overflowed lands in that State. It no longer left their identification to the Secretary of the Interior, but provided for such identification by the joint action of the State and Federal authorities.

As early as 1855, the legislature of California undertook to control and dispose of those lands. The Secretary of the Interior had neglected to make out any list and plats of the lands of this character and to transmit them to the Governor of the State, as required by the second section of the act of 1850. The State, therefore, proceeded in 1855 to assert her ownership over the lands, by providing for their survey and sale, and the issue of patents to the purchasers. Further legislation was also had on the subject in 1858 and 1859; and, in 1861, an act was passed providing for their reclamation and segregation, making it the duty of the county surveyors to segregate these



lands in their respective counties from the high lands, and to make a complete map of the lands in legal sub-divisions of sections and parts of sections, and to transmit a duplicate thereof to the Surveyor-general of the State. Cal. laws of 1861, 355.

The act of Congress of 23d of July, 1866, was intended to effect the purpose indicated in its title. Previously to its passage there had been great confusion and uncertainty in relation to land titles in California. This arose with respect to other lands than swamp and overflowed lands, principally from the delay in extending the public surveys of the government, and the action of the State authorities in attempting to select and dispose of the lands granted to her in advance of such surveys. With respect to the swamp and overflowed lands, the confusion had arisen principally from the delay of the Secretary of the Interior in listing such lands to the State, and from inaccuracies of description arising from the want in many parts of the country of the public surveys. The act of July 23, 1866, tended to remove this uncertainty and confusion, principally by recognizing the action of the State in disposing of the lands granted to her, in cases where such disposition was made to parties in good faith, and did not interfere with previously acquired interests, and by providing a mode for identifying the swamp and overflowed lands in the future without the action of the Secretary of the Interior. The first section of the act declared that in all cases where the State of California had made selections of any portion of the public domain, in part satisfaction of any grant made to her by act of Congress, and had disposed of the same to purchasers in good faith under her laws, the lands so selected should be, and were thereby, confirmed to the State, subject to certain exceptions. This section does not, as supposed by counsel, apply to the swamp and overflowed lands. It was not in satisfaction of a grant of those lands that the State could select lands from any part of the public domain. All she could do was to ascertain where those lands were. She had no power of selection, though that term is sometimes used when merely the power of ascertainment or identification is intended. Secretary Schurz, in *Kile v. Tubbs*, July 15, 1879, 6 Copp., 108; Secretary Teller, in *State of California*, December 21, 1883, 2 Decisions of Dep. Int., 643; *Sutton v. Fassett*, 51 Cal., 12.

It is the fourth section of that act which applies to swamp and overflowed lands. That section, among other things, provides "that in all cases where township surveys have been, or shall hereafter be, made under authority of the United States, and the plats thereof approved, it shall be the duty of the Commissioner of the General Land Office to certify over to the State of California, as swamp and overflowed, all the lands represented as such, upon such approved plats, within one year from the passage of this act, or within one year from the return and approval of such township plats. The Commissioner shall direct the United States Surveyor-general for the State of California to examine the segregation maps and surveys of the swamp and overflowed lands made by said State; and, where he shall find them to conform to the system of surveys adopted by the United States, he shall construct and approve township plats accordingly, and forward [them] to the General Land Office for approval." As thus seen, lands represented as swamp and overflowed on the approved plats of township surveys, made under authority of the United States, were, after that date, to be certified to the State; and lands were to be represented as swamp and overflowed on the township plats

which were found on the State segregation maps and surveys of such lands; the approval of the township plats to be made by the Land Office.

Under the act of California of 1861, the surveyor of the county of Yolo, in 1862, segregated the swamp and overflowed lands in that county, and made a map thereof, entitled, "Supplemental Segregation of Swamp and Overflowed Land in Yolo County, by Amos Matthews, County Surveyor," on which all the lands in controversy were designated as swamp and overflowed lands, and deposited the same in the State Surveyor-general's office. A copy of such segregation map, duly certified by the Surveyor-general of the State, was given in evidence, accompanied with the following certificate of the Surveyor-general of the United States:

"UNITED STATES SURVEYOR-GENERAL'S OFFICE, }  
SAN FRANCISCO, CALIFORNIA. }

"I hereby certify that this diagram has been compared with the original by me, and that the same is a correct transcript of a plat embracing townships eleven north, range two east; twelve north, two east; twelve north, one east (fractional); and eleven north, one east—Mount Diablo meridian; said plat having been filed in this office between the twenty-second of March and fourth of April, 1872, and being plat of survey made by the county surveyor of Yolo county, under and in pursuance of the statutes of the State of California then in force, and showing the segregation lines of the swamp and overflowed land in said townships; and, further, that the whole of that portion of said plat is designated thereon as swamp and overflowed land; that I have compared the certificate of approval of said plat with the original indorsed thereon, and that the same is a full, true and correct transcript thereof.

"Witness my hand and the seal of this office this twenty-second day of September, A. D. 1878.

[SEAL.]

J. R. HARDENBURGH,  
"United States Surveyor-general, California."

Objection was taken to a copy of this map, because the one deposited in the office of the Surveyor-general of the State was not marked as filed. If such was the case, the omission was one of that officer, and could not affect the validity of the map as evidence. It was in proof that the county surveyor deposited the map in that office, and that ever since it had remained there. No other segregation map was ever in the office.

On the first of July, 1861, the swamp and overflowed lands in the county, in controversy in this case, and designated as such on this map, subsequently made, were purchased by different parties from the State, as shown by certificates of purchase issued to them bearing that date, which were produced in evidence. These certificates were assigned to the plaintiff. They are made by statute *prima facie* evidence of legal title in the holders thereof, and upon them ejectment can be maintained for the land described. Act of April 13, 1859; *Richter v. Riley*, 22 Cal., 639.

On the tenth of January, 1866, a plat or map of the township, in which the lands in controversy are situated, was approved by L. Upson, United States Surveyor-general for California, on which map only one parcel of the lands was designated as swamp and overflowed land. The map showed on its face that the survey of the township was made in the field in 1864. On the fourth



of April, 1872, J. R. Hardenburgh, United States Surveyor-general for California, who had succeeded Mr. Upson, compared this map with the segregation map of swamp and overflowed lands in the township, made by the surveyor of the county, under the laws of the State, which conform to the system of surveys adopted by the United States, and amended the township plat in accordance with the segregation, and forwarded the same to the General Land Office, where it was officially used as an approved plat. Upon this amended map all the lands in controversy are designated as swamp and overflowed. The following letter of the Surveyor-general accompanied the map:

"UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
SAN FRANCISCO, April 19, 1872."

"Hon. Willis Drummond, Commissioner General Land Office, Washington, D. C.—SIR: I transmit in a separate roll, by to-day's mail, certified plats, also certified descriptive lists, of the following townships, showing all tracts which the State of California claimed as swamp and overflowed prior to July 23, 1866; also showing the segregation of swamp and overflowed lands made by the United States, viz.: Township eleven north, range one east; township eleven north, range two east; township twelve north, range two east, Mount Diablo meridian. The lists of said tracts contain annotations in red ink, made by the Register of the United States Land Office at Marysville, stating all titles to said lands adverse to the claims of the State of California, together with the Register's certificate testifying to the correctness of such annotations, as appears from the records of this office. These plats and lists are sent you in accordance with the instructions contained in your letter of July 7, 1871, which inclosed for my guidance a copy of a letter addressed to L. Upson, United States Surveyor-general, dated September 13, 1866.

"Very respectfully, your obedient servant,

"J. R. HARDENBURGH,  
"U. S. Surveyor-general for California."

The Commissioner, Mr. Williamson, who succeeded Mr. Drummond in office, certifies, under date of January 12, 1878, to a copy of this plat of township 11 north, range 2 east, of Mount Diablo meridian, as one received with the Surveyor-general's letter of April 19, 1872, and "since which time it has been officially used as approved plat made in accordance with section 2488, U. S. Revised Statutes." This section declares that "it shall be the duty of the Commissioner of the General Land Office to certify over to the State of California, as swamp and overflowed lands, all the lands represented as such upon the approved township surveys and plats, whether made before or after the 23d day of July, 1866, under the authority of the United States."

Subsequently, in July, 1877, the State Surveyor-general forwarded to the Commissioner of the Land Office certified copies of certain swamp-land surveys, with a statement that the lands described in them were all sold by the State in good faith as swamp and overflowed lands, prior to July 23, 1866, and requested that the lands not already listed, which included those in controversy, be certified to the State. The Commissioner replied that the lands in the township had all been disposed of, and patents issued to settlers under the laws of the United States, and upon that ground alone he refused the

application. This refusal was approved by Mr. Schurz, Secretary of the Interior, the latter observing, in justification of it, that it had been decided by the Supreme Court of the United States that a patent, when issued and delivered to and accepted by the grantee, passed the legal title to the land, and all control of the executive department over it ceased. "If any lawful reason exists," said the Secretary in his communication to the Commissioner, "why the patent should be canceled or annulled, such as fraud on the part of the grantee, or mistake or misconstruction of the law on the part of your office, the appropriate remedy is by a bill in chancery, and an action may be maintained by the United States, or any contesting claimant; but you are not authorized to reconsider the facts on which a patent was issued, and to recall or rescind it, or to issue one to another party for the same tract;" citing *United States v. Hughes*, 11 How., 522; *United States v. Stone*, 2 Wall., 325; *Hughes v. United States*, 4 Wall., 232; and *Moore v. Robbins*, 96 U. S., 530. There was no suggestion by either the Commissioner or the Secretary that the lands were not swamp and overflowed, as designated upon the township plat.

The question, therefore, is whether, upon the proof thus presented of the segregation of the lands in controversy as swamp and overflowed lands by the authorities of the State of California, and their designation as such lands on a plat of the township made by the Surveyor-general of the United States, and approved by him, and forwarded to the General Land Office pursuant to the fourth section of the act of 1866, and approved by the Commissioner, as shown by its official use; the plaintiff can maintain an action for the recovery of the lands, they never having been certified over to the State, as required by section 2488 of the revised statutes, or patented to her under the act of 1850. According to the decisions we have cited, the holders of the certificates of purchase had a good title to the lands if in fact they were swamp and overflowed lands on the twenty-eighth of September, 1850.

The certificates were conclusive as evidence against the State that they were such lands. The statute of California, as already stated, makes them *prima facie* evidence of legal title to the premises in the holders, and upon them ejectment can be maintained in the State courts. The case of the plaintiff was therefore *prima facie* established by the production of the certificates, and showing their assignment to him. *Richler v. Riley*, 22 Cal., 639, cited above.

The representation of the lands as swamp and overflowed on the approved township plat would be conclusive, as against the United States, that they were such lands, if they had not been patented before the return of such township plat to the Land Office. The act of Congress intended that the segregation maps prepared by authority of the State, and filed in the State Surveyor-general's Office, if found upon examination by the United States Surveyor-general to be made in accordance with the public surveys of the general government, should be taken as evidence that the lands designated thereon as swamp and overflowed were such in fact, except where this would interfere with previously acquired interests. In this case the defendants trace title by patents of the United States purporting to be issued to settlers under the pre-emption laws, in 1866, 1867, 1868, and 1871, upon declaratory statements made in 1864, three years after the purchase from the State by the grantors of the plaintiff, and two years after a map segregating

these lands had been made by the surveyor of the county, pursuant to the law of the State, and deposited in the Surveyor-general's Office. These patents were evidence that whatever title the United States then held passed to the patentees, and, as against a mere intruder without claim of title from a paramount source, were conclusive that the lands were of the character which by the patents they were represented to be. This was the case of *Ehrhardt v. Hogaboom*, 115 U. S., 67. There the plaintiff claimed by a patent issued to his grantor under the pre-emption laws. The defendant admitted he was in possession of twenty acres, and contended that these were swamp and overflowed lands which passed to the State under the act of 1850. It appeared, however, that the certificate of purchase which he produced did not embrace the lands in controversy, and his offer to prove the character of the land as swamp and overflowed by parol was rejected. The court said: "He was, as to the twenty acres, a simple intruder without claim or color of title. He was therefore in no position to call in question the validity of the patent of the United States for those acres, and require the plaintiff to vindicate the action of the officers of the Land Department in issuing it." And again: "It is the duty of the Land Department, of which the Secretary is the head, to determine whether land patented to a settler is of the class subject to settlement under the pre-emption laws, and his judgment as to this fact is not open to contestation in an action at law by a mere intruder without title."

But this doctrine has no application where a party, whether plaintiff or defendant, asserts title to premises in controversy from a paramount source, or by a prior conveyance from a common source. The doctrine that all presumptions are to be indulged in support of proceedings upon which a patent is issued, and which is not open to collateral attack in an action of ejectment, has no application where it is shown that the land in controversy had, before the initiation of the proceedings upon which the patent was issued, passed from the United States. The previous transfer is a fact which may be established in an action at law as well as in a suit in equity.

As we said in *Smelting Co. v. Kemp*, 104 U. S., 636-641: "When we speak of the conclusive presumptions attending a patent for lands, we assume that it was issued in a case where the Department had jurisdiction to act and execute it; that is to say, in a case where the lands belonged to the United States, and provision had been made by law for their sale. If they never were public property, or had previously been disposed of, or if Congress had made no provision for their sale, or had reserved them, the Department would have no jurisdiction to transfer them, and its attempted conveyance of them would be inoperative and void, no matter with what seeming regularity the forms of law may have been observed. The action of the Department would, in that event, be like that of any other special tribunal not having jurisdiction of a case which it had assumed to decide. Matters of this kind, disclosing a want of jurisdiction, may be considered by a court of law. In such cases the objection to the patent reaches beyond the action of the special tribunal, and goes to the existence of a subject upon which it was competent to act."

And again, in the same case, we said, p. 646: "A patent may be collaterally impeached in any action, and its operation as a conveyance defeated, by showing that the Department had no jurisdiction to dispose of the

lands; that is, that the law did not provide for selling them, or that they had been reserved from sale or dedicated to special purposes, or had been previously transferred to others. In establishing any of these particulars the judgment of the Department upon matters properly before it is not assailable, nor is the regularity of its proceedings called into question; but its authority to act at all is denied, and shown never to have existed."

"There are cases," said Chief Justice Marshall, "in which a grant is absolutely void, as where the State has no title to the thing granted, or where the officer had no authority to issue the grant. In such cases the validity of the grant is necessarily examinable at law." *Polk v. Wendal*, 9 Cranch., 87, 99. Indeed, it may be said to be common knowledge that patents of the United States for lands which they had previously granted, reserved for sale, or appropriated are void. *Easton v. Salisbury*, 21 How., 426; *Reichert v. Felps*, 6 Wall., 160; *Best v. Polk*, 18 Wall., 112. It would be a most extraordinary doctrine if the holder of a conveyance of land from a State were precluded from establishing his title simply because the United States may have subsequently conveyed the land to another, and especially from showing that years before they had granted the property to the State, and thus were without title at the time of their subsequent conveyance. As this court said in *New Orleans v. United States*, 10 Pet., 662, 731: "It would be a dangerous doctrine to consider the issuing of a grant as conclusive evidence of right in the power which issued it. On its face it is conclusive, and cannot be controverted; but, if the thing granted was not in the grantor, no right passes to the grantee. A grant has been frequently issued by the United States for land which had been previously granted, and the second grant has been held to be inoperative."

The court below held, and placed its decision upon the ground, that, because the Commissioner of the General Land Office had not certified the lands in controversy to the State as swamp and overflowed, when this action was commenced in 1870, there was no title in the State by the grant of 1850 which could be enforced, thus making the investiture of title depend upon the act of the Commissioner instead of the act of Congress; whereas the certificate of that officer, when the previous requirements of the law have been complied with, is only an official recognition that the lands are of the character designated, and of the completeness of their segregation. The decision is in conflict with its previous decisions, and with the adjudged cases to which our attention has been called.

In *Sacramento Valley Reclamation Company v. Cook Company*, 61 Cal., 841, decided as late as 1882, that court recognized the swamp land grant of 1850 as one *in presenti*. Its language was: "It is as well settled as anything can be by the courts that the donation of swamp and overflowed lands by the United States to the States in which such lands were situated at the date of the passage of the act of September 28, 1850, 'was a grant *in presenti*, by which the title to those lands passed at once to the States in which they lay, except as to States admitted into the Union after its passage;" citing *French v. Fynn*, 93 U. S., 169.

For the error in holding that the certificate of the Commissioner was necessary to pass the title of the demanded premises to the State, the case must go back for a new trial, when the parties will be at liberty to show whether or not the lands in controversy were in fact swamp and overflowed on the



day that the swamp land act of 1850 took effect. If they are proved to have been such lands at that date, they were not afterwards subject to pre-emption by settlers. They were not afterwards public lands at the disposal of the United States. Parties settling upon such lands must be deemed to have done so with notice of the title of the State, and, after the segregation map was deposited with the Surveyor-general of the State, with notice also that they were actually segregated and claimed by the State as such lands.

*Judgment reversed, and cause remanded for further proceedings not inconsistent with this opinion.*

#### SWAMP TITLE *v.* INDIAN TITLE.

On July 15, 1887, the Commissioner of the General Land Office, in a case which came before him on appeal from the local government land office in Des Moines, Iowa, held in effect, that a certain piece of land situated in Winnebago county, Iowa, although in fact swamp land did not pass under the swamp grant of September 28, 1850, because it was included in a tract of country that was reserved and set apart in 1835 for the Sioux Indians, and to which the Indian title was not extinguished until 1853.

The case was appealed from the Commissioners' decision to the Secretary of the Interior, by the claimants under the swamp land grant, on or about October 14, 1887.

I recently wrote to the Secretary to know how the case was disposed of, and was informed that it had not yet received the attention of his department, that when a decision had been reached I would be furnished with a copy of it.

#### SWAMP LAND INDEMNITY.

The act of Congress of March 2, 1855, provides for indemnifying the State for swamp and overflowed lands, disposed of by the general government for cash land warrants or scrip, subsequent to September 28, 1850, the date of the act granting the swamp lands to the State, by paying over to the State the purchase money received on account of cash entries, and where such lands were located with warrants or scrip, by giving to the State authority to locate a like amount of any of the public lands within her limits, subject to entry at one dollar and twenty-five cents per acre, or less; and this indemnity provision was continued in force by the confirmatory act of March 3, 1857, and made applicable to all such entries and locations up to that date.

The indemnifying act, by its second section provides that before any indemnity is allowed on lands disposed of by the general government, as aforesaid, due proof must be made before the Commissioner of the General Land Office "by the authorized agent of the State," that they are swamp lands within the true intent and meaning of the act of September 28, 1850, making the grant.

This "due proof by the authorized agent of the State" does not appear to be satisfactory to the land department of the general government, especially of late years, for it invariably sends an agent of its own to make a personal inspection and examination of the lands for and on account of which the indemnity is claimed, to ascertain, if by any possibility the State's agent or his witnesses were mistaken relative to the character of any tract.

Not long since there was an appeal to the Secretary of the Interior, from a decision of the Commissioner of the General Land Office, which was largely based upon a report of one of these examining agents of the government. This office has been furnished with a copy of the Secretary's decision in the case. As a matter of public interest the decision is published in these pages, it gives an insight as to the manner in which these *inspections* are sometimes made.

There is a large amount of indemnity awarded by the land department of the general government on account of warrant and scrip



locations of swamp and overflowed lands in our State; but as there are no vacant lands in the State from which to satisfy these claims already allowed, the Department refuses to consider any further claims for this class of indemnity, and will now only consider claims for indemnity for and on account of swamp and overflowed lands sold by the general government for cash.

Efforts have been made for some time past to induce Congress to make some provision for satisfying these "land indemnity" claims, and also for making the indemnity provisions contained in the act of March 2, 1855, applicable to all enteries and locations of lands actually swamp or overflowed, made since the passage of said act. With view to the attainment of such purpose, the General Assembly of Iowa, at its last session, passed the following resolution:

**CONCURRENT RESOLUTION in Relation to Swamp Land Indemnity.**

WHEREAS, The provisions of the act of Congress of March 2, 1855, as extended by act of Congress of March 3, 1857, granting indemnity to the States for swamp and overflowed lands disposed of by the United States, are held not to apply to sales and locations made after March 3, 1857; and,

WHEREAS, A large amount of land properly falling to the State and counties in Iowa, under the swamp grant, have been disposed of by the government since March 3, 1857, thereby compelling the counties and their grantees to abandon their claim to such lands or litigate with the purchasers of the government; and,

WHEREAS, On the 8th day of February, 1888, the Hon. Mr. McRae, from the Committee on the Public Lands, made a report to accompany bill (H. R. 6897) in the house of representatives in congress, to extend said indemnity provisions of said act of March 2, 1855, and making the same applicable to sales and locations made since March 3, 1857, which bill is pending in Congress;

WHEREAS, Under the rulings of the department, certificates—called scrip, or indemnity scrip—issued for indemnity for swamp lands located with warrants, cannot be located on lands outside of the State, and there being no vacant land in Iowa on which scrip can be located, many of the counties in this State, after great expense, are unable to realize anything for their swamp lands so disposed of by warrant locations, and by that means are damaged to a large amount; therefore,

*Be it resolved by the Senate of the State of Iowa, the House concurring:*

That our Senators be instructed and our Representatives in Congress be requested to use all proper and lawful means in their power to secure the passage of said bill (H. R. 6897) or by the enactment in some other bill of provisions substantially as therein contained.

*Resolved further,* That the Secretary of State transmit to each of our Senators and Representatives in Congress, a copy of this resolution.

Congress has taken no action in regard to the matter, and the swamp land indemnity laws remain as heretofore.

In the event that Congress makes no provision in the future for paying the indemnity provided for by act of March 2, 1855, and which is still due on account of swamp lands located with warrants or scrip, can the State or her grantees have any recourse or claim on the tracts of swamp land that were located with such warrants or scrip? I think not: The State and her grantees have made no objection to the indemnity act, but ever since its passage have continued to receive the indemnity awarded and paid by the general government, whether in cash or lands, thereby tacitly admitting the validity and propriety of the act, and consenting thereto; and it is a legitimate conclusion that such action would debar them from maintaining a claim to the *swamp lands* disposed of for warrants or scrip, and upon which they founded their claim for indemnity. Further, at the date of the passage of the indemnity act, and for many years thereafter, there were plenty of vacant government lands in the State to satisfy all claims for such indemnity. Now, if the State and her grantees have by procrastination deferred the preparation and presentation of the claims for indemnity until after all the public lands in the State have been disposed of, have they not "slept upon their rights", and what just cause of complaint have they now?

I have given in this connection a complete statement of the swamp lands in the several counties in Iowa for and on account of which indemnity has been awarded, both in cash and in lands; a statement received from the Commissioner of the General Land Office giving a description of all swamp lands in Iowa on which indemnity has been paid since June 23, 1887; a list of lands selected as swamp in several counties, upon which the claim for indemnity has been held for rejection by the Commissioner of the General Land Office within the last two years; a decision of the Secretary of the Interior on a swamp land indemnity appealed case, and a complete list of the special swamp land indemnity certificates issued to the State, giving number, date, amount, acres patented under the location made with each certificate, and the county receiving the benefit thereof.

## INDEMNITY AWARDED—WHOLE AMOUNT.

A statement of the number of acres of swamp and overflowed lands in each county of this State, disposed of by the general government between September 28, 1850, and March 3, 1857, for cash, land warrants or scrip, and for which indemnity has been awarded under act of Congress of March 2, 1855; as accurate as the same can be furnished from the records of this office.

COUNTIES.	No. of acres for which cash indemnity has been awarded.	No. of acres for which land indemnity has been awarded.	COUNTIES.	No. of acres for which cash indemnity has been awarded.	No. of acres for which land indemnity has been awarded.
Adair	6,062.30	2,565.13	Jefferson	8,156.32	15,412.99
Adams	4,896.98	1,028.76	Johnson	10,779.75	6,222.67
Albany	5,067.45	6,511.48	Jones	5,443.42	4,285.34
Appanoose	1,980.35	3,880.00	Keokuk		
Audubon	2,098.88	3,612.84	Kossuth		
Benton	12,032.63	2,280.55	Lee		
Black Hawk	12,541.02	1,858.01	Linn	1,804.63	2,467.46
Boone	1,533.50	1,049.69	Louisia	8,007.33	12,316.32
Bremer	7,216.14	3,243.98	Lucas	4,024.23	4,569.02
Buchanan	1,857.78	1,829.18	Lyons		
Buena Vista			Madison	7,596.73	9,054.12
Butler	12,100.52	11,051.15	Mahaska	1,225.65	2,233.00
Calhoun	198.01	620.55	Marion	230.08	130.00
Carroll	2,160.55	3,161.00	Marshall	6,705.20	5,857.30
Cass	12,263.90	9,042.02	Mills	10,637.29	4,540.13
Cedar	8,680.27	6,405.56	Mitchell	12,162.97	
Cerro Gordo	3,840.02	30,057.54	Monroe	16,116.44	20,427.91
Cherokee			Monroe		
Chickasaw	6,604.33	19,709.85	Montgomery	9,422.04	5,220.00
Clarke	927.28	984.37	Muscatine	2,280.38	3,875.71
Clay			O'Brien		
Clayton	196.15	208.23	Osceola		680.00
Clinton	8,120.10	2,780.55	Page	4,190.38	
Crawford	2,950.97	2,950.97	Palo Alto		
Dallas	2,428.64	200.00	Plymouth		
Davis	1,860.10		Pocahontas		
Deautil	3,840.74	3,620.46	Polk	5,790.22	3,975.92
Delaware	2,568.97	2,200.00	Pottawattamie	8,240.68	4,562.45
Des Moines	401.34	2,920.00	Poweshiek	3,064.19	
Dickinson			Ringgold	13,200.10	5,032.94
Dubuque	200.17	840.00	Sac	240.00	4,520.00
Emmet			Scott		
Fayette	3,847.10	4,272.22	Shelby	1,793.92	5,715.55
Floyd	5,039.44	3,416.88	Sioux		
Franklin	8,187.71	1,004.88	Story	1,016.60	1,288.50
Fremont	4,985.61	10,658.32	Tama	15,125.27	2,772.64
Greson	7,321.75	2,838.69	Taylor	9,397.82	1,000.00
Grundy	3,794.90	2,838.69	Union	6,887.40	13,066.62
Guthrie	4,327.85	6,474.30	Van Buren		
Hamilton	4,223.13	7,490.59	Vapello	354.09	
Hancock	764.94	5,083.17	Warren	10,107.20	2,427.47
Hardin	3,290.84	2,310.87	Washington	5,744.20	8,678.98
Harrison	2,452.58	600.00	Wayne	2,474.20	864.25
Henry	485.67	1,400.00	Webster	3,477.51	3,005.23
Howard	3,090.07		Winnebago		922.32
Humboldt	1,671.10		Winneshek	4,340.48	1,040.00
Ida	332.33	3,007.62	Woodbury	8,426.14	
Iowa	5,979.60	3,434.42	Worth		
Jackson	1,557.29	1,806.46	Wright	785.24	5,240.00
Jasper	3,263.51	2,220.61			
Total				405,543.50	250,100.50

## INDEMNITY PAID SINCE JUNE 23, 1887.

A list of swamp lands on which indemnity has been paid since June 23, 1887.  
Prior lists of such lands will be found published in the reports of the State Land Department for the years 1873, 1877, 1885, and 1887.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
WASHINGTON, D. C., July 12, 1889.

FRANK D. JACKSON, Esq., *Secretary of State, Iowa, Des Moines, Iowa:*

SIR—In response to your request of the 1st inst., I send herewith a statement relative to swamp lands in Iowa on which cash indemnity has been paid since June 23, 1887.

The tracts are situated in ten different counties, as follows:

Cedar county	\$ 3,001.10
Jones county	1,460.31
Dallas county	1,388.64
Hamilton county	1,229.93
Webster county	1,012.59
Montgomery county	905.47
Woodbury county	893.10
Harrison county	240.00
Boone county	40.00
Grundy county	40.00
Total	\$10,311.14

No award of land indemnity has been made since June 23, 1887, in Iowa.

Very respectfully,

W. M. STONE,  
*Acting Commissioner.*



## CEDAR COUNTY—PAID AUGUST 2, 1887—CONTINUED.

*A list of swamp lands on which the State of Iowa has been paid cash indemnity since June 23, 1887.*

## CEDAR COUNTY—PAID AUGUST 2, 1887.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
sw of nw.	11	82	1	40.00	
se of se.	18	82	1	40.00	
ne of sw.	24	82	1	40.00	
s hf of sw.	20	82	1	80.00	
w hf of se.	29	82	1	80.00	
u hf of sw.	30	82	1	80.00	
w hf of se.	30	82	1	80.00	
nw of sw.	30	82	1	40.34	
se of se.	30	82	1	40.00	
se of nw.	33	82	1	40.00	
ne of sw.	33	82	1	40.00	
w hf of nw.	34	82	1	80.00	
nw of sw.	35	82	1	40.00	
nw of nw.	8	81	2	40.00	
se of nw.	7	82	2	40.00	
sw of se.	7	82	2	40.00	
u hf of sw.	8	82	2	80.00	
sw of sw.	8	82	2	40.00	
s hf of nw.	10	82	2	80.00	
se of nw.	12	82	2	40.00	
w hf of nw.	17	82	2	80.00	
e hf of ne.	18	82	2	80.00	
nw of ne.	18	82	2	40.00	
nw of sw.	18	82	2	40.19	
se of sw.	18	82	2	40.00	
u hf of ne.	19	82	2	80.00	
se of ne.	19	82	2	40.00	
ne of nw.	19	82	2	40.00	
sw of se.	20	82	2	40.00	
u hf of se.	21	82	2	80.00	
nw of sw.	22	82	2	40.00	
sw of se.	22	82	2	40.00	
se of sw.	23	82	2	40.00	
se of se.	26	82	2	40.00	
nw of nw.	27	82	2	40.00	
se of se.	27	82	2	40.00	
se of nw.	28	82	2	40.00	
n hf of ne.	29	82	2	80.00	
se of ne.	29	82	2	40.00	
ne of nw.	29	82	2	40.00	
sw of sw.	29	82	2	40.00	
nw of nw.	31	82	2	40.37	
ne of nw.	32	82	2	40.00	

## PARTS OF SECTION.

	Section.	Town.		Range.	Acres.
		N.	W.		
nw of nw	33	82	2	40.00	
ne of sw	1	82	3	40.00	
se of sw	1	82	3	40.00	
ne of se.	10	82	3	40.00	
w hf of ne.	11	82	3	80.00	
se of ne.	11	82	3	40.00	
se of ne.	18	82	3	40.00	
ne of sw.	18	82	3	40.00	
se of se.	18	82	3	40.00	
ne qr.	14	82	3	160.00	
ne of se.	14	82	3	40.00	
sw of nw.	15	82	3	40.00	
nw of nw.	24	82	3	40.00	
se of ne.	24	82	3	40.00	
se of se.	32	82	3	40.00	
nw of ne.	38	82	3	40.00	
					8,001.10

## JONES COUNTY—PAID AUGUST 2, 1887.

	Section.	Town.		Range.	Acres.
		N.	W.		
se of ne.	26	83	1	40.00	
ne of se.	26	83	1	40.00	
lot 4	27	83	1	59.40	
lot 5	27	83	1	35.00	
lot 6	27	83	1	62.10	
lot 7	28	83	1	40.90	
left of river, ne qr.	28	83	1	9.10	
left of river, nw qr.	36	83	1	28.80	
fr right of river	9	85	1	40.00	
sw of sw.	9	85	1	40.00	
se of se.	5	84	2	40.00	
sw of nw.	6	84	2	40.00	
se of ne.	2	83	3	34.50	
nw of sw.	19	84	2	40.00	
nw of nw.	28	84	2	40.00	
ne of sw.	29	84	2	40.00	
nw of ne.	30	84	2	40.00	
se of ne.	30	84	2	40.00	
se of ne.	33	85	2	40.00	
se of ne.	2	83	3	7.30	
left of river, ne of ne.	23	83	3	40.00	
se of se.	35	84	3	64.60	
lot 1	35	84	3	40.00	
sw of sw.	4	86	3	41.37	
nw of nw.	5	86	3	42.67	
ne of se.	5	86	3	40.00	
ne of se.	8	86	3	40.00	
nw of se.	8	86	3	40.00	
se of se.	17	83	4	40.00	
sw of sw.	1	85	4	40.00	
sw of ne.	1	85	4	40.00	

## JONES COUNTY—PAID AUGUST 2, 1887—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
sw of ne.....	13	85	4		40.00
ne of se.....	22	86	4		40.00
ne of sw.....	26	86	4		40.00
se of ne.....	27	86	4		40.00
ne of nw.....	28	86	4		40.00
nw of sw.....	30	86	4		30.07
ne of ne.....	34	86	4		40.00
					1,460.31

## BOONE COUNTY—PAID NOVEMBER 11, 1887.

	N.	W.	
nw of ne .....	29	83	27 40.00

## WEBSTER COUNTY—PAID DECEMBER 31, 1887.

	N.	W.	
ne of nw.....	26	86	27 40.00
sw of nw.....	2	87	27 40.00
nw of se.....	2	88	27 40.00
nw of se.....	4	88	27 40.00
ne of sw.....	11	88	27 40.00
ne of sw.....	20	88	27 40.00
ne of nw.....	32	88	27 40.00
se of ne.....	25	89	27 40.00
se of sw.....	32	89	27 40.00
sw of ne.....	26	86	28 40.00
nw of nw.....	6	87	28 41.16
se of nw.....	6	87	28 40.00
sw of se.....	2	89	28 40.00
se of nw.....	8	89	28 40.00
ne of ne.....	10	89	28 40.00
nw of nw.....	12	89	28 40.00
sw of nw.....	14	89	28 40.00
w hf of sw.....	14	89	28 80.00
ne of se.....	14	89	28 40.00
ne of ne.....	20	89	28 40.00
s hf of ne.....	20	89	28 80.00
se of ne.....	22	89	28 40.00
cash balance over scrip payment of \$35.71 on sw of ne.....	24	89	28 11.43
sw of ne.....	28	89	28 40.00
			1,012.39

## HAMILTON COUNTY—PAID FEBRUARY 7, 1888.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
sw of ne.....	22	82	23		40.00
w hf of se.....	22	82	23		80.00
ne of qr.....	13	89	23		100.00
ne of se.....	13	89	23		40.00
nw of ne.....	4	87	26		45.59
sw of ne.....	4	88	26		40.00
sw of sw.....	6	88	26		64.34
nw of sw.....	8	88	26		40.00
sw of ne.....	19	88	26		40.00
nw of ne.....	20	88	26		40.00
ne of sw.....	30	88	26		40.00
se of sw.....	33	88	26		40.00
se of nw.....	33	88	26		40.00
sw of se.....	12	89	26		40.00
sw of nw.....	11	89	26		40.00
se of se.....	14	89	26		40.00
ne of sw.....	15	89	26		40.00
se of se.....	22	89	26		40.00
ne of ne.....	23	89	26		40.00
sw of ne.....	23	89	26		80.00
n hf of nw.....	23	89	26		40.00
se of nw.....	25	89	26		40.00
nw of se.....	27	89	26		40.00
nw of ne.....	36	89	26		40.00
					1,229.93

## GRUNDY COUNTY—PAID FEBRUARY 11, 1888.

	N.	W.	
ne of se .....	29	88	16 40.00

## DALLAS COUNTY—PAID MARCH 2, 1888.

		N.	W.	
nw of se	1	79	26	40.00
nw of ne	33	79	26	40.00
ne of nw	4	80	26	54.85
sw of se	6	80	26	40.00
e hf of se	8	81	26	80.00
ne of sw	3	79	27	40.00
nw of se	23	79	27	40.00
ne of se	35	79	27	40.00
ne of ne	36	79	27	40.00
ne of nw	3	80	27	40.00
se of ne	4	81	27	53.79
n hf of nw	5	81	27	40.00
sw of nw	36	81	27	40.00
ne of se				



## DALLAS COUNTY—PAID MARCH 2, 1888—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
w hf of nw	14	79	28		80.00
sw of nw	15	79	28		40.00
se of nw	15	79	28		40.00
nw of nw	23	79	28		40.00
se of se	24	79	28		40.00
w hf of sw	26	79	28		80.00
nw of sw	8	80	28		40.00
sw of ne	19	80	28		40.00
sw of se	17	81	28		40.00
ne of se	22	81	28		40.00
ne of nw	24	81	28		40.00
sw of sw	32	81	28		40.00
se of se	19	80	29		40.00
ne of sw	20	80	29		40.00
se of nw	5	81	29		40.00
nw of sw	9	81	29		40.00
sw of sw	10	81	29		40.00
nw of se	35	81	29		40.00
					1,388.64

## HARRISON COUNTY—PAID DECEMBER 11, 1888.

		N.	W.	
sw of sw	9	81	41	40.00
nw of nw	12	80	42	40.00
nw of ne	26	80	42	40.00
nw of nw	10	79	43	40.00
se of ne	26	79	43	40.00
se of ne	24	81	45	40.00
				240.00

## MONTGOMERY COUNTY—PAID DECEMBER 31, 1888.

		N.	W.	
se of se	4	72	36	40.00
nw of sw	33	72	36	40.00
w hf of nw	8	73	36	80.00
ne of sw	28	73	36	40.00
ne of se	18	71	38	40.00
ne of nw	19	71	38	40.00
sw of sw	30	71	38	39.45
nw of nw	31	71	38	39.39
nw of nw	3	72	38	26.63
nw of sw	4	72	38	40.00
e hf of sw	17	72	38	80.00

## MONTGOMERY COUNTY—PAID DECEMBER 31, 1888—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
nw of se	20	72	38		40.00
sw of se	11	73	38		40.00
se of sw	12	73	38		40.00
sw of sw	14	73	38		40.00
sw of sw	23	73	38		40.00
sw of nw	26	73	38		40.00
ne of sw	27	73	38		40.00
se of sw	27	73	38		40.00
w hf of se	27	73	38		80.00
					905.47

## WOODBURY COUNTY—PAID MARCH 26, 1889.

		N.	W.	
ne qr	2	86	46	166.52
nw qr	2	86	46	166.58
ne of ne	22	86	47	40.00
sw qr	1	87	47	160.00
ne of ne	21	87	47	40.00
ne of ne	22	88	47	40.00
ne of sw	26	88	47	40.00
sw of se	26	88	47	40.00
se of se	35	88	47	40.00
s hf of ne	36	88	47	80.00
s hf of nw	36	88	47	80.00
				893.10
Aggregate				10,211.14

## LANDS ON WHICH INDEMNITY CLAIM IS HELD FOR REJECTION.

The following is a list of lands claimed as swamp or overflowed in the several counties therein named, upon which the claims for indemnity, under acts of Congress of March 2, 1855, and March 3, 1857, are held for rejection by the Commissioner of the General Land Office. The lists are copied from notices received from the Commissioner within the last two years. The quantities are not given in the notices. The claims are all presumed to be for cash indemnity.

## BOONE COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.
e hf of se.....	3	82	25
e hf of nw, ne of sw, nw of se.....	10	82	25
w hf of ne, se of nw.....	20	82	25
sw of nw.....	25	82	25
se of sw.....	26	82	25
e hf of ne, ne of nw, se qr.....	35	82	25
w hf of nw, ne of sw, w hf of sw.....	36	82	25
se of sw, sw of se.....	2	83	25
se of ne, ne of se.....	4	83	25
ne of ne, nw of nw.....	27	83	25
nw qr.....	2	84	25
ne qr.....	3	84	25
nw of se, se of se.....	7	84	25
se of ne, sw of sw.....	8	84	25
sw of se.....	10	84	25
sw of se.....	11	84	25
w hf of sw.....	12	84	25
sw of sw.....	13	84	25
sw of sw.....	14	84	25
e hf of se.....	15	84	25
sw of se.....	17	84	25
sw of se.....	19	84	25
nw of ne, sw of nw.....	20	84	25
w hf of nw, w hf of ne, se of ne.....	21	84	25
nw of ne, ne of se.....	22	84	25
se of nw.....	23	84	25
ne of ne, sw of ne, w hf of sw, se of sw.....	28	84	25
sw of ne, w hf of se, e hf of nw, e hf of sw, nw of sw.....	30	84	25
s hf of se.....	2	82	27
n hf of sw, ne of se.....	4	82	27
ne of nw, nw of se.....	5	82	27
sw of ne, se of nw, ne of sw.....	10	82	27
	12	82	27

## BOONE COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.
sw qr.....	14	82	27
se of sw.....	17	82	27
nw qr.....	18	82	27
ne of ne.....	19	82	27
nw of nw, s hf of nw, n hf of se.....	20	82	27
w hf of ne, n hf of nw.....	24	82	27
sw of nw, sw of se, w hf of sw.....	29	82	27
w hf of se.....	30	82	27
ne of se.....	30	82	27
s hf of sw.....	31	82	27
nw of nw.....	31	82	27
nw of se, se of se.....	33	82	27
e hf of ne, sw of ne, e hf of se, nw of se.....	20	83	27
se of sw.....	28	83	27
e hf of ne, sw of ne, se qr.....	29	83	27
sw of nw.....	31	83	27
w hf of nw.....	4	84	27
s hf of nw.....	6	84	27
n hf of ne, sw qr.....	10	84	27
n hf of ne, nw qr, n hf of sw, sw of sw, n hf of se.....	20	84	27
e hf of nw, w hf of sw.....	28	84	27
ne qr.....	30	84	27
se of nw, nw of sw.....	38	85	27
w hf of nw, se of nw.....	30	85	27
nw of ne.....	32	85	27
sw of nw, w hf of sw.....	1	82	28
w hf of nw.....	2	82	28
ne of se.....	4	82	28
ne of ne.....	9	82	28
w hf of sw.....	10	82	28
nw of se.....	11	82	28
sw of sw.....	14	82	28
sw of nw.....	15	82	28
sw of ne, e hf of nw, e hf of se.....	17	82	28
se of ne, se of sw.....	21	82	28
nw of sw.....	23	82	28
sw of sw.....	34	82	28
se of nw.....	37	82	28
se of ne.....	34	82	28
w hf of ne, nw qr.....	2	83	28
w hf of sw.....	5	83	28
nw of nw.....	7	83	28
nw of sw.....	11	83	28
se of sw.....	17	83	28
se of ne.....	22	83	28
n hf of sw.....	27	83	28
sw of sw.....	5	84	28
n hf of ne, nw of nw.....	14	84	28
s hf of se.....	34	84	28
se of ne.....	27	84	28
n hf of sw, n hf of se.....	35	84	28
s hf of nw.....	36	84	28



## BOONE COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.
		N.	W.	
ne of sw .....	15	85	28	
se of sw .....	28	85	28	
sw of nw .....	29	85	28	
ne of nw .....	31	85	28	

## DALLAS COUNTY, No. 1.

PARTS OF SECTION.	Section.	Town.		Range.
		N.	W.	
n hf of nw .....	14	78	26	
ne of ne .....	15	78	26	
se of nw, ne of sw .....	17	78	26	
n hf of ne, nw of nw .....	22	78	26	
nw of nw .....	24	78	26	
sw of ne, e hf of nw .....	25	78	26	
sw of se, se of sw .....	26	78	26	
nw of ne .....	30	78	26	
ne of ne, nw of nw .....	32	78	26	
ne of ne, nw of nw, se of nw .....	34	78	26	
sw of ne .....	2	79	26	
w hf of nw, se of nw, n hf of sw .....	1	79	26	
se of ne, se of nw, e hf of sw, se of nw .....	2	79	26	
s hf of ne, se of nw, n hf of sw, ne of se, w hf of se .....	3	79	26	
nw of sw, ne of se .....	5	79	26	
nw of ne, s hf of sw, ne of se, sw of se .....	6	79	26	
e hf of ne, sw of ne, ne of se, w hf of se .....	7	79	26	
e hf of ne, sw of nw, e hf of sw, nw of sw .....	8	79	26	
nw of nw, e hf of sw, sw of sw, e hf of se .....	9	79	26	
ne of se .....	10	79	26	
se of sw, sw of se .....	11	79	26	
ne of ne, w hf of ne, w hf of se .....	12	79	26	
w hf of ne, se of ne, e hf of sw, sw of sw .....	13	79	26	
sw of ne .....	14	79	26	
ne of nw .....	15	79	26	
ne of nw, sw of sw .....	17	79	26	
se of nw, ne of se .....	18	79	26	
nw of ne, ne of se .....	19	79	26	
s hf of ne, nw of nw, se of nw, e hf of sw, sw of sw, s hf of se .....	21	79	26	
sw of ne, sw of nw, s hf of sw, n hf of se .....	22	79	26	
s hf of nw, ne of sw, n hf of se .....	23	79	26	
w hf of ne, se of ne, e hf of nw, nw of sw .....	24	79	26	
s hf of ne, nw of se .....	25	79	26	
sw of ne, e hf of sw, sw of sw, se of nw .....	26	79	26	
nw of ne, se of ne, n hf of nw, se of nw, w hf of se, se of se .....	27	79	26	
w hf of ne, se of ne, sw of sw, nw of se .....	28	79	26	
e hf of ne, e hf of nw, nw of nw, ne of se .....	29	79	26	
w hf of ne, sw of nw, ne of sw, e hf of se, sw of se .....	30	79	26	
se of ne, se of nw, ne of sw, sw of se .....	31	79	26	
sw of ne, e hf of nw, nw of sw, sw of se .....	32	79	26	
sw of sw, ne of se, w hf of se .....	33	79	26	

## DALLAS COUNTY, No. 1—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.
		N.	W.	
e hf of ne, sw of se .....	34	79	26	
se of ne, ne of nw, sw of nw .....	35	79	26	
ne of ne, sw of ne, ne of nw, nw of sw .....	36	79	26	
nw of ne, nw of nw, se of nw, ne of sw, ne of se, w hf of se .....	2	80	26	
nw of nw .....	4	80	26	
sw of ne, ne of sw .....	6	80	26	
nw of nw, e hf of se .....	7	80	26	
s hf of ne, e hf of nw, sw of nw, ne of se .....	8	80	26	
n hf of sw, n hf of se .....	10	80	26	
w hf of ne, ne of nw, w hf of nw, w hf of se .....	12	80	26	
w hf of nw, w hf of sw .....	14	80	26	
s hf of sw, s hf of se .....	15	80	26	
ne of ne .....	17	80	26	
w hf of nw, se of nw, e hf of sw .....	18	80	26	
nw of nw .....	20	80	26	
se of sw, se of nw .....	22	80	26	
sw of sw, se of se .....	23	80	26	
nw of nw, se of nw .....	25	80	26	
e hf of ne, e hf of nw, s hf of sw, ne of se .....	26	80	26	
ne of ne, s hf of ne .....	27	80	26	
s hf of nw .....	29	80	26	
ne of ne .....	33	80	26	
ne of nw, sw of nw, e hf of sw .....	34	80	26	
se of nw, ne of sw, ne of se .....	35	80	26	
se of ne, s hf of nw .....	36	80	26	
ne of ne, lot 1 of sw, qr .....	2	81	26	
nw of sw, se of sw, w hf of se .....	8	81	26	
sw of nw, ne of sw, s hf of sw, se of se .....	10	81	26	
ne of ne, w hf of ne, se of nw .....	20	81	26	
nw of nw .....	26	81	26	
ne of ne, ne of nw, sw of nw, e hf of sw, nw of sw .....	28	81	26	
se of se .....	30	81	26	
n hf of sw .....	31	81	26	
sw of nw .....	32	81	26	
n hf of nw, sw of nw, w hf of se .....	34	81	26	
e hf of ne, sw of ne .....	36	81	26	
lots 10, 11, 12, 13, 14, 18, 19, 20, ne of sw .....	3	78	27	
lots 9, 11 .....	5	78	27	
w hf of se .....	6	78	27	
lot 2 .....	7	78	27	
nw of ne .....	8	78	27	
se of ne, ne of se .....	9	78	27	
sw of ne, se of nw .....	21	78	27	
sw of ne .....	23	78	27	
sw of ne, ne of nw, w hf of nw .....	1	79	27	
sw of ne, e hf of nw .....	2	79	27	
ne of ne, sw of ne .....	3	79	27	
ne of sw, ne of se .....	4	79	27	
sw of ne .....	5	79	27	
se of sw .....	6	79	27	
sw of sw .....	8	79	27	
sw of ne, ne of sw .....	9	79	27	

## DALLAS COUNTY, No. 1—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	Town.	Range.
ne of ne, ne of se	12	79	27
nw of ne	13	79	27
se of ne, se of nw	14	79	27
ne of ne, sw of nw	15	79	27
ne of ne, w hf of se	16	79	27
ne of se	17	79	27
ne of ne, nw of nw	18	79	27
n hf of ne, se of ne, sw of se	22	79	27
nw of nw	23	79	27
sw of sw	24	79	27
se of se	25	79	27
ne qr, ne of nw	26	79	27
se of ne	28	79	27
sw of ne	29	79	27
sw of ne, ne of se	32	79	27
s hf of sw, nw of se, s hf of se	34	79	27
nw of nw, nw of sw	35	79	27
sw of se	1	80	27
sw of ne	2	80	27
nw of nw, se of nw, nw of se, se of se	3	80	27
ne of sw	4	80	27
ne of se, ne of nw, sw of nw, sw of se	5	80	27
sw of nw, se of sw, nw of se, se of se	6	80	27
nw of ne, se of se	7	80	27
sw of ne, nw of nw, ne of sw	8	80	27
n hf of nw	9	80	27
n hf of ne, nw of nw, se of nw, s hf of se, e hf of se, nw of se	10	80	27
nw of se, sw of ne, se of nw, ne of sw	11	80	27
sw of ne	12	80	27
ne of sw	13	80	27
se of ne	14	80	27
ne of ne, sw of ne, n hf of nw	15	80	27
nw of sw, nw of se	16	80	27
e hf of sw	19	80	27
w hf of nw, ne of se	20	80	27
nw qr, n hf of sw, n hf of se	21	80	27
s hf of ne, ne of nw, s hf of nw, nw of sw	22	80	27
nw of ne, sw of nw, se of sw, se of ne	23	80	27
nw of nw, se of nw, sw of se	24	80	27
se of ne, s hf of sw, se of se	25	80	27
n hf of ne, se of ne, sw of nw, ne of sw, se of se	26	80	27
s hf of ne, ne of sw, nw of se, se of se	27	80	27
sw of nw, n hf of sw	28	80	27
sw of ne	29	80	27
ne of ne	30	80	27
sw of se	31	80	27
ne of ne, w hf of se	32	80	27
se of sw, se of se	33	80	27
w hf of sw, nw of se, se of se	34	80	27
ne of nw	35	80	27
n hf of ne, n hf of nw	2	81	27
sw of ne, nw of sw, nw of se	3	81	27

## DALLAS COUNTY, No. 1—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	Town.	Range.
se of sw, n hf of se	4	81	27
nw of se	5	81	27
sw of nw	6	81	27
ne of se	7	81	27
nw of nw	8	81	27
w hf of ne, e hf of nw, n hf of sw, nw of se, se of se	10	81	27
e hf of nw, ne of sw, w hf of se	11	81	27
nw of ne, se of nw, se of sw	12	81	27
nw of nw, ne of sw	14	81	27
s hf of nw	15	81	27
n hf of ne, e hf of nw	17	81	27
sw of ne, ne of sw, n hf of se	18	81	27
e hf of ne, ne of sw, sw of sw, nw of se, s hf of se	19	81	27
n hf of ne, nw of nw, ne of sw, w hf of se	20	81	27
nw of ne, e hf of nw, n hf of sw, sw of se	21	81	27
w hf of nw, se of sw	22	81	27
s hf of ne, nw of nw, se of nw, n hf of se	23	81	27
sw of ne, e hf of nw, ne of sw, nw of se	25	81	27
se of nw	26	81	27
nw of sw	27	81	27
ne of sw	28	81	27
se of nw, sw of sw, ne of se	29	81	27
nw of ne, s hf of se	30	81	27
e hf of ne	31	81	27
nw of nw, nw of sw	32	81	27
ne of sw	33	81	27
sw of ne, e hf of nw, nw of nw, ne of sw, w hf of se	34	81	27
sw of ne, ne of se	35	81	27
se of ne	1	78	28
lot 20	23	78	28
nw of ne	25	78	28
n hf of ne, nw qr	26	78	28
s hf of ne, n hf of nw	27	78	28
se of nw, ne of sw	1	79	28
e hf of ne, sw of sw	2	79	28
se of sw, ne of se, sw of se	3	79	28
se of ne, ne of nw, sw of nw, s hf of se	4	79	28
sw of nw, nw of sw	5	79	28
e hf of sw, ne of se	6	79	28
sw of ne, e hf of sw, se of se	8	79	28
se of ne, e hf of se	9	79	28
nw of ne, sw of nw, sw of se	10	79	28
se of nw, e hf of sw	11	79	28
sw of sw, ne of se, sw of se	12	79	28
nw of ne, nw of sw, e hf of se	13	79	28
e hf of ne, nw of nw	15	79	28
nw of ne, ne of sw	17	79	28
nw of nw, nw of sw	18	79	28
sw of ne, ne of se	19	79	28
n hf of nw	20	79	28
ne qr, se of nw, ne of se	30	79	28



## DALLAS COUNTY NO. 1—CONTINUED.

## DALLAS COUNTY, NO. 1—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	Town.	Range.
e hf of nw, ne of sw, nw of se.....	21	79	28
sw of ne, ne of se.....	22	79	28
w hf of sw.....	23	79	28
sw of sw.....	24	79	28
nw of ne, w hf of nw.....	25	79	28
w hf of ne.....	26	79	28
w hf of ne, sw of se.....	27	79	28
nw of ne, nw of nw.....	28	79	28
ne of ne.....	29	79	28
se of ne, e hf of sw.....	30	79	28
e hf of nw, sw of sw.....	31	79	28
ne of ne.....	32	79	28
ne of ne.....	34	79	28
ne of nw, sw of nw, sw qr.....	1	80	28
sw of ne, n hf of nw.....	2	80	28
se of sw.....	3	80	28
nw of ne, se of nw, ne of sw, w hf of sw, nw of se, se of se.....	4	80	28
ne of ne, sw of nw, ne of sw, w hf of sw, w hf of se.....	5	80	28
e hf of sw.....	6	80	28
ne of se.....	7	80	28
ne of ne, nw of nw, ne of sw, nw of se.....	8	80	28
w hf of ne, e hf of sw, sw of se.....	9	80	28
ne of ne.....	10	80	28
ne of sw.....	17	80	28
sw of nw, se of se.....	11	80	28
ne of ne, sw of ne, w hf of nw.....	12	80	28
nw of ne, sw of se.....	14	80	28
nw of nw, se of nw, ne of sw.....	15	80	28
ne of ne, se of nw.....	17	80	28
ne of ne, sw of ne, n hf of sw.....	18	80	28
nw of nw, se of se.....	20	80	28
w hf of nw, se of nw, ne of sw, sw of sw.....	21	80	28
sw of ne, ne of se.....	23	80	28
se of nw, ne of sw.....	24	80	28
ne of nw, se of sw.....	25	80	28
s hf of ne, se of nw, se of sw, nw of se.....	27	80	28
ne of ne, se of nw, nw of se.....	28	80	28
ne of ne, se of nw, nw of se.....	29	80	28
w hf of ne, e hf of nw, w hf of se, se of se.....	30	80	28
sw of nw.....	31	80	28
ne of sw, nw of se.....	32	80	28
nw of sw, ne of se.....	33	80	28
sw of sw.....	34	80	28
nw of ne, nw of nw, w hf of sw, se of sw.....	35	80	28
se of nw, w hf of sw, ne of se.....	36	80	28
ne of se.....	1	81	28
se of ne.....	2	81	28
sw of ne.....	3	81	28
se of ne, n hf of nw.....	4	81	28
w hf of ne, sw of nw, ne of sw, w hf of se.....	5	81	28
s hf of ne, s hf of sw, se of se.....	7	81	28

PARTS OF SECTION.	Section.		
	N.	Town.	Range.
se of se.....	9	81	28
ne qr, s hf of nw, nw of se, se of se.....	11	81	28
w hf of nw, ne of se, s hf of se.....	12	81	28
se of ne.....	14	81	28
ne of sw, n hf of se.....	15	81	28
n hf of se.....	17	81	28
nw of ne, n hf of nw, ne of sw, se of se.....	18	81	28
ne of ne, ne of nw, n hf of se, se of se.....	19	81	28
se of ne, nw of nw, ne of sw, w hf of sw, w hf of se.....	20	81	28
e hf of nw, ne of sw, sw of se.....	21	81	28
ne of sw, se of se.....	22	81	28
ne of se, sw of se.....	23	81	28
aw of ne, ne of sw.....	24	81	28
nw of ne.....	25	81	28
nw of ne, ne of nw, ne of sw, w hf of se.....	26	81	28
n hf of ne, sw of nw, ne of se, w hf of se.....	27	81	28
e hf of ne, nw of ne.....	28	81	28
s hf of ne, e hf of nw, nw of nw, n hf of se.....	29	81	28
s hf of nw, n hf of sw, sw of sw.....	30	81	28
ne of nw, sw of nw, w hf of se.....	31	81	28
se of nw, nw of sw, se of sw, nw of se, w hf of ne.....	32	81	28
e hf of ne, sw of ne, sw of nw, n hf of sw, w hf of se.....	33	81	28
sw qr, n hf of se.....	34	81	28
se of nw, n hf of sw.....	35	81	28
w hf of ne, se of ne, w hf of sw, se of sw, ne of se.....	8	78	29
ne of se.....	1	79	29
se of sw, s hf of se.....	2	79	29
s hf of ne, n hf of se, nw of sw.....	3	79	29
s hf of nw.....	4	79	29
ne of ne, sw of ne, sw of nw, ne of sw, sw of se.....	5	79	29
nw of ne, sw of nw, ne of sw, se of sw.....	6	79	29
s hf of sw, sw of nw, e hf of se.....	7	79	29
e hf of nw, sw of nw, sw of sw.....	8	79	29
sw of nw, ne of sw, nw of se.....	9	79	29
sw of ne, se of nw, ne of sw, sw of sw, ne of se, w hf of se.....	10	79	29
ne of ne, w hf of ne, sw of nw, w hf of sw, ne of se, w hf of se.....	11	79	29
e hf of ne, nw of ne, e hf of sw, sw of sw.....	12	79	29
ne of nw, w hf of sw, se of sw.....	13	79	29
nw of sw.....	14	79	29
sw of ne, w hf of nw, sw of se.....	15	79	29
se of ne.....	17	79	29
ne of nw, sw of sw.....	18	79	29
ne of nw, sw of nw, nw of sw, sw of se.....	21	79	29
se of ne, sw of sw.....	22	79	29
sw of ne, nw of nw.....	23	79	29
se of ne, sw of sw.....	24	79	29
nw of ne, w hf of nw, w hf of se.....	25	79	29
sw of se.....	26	79	29
w hf of nw.....	27	79	29
ne of ne.....	28	79	29
se of ne, sw of sw.....	29	79	29

## DALLAS COUNTY, No. 1—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	W.	Range.
sw of nw, se of sw	34	79	29
n hf of ne	35	79	29
ne of ne, se of nw, n hf of se	36	79	29
se of ne	1	80	29
s hf of sw	5	80	29
ne of sw, ne of se	6	80	29
nw of ne, se of ne, nw of nw, s hf of sw	7	80	29
nw of ne, nw of se, se of se	8	80	29
e hf of ne	10	80	29
sw of se	12	80	29
ne of sw	13	80	29
ne of sw, sw of se	14	80	29
e hf of se	15	80	29
ne of nw, ne of sw	17	80	29
e hf of ne, ne of se	19	80	29
ne of se	20	80	29
ne of nw, w hf of nw, nw of sw	22	80	29
e hf of ne, sw of se	23	80	29
w hf of se	24	80	29
e hf of ne, sw of nw, nw of sw	25	80	29
sw of ne, se of sw, w hf of se	26	80	29
w hf of nw, nw of se	27	80	29
e hf of ne, nw of nw, ne of se	28	80	29
nw of ne, n hf of nw, nw of sw, ne of se	29	80	29
se of ne, ne of nw, nw of sw, ne of se	30	80	29
n hf of ne, se of ne, ne of se	31	80	29
ne of sw	32	80	29
nw of ne, s hf of nw	33	80	29
nw of se	36	80	29
n hf of ne, sw of nw, ne of sw, e hf of se, sw of se	1	81	29
s hf of sw, sw of se	2	81	29
nw of nw	3	81	29
sw of nw	4	81	29
ne of ne, ne of nw, nw of sw, nw of sw	5	81	29
e hf of ne, ne of nw, se of se	6	81	29
sw of ne	7	81	29
nw of ne, se of nw	9	81	29
nw of ne	10	81	29
nw of ne	11	81	29
e hf of ne, nw of ne, e hf of nw	12	81	29
ne of ne, e hf of nw, sw of sw, nw of se	13	81	29
n hf of ne, nw of sw, sw of se	14	81	29
se of ne, ne of nw, s hf of nw, n hf of sw	15	81	29
nw of ne, se of ne, sw of se, nw of se	17	81	29
nw of ne, ne of sw, e hf of se	18	81	29
ne of nw, se of se	19	81	29
se of ne, se of nw, ne of se, w hf of se	20	81	29
w hf of ne, n hf of nw, se of nw, n hf of se	21	81	29
nw of ne, se of nw, e hf of sw	22	81	29
n hf of ne, s hf of nw, nw of se	23	81	29
n hf of ne, nw of sw, s hf of sw, sw of se	24	81	29

## DALLAS COUNTY, No. 1—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	W.	Range.
nw of ne, ne of nw, n hf of se	25	81	29
n hf of ne	26	81	29
ne of ne, ne of se, sw of se	27	81	29
sw of sw, ne of se	36	81	29

## DALLAS COUNTY, No. 2.

sw of ne, e hf of nw, sw of nw, e hf of sw, se of se	5	79	26
ne of ne, nw of nw, se of nw, nw of se, se of se	6	79	26
se of nw	7	79	26
nw of nw, e hf of se, sw of se	8	79	26
se of ne, e hf of se	12	79	26
e hf of ne	14	79	26
w hf of ne, se of ne, nw of nw	17	79	26
ne of nw	18	79	26
se of ne	22	79	26
se of se	35	79	26
ne of nw, se of sw	31	79	26
ne of ne, sw of ne, nw of nw	33	79	26
sw of nw	34	79	26
ne of ne, sw of nw	4	80	26
sw of nw, sw of sw	6	80	26
ne of nw	7	80	26
se of ne, se of nw, ne of se	12	80	26
se of ne	17	80	26
sw of se	18	80	26
e hf of nw	20	80	26
nw of ne	21	80	26
ne of sw	22	80	26
e hf of ne, nw of nw	34	80	26
nw of sw, se of se	36	80	26
sw of ne	31	81	26
sw of sw	32	81	26
nw of sw	34	81	26
sw of ne, ne of sw, sw of sw, nw of se, se of se	1	79	27
nw of ne, ne of nw	2	79	27
nw of ne, ne of nw	3	79	27
ne of nw	7	79	27
n hf of se	11	79	27
w hf of ne, nw of nw, se of nw, nw of se, se of se	12	79	27
ne of ne, sw of ne, e hf of nw, nw of sw, s hf of se	13	79	27
nw of nw, w hf of se	14	79	27
s hf of ne, n hf of se	15	79	27
nw of nw, nw of sw	19	79	27
e hf of nw	23	79	27
se of sw	24	79	27
sw of se	25	79	27
sw of sw	26	79	27
se of se	29	79	27
nw of ne, se of ne, sw of nw, se of se	35	79	27



## DALLAS COUNTY, No. 2—CONTINUED.

## DALLAS COUNTY, No. 2—CONTINUED.

## PARTS OF SECTION.

	Section.	Town.	Range.
ne of se.	36	79	27
s hf of nw, e hf of sw, n hf of se, se of se.	1	80	27
se of ne, ne of nw.	2	80	27
ne of nw, sw of nw, sw of ne, sw of sw	3	80	27
se of nw, se of sw.	4	80	27
n hf of sw	5	80	27
n hf of nw, se of nw, sw of sw.	6	80	27
ne of se.	7	80	27
ne of nw, s hf of nw, w hf of sw, sw of se.	8	80	27
e hf of ne, nw of sw, se of sw, sw of se.	9	80	27
se of ne, sw of nw, ne of sw.	10	80	27
n hf of ne, se of ne, n hf of nw, sw of sw, ne of se.	11	80	27
nw of ne, se of ne, sw of nw, nw of sw.	12	80	27
ne of nw.	13	80	27
nw of ne, nw of nw, e hf of sw.	14	80	27
e hf of sw, sw of sw, e hf of se, nw of se, se of ne, sw of nw	15	80	27
se of sw	17	80	27
ne of ne, sw of ne, se of nw, ne of se, w hf of se.	20	80	27
s hf of sw.	21	80	27
ne of ne, sw of sw.	22	80	27
nw of nw, se of nw, ne of sw, sw of sw, nw of se.	23	80	27
ne of sw, se of se.	24	80	27
sw of ne.	25	80	27
w hf of ne, se of ne, nw of se.	26	80	27
ne of se.	28	80	27
s hf of ne, se of sw.	34	80	27
n hf of ne, se of ne, sw of sw, sw of se.	2	81	27
ne gr, n hf of sw.	3	81	27
n hf of nw, ne of sw, e hf of se, sw of se.	4	81	27
n hf of ne, sw of ne, n hf of nw.	5	81	27
s hf of se.	6	81	27
ne of ne, se of sw.	7	81	27
nw of nw, ne of sw, sw of sw, nw of se.	8	81	27
ne of ne, w hf of ne, sw of nw, w hf of sw, nw of se.	12	81	27
sw of ne, se of sw.	14	81	27
sw of ne, se of nw.	18	81	27
sw of se.	19	81	27
se of ne, se of sw.	20	81	27
ne of ne, sw of sw.	21	81	27
ne of nw.	22	81	27
nw of ne, ne of nw.	23	81	27
nw of nw, se of sw.	24	81	27
nw of se.	26	81	27
se of sw.	27	81	27
se of sw.	28	81	27
ne of sw.	29	81	27
ne of sw, w hf of se.	30	81	27
se of nw.	31	81	27
nw of ne, ne of sw.	32	81	27
nw of ne.	33	81	27
sw of ne, se of nw.	1	79	28
	2	79	28

## PARTS OF SECTION.

	Section.	Town.	Range.
sw of ne, se of nw, ne of sw.	3	79	28
ne of sw.	5	79	28
s hf of ne.	6	79	28
n hf of ne.	8	79	28
ne of ne, nw of nw.	9	79	28
nw of nw.	10	79	28
w hf of ne, se of ne.	11	79	28
ne of nw.	12	79	28
w hf of ne, ne of sw, sw of se.	14	79	28
s hf of nw.	19	79	28
nw of ne.	21	79	28
nw of nw, ne of sw, nw of se.	22	79	28
ne of sw, sw of sw.	24	79	28
se of ne.	27	79	28
se of ne.	28	79	28
nw of sw.	33	79	28
nw of ne, se of ne.	34	79	28
sw of sw.	1	80	28
se of sw.	3	80	28
ne of ne, sw of se.	5	80	28
ne of ne, sw of ne, sw of sw, se of se.	6	80	28
ne of nw, se of sw, ne of se.	7	80	28
w hf of nw, nw of sw, ne of se.	8	80	28
se of se.	9	80	28
w hf of ne, sw of nw, n hf of se, se of se, se of sw.	14	80	28
sw of ne.	15	80	28
n hf of se.	17	80	28
nw of ne, se of ne.	18	80	28
s hf of ne, sw of nw, ne of sw, n hf of se.	19	80	28
se of sw.	20	80	28
nw of nw, se of nw, nw of sw.	21	80	28
sw of nw, ne of sw.	22	80	28
nw of ne, nw of nw, sw of sw.	25	80	28
se of ne, sw of nw.	26	80	28
sw of nw.	28	80	28
se of nw.	29	80	28
nw of ne, ne of sw, ne of se.	30	80	28
ne of ne, ne of sw.	31	80	28
n hf of nw.	34	80	28
ne gr, n hf of nw, sw of nw, nw of sw, se of sw, sw of se.	35	80	28
n hf of ne.	1	81	28
n hf of ne.	2	81	28
n hf of nw.	3	81	28
sw of nw.	4	81	28
e hf of ne, n hf of nw, se of nw, w hf of sw, se of sw, ne of se.	5	81	28
ne of ne, nw gr, n hf of sw, se of sw, w hf of se, se of se.	6	81	28
ne of ne, n hf of se.	7	81	28
e hf of se.	8	81	28
sw of ne, sw of sw, ne of se.	9	81	28
nw gr.	10	81	28
n hf of sw, ne of se.	11	81	28
se of sw.	12	81	28

## DALLAS COUNTY, No. 2—CONTINUED.

## DALLAS COUNTY, No. 2—CONTINUED.

## PARTS OF SECTION.

	Section.	N.	Town.	Range.
sw of ne, w hf of sw	14	81	28	
sw of ne, s hf of se	15	81	28	
se of se	17	81	28	
nw of nw, se of sw, sw of se	19	81	28	
se of ne, sw of sw, e hf of se, nw of se	21	81	28	
ne of ne, w hf of ne, sw of se	22	81	28	
e hf of ne, se of se	23	81	28	
ne of ne, w hf of nw, se of nw, se of sw, n hf of se, se of se	24	81	28	
ne of ne, e hf of nw, s hf of sw	25	81	28	
w hf of nw	26	81	28	
se of ne	27	81	28	
nw of nw	28	81	28	
ne of ne	29	81	28	
se of sw, se of nw, ne of sw, sw of sw	30	81	28	
ne of sw, sw of se	31	81	28	
ne of ne	32	81	28	
nw of nw, se of nw, nw of se	35	81	28	
sw of ne	36	81	28	
se of se	1	80	29	
se of nw, ne of sw	5	80	29	
nw of se, se of se	6	80	29	
se of nw, nw of se	7	80	29	
w hf of sw, se of sw, se of se	12	80	29	
nw of se	14	80	29	
sw of ne, sw of nw, w hf of sw	17	80	29	
se of ne, nw of se	22	80	29	
ne of sw, e hf of se	23	80	29	
ne of sw, ne of se, sw of se	24	80	29	
nw of ne, ne of sw	25	80	29	
sw of ne, se of nw, nw of sw	26	80	29	
sw of nw, e hf of sw, sw of se	28	80	29	
sw of nw, sw of sw	29	80	29	
sw of nw	35	80	29	
ne of ne, w hf of ne, se of nw, ne of se	36	80	29	
sw of ne, se of nw, sw of sw	1	81	29	
s hf of ne, n hf of sw	2	81	29	
ne of ne, sw of nw	3	81	29	
s hf of ne, se of nw, e hf of se	4	81	29	
nw of ne, nw of nw	5	81	29	
ne of se	6	81	29	
ne of sw, sw of sw, w hf of se	8	81	29	
ne of sw, e hf of se, sw of se	9	81	29	
se of ne, nw of nw, se of sw, w hf of se	10	81	29	
e hf of ne, sw of ne, e hf of nw, sw of nw	11	81	29	
w hf of nw	12	81	29	
sw of ne, e hf of sw, s hf of se	13	81	29	
w hf of nw, ne of sw, sw of sw, n hf of se, se of se	14	81	29	
nw of nw, se of	15	81	29	
ne of ne, sw of ne	17	81	29	
sw of ne, nw of sw, w hf of se	18	81	29	

## PARTS OF SECTION.

	Section.	N.	Town.	Range.
ne of ne, ne of se	19	81	29	
sw of ne, ne of nw, w hf of nw, nw of sw, se of sw, se of se	20	81	29	
e hf of ne, s hf of sw	21	81	29	
ne of nw, nw of se, se of se	22	81	29	
sw of ne, n hf of nw, s hf of se	23	81	29	
se of se	31	81	29	

## GRUNDY COUNTY.

	Section.	N.	Town.	Range.
se of sw	7	87	15	
ne of se	11	87	15	
s hf of ne	13	87	15	
ne of sw, nw of se, nw of nw, se of nw	17	87	15	
s hf of ne, n hf of se	18	87	15	
n hf of ne, se of ne, nw of nw, se of sw	19	87	15	
se of sw	20	87	15	
ne of ne	22	87	15	
ne of ne, ne of nw	23	87	15	
nw of sw	26	87	15	
sw of sw	28	87	15	
sw of nw, sw of sw	30	87	15	
se of nw, ne of sw, sw of sw, se of se	31	87	15	
se of ne, s hf of sw, ne of se, sw of se	32	87	15	
e hf of nw	33	87	15	
nw of sw, se of sw	35	87	15	
sw of se	1	88	15	
n hf of ne, n hf of nw	3	88	15	
n hf of nw	5	88	15	
n hf of ne	5	88	15	
ne of ne, sw of	7	88	15	
nw of ne, se of ne, n hf of nw, se of nw	8	88	15	
ne of ne, sw of ne, w hf of nw, sw of	13	88	15	
se of se	14	88	15	
nw of nw	15	88	15	
sw of nw	17	88	15	
s hf of sw, s hf of se	19	88	15	
e hf of ne, e hf of se, nw of se	20	88	15	
s hf of ne	23	88	15	
ne of ne, w hf of ne, se of nw, e hf of sw, e hf of se, nw of se	24	88	15	
ne of nw	29	88	15	
e hf of nw, sw of nw	30	88	15	
sw of ne, n hf of nw, ne of sw, sw of sw, w hf of se	1	89	15	
n hf of ne, n hf of nw, sw of nw, sw of se	2	89	15	
sw of ne, n hf of nw, se of nw	3	89	15	
n hf of nw, sw of nw, sw of ne, nw of se, se of se, ne of sw	4	89	15	
n hf of ne, n hf of nw, se of nw	5	89	15	
s hf of ne, n hf of nw, se of sw, sw of se	6	89	15	
n hf of ne, ne of nw, se of se	7	89	15	
nw of sw	8	89	15	
se of ne	9	89	15	



## GRUNDY COUNTY—CONTINUED.

## PARTS OF SECTION.

	Section.	N.	W.
nw of ne, n hf of nw, w hf of sw, w hf of se	10	89	15
se of ne, se of nw	11	89	15
ne of ne, sw of ne, nw of nw, se of sw	12	89	15
sw of sw	13	89	15
sw of ne, w hf of sw, se of se	14	89	15
nw of nw, nw of se, se of se	15	89	15
se of ne	18	89	15
nw of nw	22	89	15
ne of ne, sw of ne, w hf of nw, se of nw, sw of se	23	89	15
se of nw	24	89	15
s hf of ne, w hf of se, se of se	25	89	15
nw of se	30	89	15
e hf of ne, sw of ne, ne of se	2	87	16
w hf of nw	3	87	16
w hf of ne	4	87	16
n hf of nw	6	87	16
s hf of sw, sw of se	8	87	16
nw of sw	10	87	16
nw of nw, se of nw	11	87	16
sw of ne	13	87	16
se of nw, se of sw	14	87	16
e hf of nw	15	87	16
ne of nw	17	87	16
se of ne, ne of nw	18	87	16
se of ne, w hf of nw	25	87	16
ne of nw, w hf of nw	26	87	16
sw of se	27	87	16
sw of ne	28	87	16
w hf of ne, s hf of nw	30	87	16
w hf of ne, se of ne, se of nw, se of sw, s hf of se	31	87	16
e hf of se	32	87	16
e hf of ne, nw of nw, e hf of se, sw of se	33	87	16
e hf of ne, sw of se, w hf of sw, se of sw	34	87	16
sw of sw	6	88	16
sw of sw	8	88	16
ne of ne	11	88	16
nw of ne, e hf of nw	24	88	16
sw of ne, nw of sw	25	88	16
s hf of nw, nw of sw, se of sw, e hf of se	28	88	16
sw of nw, e hf of sw, nw of se, se of se	29	88	16
se of ne, s hf of nw, nw of sw, se of sw, nw of se	30	88	16
e hf of nw, nw of nw	31	88	16
n hf of ne, se of ne, n hf of nw, se of nw, w hf of se, se of se	1	89	16
n hf of ne, sw of ne, n hf of nw, se of nw, ne of sw, nw of se	2	89	16
n hf of ne, n hf of nw, se of nw, ne of sw, w hf of sw	3	89	16
se of ne, se of nw	4	89	16
se of ne, w hf of sw, se of sw	5	89	16
e hf of sw, sw of sw, se of se	6	89	16
e hf of sw, sw of sw	8	89	16
se of nw	10	89	16
sw of ne, n hf of se	12	89	16

## PARTS OF SECTION.

	Section.	N.	W.
nw of sw	13	89	16
nw of sw, se of sw	14	89	16
se of ne, ne of nw	17	89	16
n hf of ne, n hf of se, ne of sw	19	89	16
w hf of se	21	89	16
sw of se	34	89	16
e hf of ne, sw of ne, w hf of nw, se of nw, sw of se	25	89	16
w hf of ne, e hf of nw	27	89	16
ne of ne, e hf of nw	30	89	16
n hf of ne	12	86	17
sw of ne	20	86	17
ne of ne, e hf of sw	30	86	17
s hf of ne, ne of nw	31	86	17
w hf of ne, nw of sw, ne of se	32	86	17
nw of nw, n hf of sw, ne of se	33	86	17
sw of ne, n hf of sw, nw of se, se of se	34	86	17
s hf of nw, nw of sw, s hf of sw	35	86	17
nw of nw	1	87	17
ne of ne, ne of nw, e hf of sw, sw of sw	2	87	17
sw of ne, ne of sw	3	87	17
nw of ne, se of ne, n hf of sw, ne of se, sw of se	7	87	17
se of nw, e hf of sw	9	87	17
sw of ne	10	87	17
n hf of sw	11	87	17
ne of ne, nw of nw	12	87	17
sw of sw	18	87	17
ne of ne, nw of nw	19	87	17
e hf of ne, nw of se	21	87	17
w hf of nw, se of nw	22	87	17
se of ne, s hf of se, sw of nw, nw of sw, se of sw	27	87	17
n hf of ne	28	87	17
n hf of ne, se of ne, n hf of se, se of se	30	87	17
ne of ne, sw of ne, w hf of nw, n hf of sw, n hf of se	34	87	17
nw of ne, nw of nw	1	88	17
ne of nw	3	88	17
se of se	9	88	17
ne of ne	10	88	17
ne of ne, ne of sw	11	88	17
ne of se	12	88	17
se of ne, w hf of se, se of se	19	88	17
ne of nw, ne of sw	31	88	17
ne of nw	32	88	17
se of se	1	89	17
sw of sw	2	89	17
s hf of nw, e hf of se	3	89	17
ne of sw, s hf of sw, nw of se, se of se	5	89	17
sw of ne	6	89	17
nw of nw, se of nw	9	89	17
ne of ne, ne of nw	10	89	17
nw of ne, se of ne	12	89	17
ne of nw	13	89	17
sw of se	15	89	17

## GRUNDY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		
	Section.	Town.	Range.
	N.	W.	
n hf of ne, se of ne, ne of nw, nw of sw, nw of se, se of se ..	19	89	17
w hf of ne, e hf of nw, ne of se, w hf of se ..	20	89	17
w hf of ne, se of ne, e hf of nw, ne of sw ..	22	89	17
n hf of sw, nw of se ..	26	89	17
n hf of sw, se of sw, s hf of se ..	30	89	17
ne of sw ..	31	89	17
sw of nw, sw of sw ..	32	89	17
e hf of ne, se of nw, sw of sw ..	33	89	17
sw of ne ..	34	89	17
nw of sw, se of sw, n hf of se ..	3	86	18
se of sw ..	4	86	18
s hf of nw, e hf of sw, nw of se ..	5	86	18
n hf of ne ..	6	86	18
ne of ne, sw of ne, nw of se, se of se ..	7	86	18
ne of ne, sw of ne, n hf of nw, nw of se ..	8	86	18
w hf of ne, w hf of se, se of sw ..	9	86	18
nw of ne, e hf of nw, ne of sw, nw of se ..	10	86	18
sw of sw ..	11	86	18
sw of nw, sw of sw ..	14	86	18
n hf of nw, se of nw, e hf of sw, sw of sw, e hf of se ..	15	86	18
sw of ne, n hf of se ..	17	86	18
s hf of ne, se of se ..	18	86	18
se of nw, ne of sw, se of se ..	19	86	18
nw of ne, se of nw ..	20	86	18
nw of sw ..	21	86	18
n hf of ne, ne of ne ..	22	86	18
se of se ..	23	86	18
ne of sw, w hf of se ..	24	86	18
se of ne, ne of nw ..	25	86	18
sw of ne ..	26	86	18
sw of ne, e hf of sw, se of sw ..	27	86	18
w hf of ne, e hf of nw, nw of sw, nw of se ..	28	86	18
sw of ne, nw of nw, se of nw, w hf of sw, se of se ..	29	86	18
e hf of nw, ne of sw, ne of se ..	30	86	18
ne of se, sw of se ..	31	86	18
ne of ne, sw of ne, s hf of nw, nw of se ..	32	86	18
ne of ne, sw of ne, w hf of nw, se of nw, n hf of sw, sw of sw, sw of se ..	33	86	18
nw of ne, sw of nw, ne of se, w hf of se ..	34	86	18
n hf of nw ..	35	86	18
ne of se, w hf of se ..	36	86	18
ne of sw ..	1	87	18
nw of ne, se of ne, se of nw, ne of se, sw of se ..	2	87	18
nw of nw ..	4	87	18
e hf of ne, sw of ne, se of nw, w hf of se, se of se ..	5	87	18
ne of ne, se of nw, nw of sw ..	6	87	18
nw of ne, se of nw ..	8	87	18
s hf of ne, se of ne ..	9	87	18
n hf of nw, se of nw ..	10	87	18
e hf of ne, sw of nw, ne of se, w hf of se ..	11	87	18
e hf of ne, sw of nw, ne of se, w hf of se ..	12	87	18
sw of ne, se of nw, ne of sw, sw of sw ..	13	87	18

## GRUNDY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		
	Section.	Town.	Range.
	N.	W.	
e hf of nw, sw of nw, sw of sw ..	14	87	18
ne of ne, sw of se, e hf of sw ..	15	87	18
nw of nw, se of nw, nw of sw, e hf of se ..	17	87	18
ne of nw, sw of nw, ne of sw, ne of se ..	18	87	18
s hf of ne, se of nw, e hf of sw, ne of se ..	19	87	18
n hf of nw, nw of sw ..	20	87	18
se of nw, se of sw, nw of se ..	21	87	18
nw of ne, se of ne, e hf of nw, nw of nw, se of sw, ne of se ..	22	87	18
ne of se ..	23	87	18
ne of ne, nw of nw, sw of sw, nw of se, se of se ..	24	87	18
sw of ne, se of nw ..	25	87	18
sw of sw ..	26	87	18
w hf of nw, e hf of sw, sw of sw, nw of se ..	27	87	18
e hf of se ..	28	87	18
n hf of ne, se of ne ..	29	87	18
nw of nw, se of nw, nw of sw, se of sw, nw of se ..	30	87	18
w hf of ne, ne of nw, e hf of sw ..	31	87	18
sw of ne, ne of nw ..	33	87	18
n hf of ne, se of ne, w hf of nw, se of sw, nw of se ..	34	87	18
ne of nw ..	2	88	18
nw of nw, se of nw, e hf of sw ..	3	88	18
se of ne, ne of nw, sw of se ..	7	88	18
e hf of se ..	10	88	18
se of sw ..	11	88	18
nw of ne, nw of se ..	12	88	18
ne of ne, e hf of nw, e hf of sw, sw of sw, sw of se ..	18	88	18
ne of sw, sw of se, se of se ..	19	88	18
se of sw ..	20	88	18
w hf of sw, se of sw ..	21	88	18
nw of ne ..	22	88	18
sw of nw ..	23	88	18
n hf of nw, se of sw ..	25	88	18
n hf of ne, ne of nw, sw of nw, s hf of sw ..	27	88	18
nw of ne, n hf of se ..	29	88	18
ne of ne, sw of ne, ne of sw, ne of se, sw of se ..	30	88	18
w hf of ne, se of ne, se of nw, se of sw ..	32	88	18
s hf of nw ..	34	88	18
sw of sw ..	1	89	18
se of se ..	8	89	18
ne of ne ..	9	89	18
nw of sw ..	12	89	18
w hf of sw, se of sw ..	15	89	18
ne of sw, sw of sw ..	19	89	18
nw of ne ..	21	89	18
nw of ne, n hf of nw, se of nw, ne of se, w hf of se ..	24	89	18
ne of se, sw of se ..	25	89	18
n hf of se ..	26	89	18
nw of ne, sw of nw ..	30	89	18



## HAMILTON COUNTY.

PARTS OF SECTION.	Section.		
	N.	Town.	Range.
se of se	19	87	23
w hf of sw	20	87	23
se of sw	1	88	23
s hf of nw, se of se	3	88	23
se of se	4	88	23
n hf of se, se of se, ne of sw	5	88	23
sw of se	12	89	23
nw of se, se of se	13	89	23
ne of nw, w hf of nw, ne of sw	14	89	23
se of se	34	89	23
n hf of ne, e hf of nw	36	89	23
nw of nw, se of se	22	87	24
sw of ne	35	87	24
se of nw	1	89	24
nw of nw	3	89	24
ne of ne	36	89	24
sw of nw, w hf of se	8	87	25
s hf of sw	9	87	25
sw of ne	18	87	25
s hf of ne, sw of nw, s hf of se	19	87	25
nw of sw	21	87	25
ne of se	23	87	25
sw of ne	9	89	25
ne of nw	10	89	25
s hf of ne	21	89	25
e hf of ne, w hf of se, se of se	6	87	26
se of sw, w hf of se, se of se	24	87	26
ne of ne, ne of se	25	87	26
e hf of nw	26	87	26
s hf of nw	4	88	26
s hf of sw	6	88	26
n hf of ne, se of ne, ne of nw, w hf of nw	8	88	26
w hf of nw, nw of sw	9	88	26
nw of nw	15	88	26
sw of ne	19	88	26
nw of sw	22	88	26
s hf of ne, sw of nw, nw of sw, se of sw	26	88	26
e hf of sw	27	88	26
ne of ne, w hf of nw	28	88	26
e hf of ne, se of sw	29	88	26
nw qr, n hf of sw	30	88	26
sw of nw	32	88	26
ne of nw, w hf of nw, se of sw	33	88	26
ne of ne, se of sw	34	88	26
nw of nw	35	88	26
ne of se	36	88	26
sw of nw	1	89	26
s hf of sw	2	89	26
se of se	3	89	26
nw of nw, nw of sw, se of sw, se qr	4	89	26
ne of sw, s hf of se	5	89	26
sw of sw	6	89	26

## HAMILTON COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	Town.	Range.
ne of ne, ne of nw	8	89	26
e hf of ne, sw of ne, se of nw	9	89	26
s hf of sw	9	89	26
se of sw, se of se	10	89	26
s hf of ne, nw qr, ne of sw, n hf of se	11	89	26
n hf of ne, ne of nw, w hf of sw	12	89	26
ne of ne, w hf of ne, nw of nw	13	89	26
s hf of ne, w hf of sw	14	89	26
sw of ne, w hf of sw, ne of se, w hf of se	15	89	26
w hf of ne, sw of sw	18	89	26
nw of ne, se of ne, sw of nw, sw qr, ne of se, w hf of se	22	89	26
se of se	23	89	26
nw of sw, se of sw	24	89	26
nw of sw	26	89	26
ne of se	27	89	26
s hf of se	32	89	26
w hf of sw	33	89	26
w hf of se	34	89	26
sw of se	36	89	26

## HARRISON COUNTY.

	Section.		
	N.	Town.	Range.
se of ne, ne of se	29	78	41
e hf of se	32	78	41
nw of se	4	80	41
e hf of sw	5	80	41
s hf of se	6	80	41
e hf of nw, nw of sw, s hf of sw, sw of se	7	80	41
nw of sw	9	81	41
e hf of sw	30	78	42
sw of sw	9	79	42
ne of nw	17	79	42
sw of sw, s hf of se	18	79	42
nw of ne	30	79	42
sw of sw	14	80	42
sw of nw	23	80	42
nw of sw	27	78	43
sw of sw	33	78	43
sw of nw	10	79	43
sw of se	19	79	43
ne of nw	29	79	43
sw of nw	35	79	43
ne of ne	23	80	43
ne of sw	24	79	44
sw of se	18	81	44
w hf of ne, e hf of se, e hf of sw	19	81	44
ne of se	22	81	44
w hf of ne, w hf of nw, nw of sw	23	81	44

## JONES COUNTY.

## JONES COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Town.	Range.
	N.	W.		
nw of ne	29	84	1	
nw of se	32	84	1	
lot 4	7	83	2	
lots 5, 6, 7	8	83	2	
lots 1 and 2	12	83	2	
fraction left of river	13	83	2	
lot 6	15	88	2	
lot 1	18	83	2	
nw of nw	3	84	2	
ne of ne	4	84	2	
sw of ne, ne of nw, se of sw	6	84	2	
ne of nw	11	84	2	
s hf of ne	13	84	2	
n hf of ne	15	84	2	
se of sw	17	84	2	
sw of nw	19	84	2	
se of sw	27	84	2	
nw of ne, ne of nw, s hf of nw, nw of sw	29	84	2	
ne of ne, sw of ne	30	84	2	
sw of sw	32	84	2	
sw of sw	17	85	2	
sw of se	28	85	2	
sw of se	34	85	2	
ne of nw	1	83	3	
ne of se	21	83	3	
ne of ne	26	83	3	
e hf of se	27	83	3	
se of nw	30	83	3	
sw of nw	15	84	3	
lot 1	20	84	3	
se of ne	21	84	3	
se of ne	5	86	3	
ne of nw	8	86	3	
n hf of sw, se of sw, se of se	29	86	3	
s hf of sw	31	86	3	
n hf of ne	32	86	3	
ne of se	4	83	4	
se of ne	11	83	4	
se of nw	14	83	4	
ne of nw, se of sw	24	83	4	
se of ne	26	83	4	
n hf of nw, se of sw	29	83	4	
nw qr	30	83	4	
lots 4 and 5	13	84	4	
nw of sw	31	84	4	
w hf of nw	1	85	4	
w hf of ne	2	85	4	
sw of nw	6	85	4	
se of sw	11	85	4	
se of se	13	85	4	
sw of sw	33	85	4	
sw of se	5	86	4	

PARTS OF SECTION.	Section.		Town.	Range.
	N.	W.		
n hf of ne, se of ne	21	86	4	
nw of sw	20	86	4	
ne of se	27	86	4	
se of nw	28	86	4	
ne qr, nw of se	29	86	4	
nw of ne, se of ne, w hf of nw, ne of sw, e hf of se, sw of se	30	86	4	
e hf of se	31	86	4	
w hf of ne, se of ne, se of nw	32	86	4	
s hf of nw	34	86	4	
se of sw	35	86	4	
w hf of sw, se of sw	36	86	4	

## MARSHALL COUNTY.

PARTS OF SECTION.	Section.		Town.	Range.
	N.	W.		
nw of nw	7	82	17	
n hf of nw	1	83	17	
sw of se	3	83	17	
nw of sw, se of sw	17	83	17	
ne of se	18	83	17	
e hf of ne, e hf of se, sw of nw	20	83	17	
sw of se	23	83	17	
nw of ne, nw of nw, se of nw	25	83	17	
ne of ne	26	83	17	
sw of sw	32	83	17	
sw of sw	1	84	17	
n hf of ne, se of ne, nw qr	5	84	17	
nw of ne, ne of nw, nw of sw	6	84	17	
se of se	7	84	17	
s hf of nw, w hf of sw	28	84	17	
se of ne	29	84	17	
se of se	30	84	17	
s hf of nw, n hf of sw	31	84	17	
e hf of ne, ne of nw	32	84	17	
w hf of sw	1	85	17	
sw of se	2	85	17	
nw of nw	3	85	17	
ne of ne	4	85	17	
se of se	6	85	17	
se of nw, sw of se	8	85	17	
se qr	9	85	17	
ne of ne, sw of sw	11	85	17	
ne of ne	13	85	17	
se of ne, ne of se	15	85	17	
s hf of nw, se of sw	21	85	17	
n hf of ne	22	85	17	
e hf of ne, sw of ne, nw of nw	23	85	17	
s hf of ne, w hf of nw, ne of sw, w hf of sw, nw of se	24	85	17	
nw qr	32	85	17	
n hf of sw	33	85	17	
sw of ne	26	85	17	



## MARSHALL COUNTY—CONTINUED.

## MARSHALL COUNTY—CONTINUED.

## PARTS OF SECTION.

## PARTS OF SECTION.

	Section.	Town.	Range.
se of se	31	85	17
e hf of sw, sw of sw, sw of se	30	85	17
sw of sw	1	82	18
s hf of sw, se of se	2	82	18
n hf of ne, n hf of nw	3	82	18
ne qr, w hf of se	4	82	18
nw of ne, se of nw	10	82	18
sw of se	5	82	18
nw qr	6	83	18
ne of nw	9	83	18
nw of nw	9	83	18
se of ne, nw of nw, ne of se	4	84	18
ne of ne	5	84	18
se of sw	9	84	18
e hf of se	12	84	18
s hf of nw	13	84	18
n hf of se, se of se, nw of sw	14	84	18
ne of se	15	84	18
w hf of ne, ne of nw	20	84	18
n hf of nw	23	84	18
sw of se	25	84	18
ne of ne	29	84	18
s hf of ne	1	85	18
nw of nw	2	85	18
ne qr, s hf of nw, ne of sw	3	85	18
nw of ne, s hf of nw, e hf of sw	5	85	18
se of ne	6	85	18
ne qr, se of nw, s hf of sw, n hf of se	8	85	18
n hf of ne, se of ne	12	85	18
w hf of ne, se of ne, w hf of nw, se qr, e hf of sw, sw of sw	17	85	18
w hf	18	85	18
nw qr, ne of sw, w hf of sw	19	85	18
n hf of ne	20	85	18
se of sw, se of se	21	85	18
sw of se	22	85	18
ne of ne	24	85	18
ne of ne, e hf of nw, s hf of se	28	85	18
nw of nw, sw qr, w hf of se, se of se	29	85	18
nw of ne, se of ne, ne of nw, w hf of nw	30	85	18
ne of ne	31	85	18
ne qr, sw of sw, e hf of se	32	85	18
ne of ne, sw of nw, ne of sw, w hf of sw	33	85	18
w hf of nw, w hf of sw	34	85	18
sw of sw	31	82	19
e hf of ne, n hf of sw, nw of se	1	83	19
nw of sw, se of se	2	83	19
w hf of ne, nw qr, ne of se	3	83	19
n hf	4	83	19
ne qr	5	83	19
nw of sw	23	83	19
n hf of ne	24	83	19
nw of sw	2	84	19

	Section.	Town.	Range.
nw of sw, se of sw, s hf of se	4	84	19
nw of nw, s hf of sw	5	84	19
w hf of sw	6	84	19
ne of ne	8	84	19
nw of ne, nw of nw	9	84	19
s hf of ne	10	84	19
ne of sw	14	84	19
nw of ne, s hf of sw	25	84	19
ne of se	26	84	19
ne of se	31	84	19
se of sw	33	84	19
sw of nw, nw of sw	5	85	19
nw of ne, se of ne, n hf of nw	6	85	19
sw of ne	8	85	19
se of se	12	85	19
e hf	13	85	19
se of sw, sw of se	18	85	19
ne of ne	19	85	19
nw of nw, se of nw, ne of sw	20	85	19
e hf of nw	21	85	19
ne qr	24	85	19
sw of sw	26	85	19
se of se	28	85	19
sw of sw	30	85	19
w hf of nw, n hf of sw	31	85	19
e hf of ne	34	85	19
sw of nw	35	85	19
ne of sw, nw of se, se of se	23	82	20
nw of nw, se of nw	25	82	20
sw of ne	36	82	20
s hf of nw	4	83	20
sw of se	6	83	20
se of sw	8	83	20
ne of ne	29	83	20
e hf of se	1	84	20
sw of sw	5	84	20
sw qr	6	84	20
se of se	7	84	20
nw of ne, nw of nw, s hf of sw	8	84	20
e hf of ne	9	84	20
w hf of nw, w hf of sw	15	84	20
ne of se	17	84	20
sw of se	19	84	20
sw of se	25	84	20
ne of se, w hf of se	29	84	20
se of se	30	84	20
nw of ne	32	84	20
s hf of sw	33	84	20
sw of ne, e hf of nw	36	84	20
ne of nw, ne of sw	4	85	20
s hf of se	5	85	20
s hf of se	7	85	20

## MARSHALL COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	
	N.	W.
ne of ne	8	85 30
w hf of nw, se of sw	9	85 30
nw of nw, se of nw, ne of se	10	85 30
nw of sw, se of sw	11	85 30
sw of se, sw qr	17	85 30
nw of ne, ne of nw, w hf of nw, se qr	18	85 30
n hf of ne, se of ne, n hf of se	19	85 30
ne of nw, sw of nw, sw of se, s hf of se	20	85 30
nw of nw, sw of sw, se of sw	21	85 30
nw of nw, sw of sw	22	85 30
se of nw	26	85 30
sw of ne, s hf of se	27	85 30
nw of nw, nw of sw	28	85 30
ne qr, ne of nw	29	85 30
nw of ne, s hf of se	30	85 30
n hf of ne	31	85 30
s hf of ne, ne of se	32	85 30
sw qr	33	85 30

## MAHASKA COUNTY.

PARTS OF SECTION.	Section.	
	N.	W.
nw of nw, se of sw	33	74 14
se of ne	34	74 14
s hf of sw	26	74 14
se of nw, ne of sw	27	74 14
se of sw	32	74 14
e hf of ne	34	74 14
ne of se	1	75 14
nw of sw	2	75 14
sw of sw, se of se	7	75 14
nw of sw	8	75 14
se of nw, nw of se	15	75 14
sw of ne, se of nw, sw of sw	18	75 14
sw of nw	25	75 14
se of ne, e hf of se	36	75 14
se of ne	3	76 14
w hf of ne	13	76 14
ne of nw, s hf of nw, sw of sw	15	76 14
sw of ne, sw of sw, se of se	22	76 14
n hf of se	23	76 14
ne of sw	26	76 14
w hf of nw	33	76 14
sw of se	34	76 14
ne of se, s hf of se	35	76 14
se of nw, sw of sw	36	76 14
sw of nw, sw of sw	19	77 14
nw of nw, se of sw	28	77 14
n hf of ne, se of se	29	77 14
se of sw	32	77 14

## MAHASKA COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	
	N.	W.
sw of sw	33	77 14
e hf of se	34	77 14
sw qr	35	77 14
nw of nw	1	74 15
ne of ne	4	74 15
ne of nw	25	74 15
ne of ne	1	75 15
n hf of nw	14	75 15
nw of se	37	75 15
sw of ne	38	75 15
e hf of ne, se of se	1	76 15
nw of ne, se of ne, sw of sw, w hf of se, se of se	6	76 15
nw of ne, ne of nw	7	76 15
w hf of nw, se of nw	8	76 15
se of ne	12	76 15
sw of nw	20	76 15
sw of ne, n hf of nw, sw qr, ne of se	5	77 15
sw of ne, e hf of nw	6	77 15
sw of nw, s hf of se	7	77 15
w hf of nw, se of sw	8	77 15
se qr	17	77 15
nw qr	19	77 15
n hf of sw	30	77 15
s hf of se	21	77 15
se of ne	22	77 15
sw of se	27	77 15
s hf of se	29	77 15
n hf of nw, se of nw, sw qr, w hf of se, sw of se	30	77 15
n hf of sw, w hf of se	31	77 15
nw of nw, se of se	32	77 15
e hf of ne, w hf of sw	33	77 15
se qr	35	77 15
sw of sw	36	77 15
ne of ne, nw of nw, ne of sw	2	74 16
s hf of se	6	74 16
sw of nw, nw of sw	8	74 16
se of nw, nw of sw	20	74 16
ne of nw, sw of nw	30	74 16
w hf of se	2	75 16
ne of ne	3	75 16
sw of ne	4	75 16
sw of se	22	75 16
w hf of sw	26	75 16
nw of nw	34	75 16
sw of sw	36	75 16
sw of ne, ne of nw	1	76 16
nw of nw, sw of sw	2	76 16
nw of nw, nw of sw	7	76 16
sw of ne, nw of se	17	76 16
sw of ne, e hf of sw, ne of se, w hf of se	18	76 16
ne of ne, w hf of nw	20	76 16
nw of ne	21	76 16



## MAHASKA COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	W.	Range.
w hf of ne	23	76	16
e hf of se	1	77	16
n hf of sw, se of sw	2	77	16
ne of sw	3	77	16
e hf of se, sw of se, sw qr	4	77	16
w hf of sw	13	77	16
e hf of ne, e hf of sw, se qr	14	77	16
n hf of ne, ne of sw, w hf of se	23	77	16
ne of nw, sw of nw, ne of sw, e hf of se	24	77	16
ne qr, e hf of nw, sw of sw, e hf of sw, n hf of se	25	77	16
nw of nw	26	77	16
sw of sw	27	77	16
n hf of nw	8	75	17
ne of sw, sw of se	2	76	17
sw qr	3	76	17
n hf of ne	10	76	17
se of nw, se of se	11	76	17
se of nw	13	76	17
ne of ne	14	76	17
ne of sw, s hf of sw	4	77	17
ne of ne, ne of sw	7	77	17
nw of ne, w hf of nw, e hf of sw	8	77	17
ne of ne, sw of ne, nw of se	13	77	17
nw of ne, nw qr	17	77	17
w hf of sw	18	77	17
nw of ne, s hf of sw, sw of se	20	77	17
w hf of ne, ne of nw	21	77	17
ne of ne, se of nw	27	77	17
sw qr	28	77	17
n qr, ne of nw	29	77	17
sw of nw	34	77	17

## MONTGOMERY COUNTY.

	N. W.		
	N.	W.	Range.
nw of nw	4	72	36
se of nw	10	72	36
se of se	20	72	36
ne of ne	21	72	36
e hf of se, se of ne	29	72	36
se of se	32	72	36
sw of nw, sw of sw	33	72	36
n hf of nw	2	73	36
ne of se, sw of se	9	73	36
se of se	28	73	36
ne of ne, se of se	29	71	37
nw of nw	6	72	37
w hf of nw	21	72	37
se of sw	28	73	37
nw of sw	33	73	37
e hf of nw, sw qr	8	71	38

## MONTGOMERY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		
	N.	W.	Range.
w hf of nw, nw of sw	17	71	38
sw of sw, se of se	18	71	38
w hf of ne, nw qr, n hf of sw, se of sw	30	71	38
ne of nw, sw of nw, w hf of sw	31	71	38
ne of nw, nw of se	3	72	38
se of nw, ne of sw, e hf of se	4	72	38
se of nw, e hf of sw	9	72	38
w hf of se	17	72	38
se qr	19	72	38
e hf of se	20	72	38
ne of ne	29	72	38
all of	30	72	38
ne of se	12	73	38
sw of se	34	73	38
w hf of ne, nw of se	24	71	39
sw of ne, nw of se	31	71	39
sw of nw, nw of sw	8	72	39
nw of se	28	72	39
ne of ne, w hf of ne	33	72	39

## STORY COUNTY.

	N. W.		
	N.	W.	Range.
sw of se, nw of sw	4	82	21
nw of sw, sw of se	5	82	21
ne qr, se of nw, n hf of sw, ne of se, w hf of se	6	82	21
sw of ne, ne of se	7	82	21
sw of nw, ne of sw, sw of sw, sw of se	8	82	21
sw of ne	11	82	21
se of se	14	82	21
se of ne, ne of se	17	82	21
ne of ne, ne of nw, ne of sw, w hf of sw	18	82	21
w hf of sw	19	82	21
s hf of ne, n hf of se	21	82	21
ne of sw	28	82	21
nw of se	27	82	21
w hf of ne, ne of nw	29	82	21
e hf of se	34	82	21
sw of nw, w hf of sw, se of sw	7	83	21
ne of se, e hf of sw, sw of sw	8	83	21
n hf of ne	11	83	21
ne of sw	15	83	21
ne of nw	17	83	21
se of se	18	83	21
e hf of ne, sw of sw	20	83	21
nw of ne	29	83	21
sw of se	31	83	21
ne of se	32	83	21
nw of ne, sw of sw	3	84	21
nw of ne	3	84	21

## STORY COUNTY—CONTINUED.

## STORY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.
nw of ne.	8	84	21
w hf of sw	17	84	21
ne of se, sw of ne, n hf of nw.	18	84	21
sw of nw, nw of sw	20	84	21
sw of nw, nw of sw	29	84	21
e hf of ne, sw of ne, ne of se	30	84	21
n hf of ne, se of ne	31	84	21
se of ne, se of nw, ne of sw	32	84	21
ne of se	6	85	21
nw of sw	7	85	21
se of sw, se of se	11	85	21
sw of sw	12	85	21
se of nw	14	85	21
e hf of ne, w hf of nw, n hf of sw	1	82	22
se of se	2	82	22
e hf of se	10	82	22
ne of ne	11	82	22
ne of sw, nw of se	12	82	22
ne of ne	15	82	22
sw of nw, e hf of se, sw of se	18	82	22
e hf of ne	19	82	22
w hf of nw, se of nw, e hf of sw, w hf of se	20	82	22
w hf of nw	21	82	22
e hf of ne, ne of se	24	82	22
se of ne	25	82	22
se of sw	28	82	22
w hf of nw	29	82	22
w hf of nw, nw of sw	1	83	22
nw qr, e hf of sw	2	83	22
nw of sw, se of sw	4	83	22
se of se	5	83	22
nw of se	8	83	22
ne of nw	12	83	22
sw of nw, nw of sw	15	83	22
nw of nw	18	83	22
nw of sw, se of se	21	83	22
ne of ne	23	83	22
sw of sw	24	83	22
ne of ne, nw of nw	25	83	22
ne of se	26	83	22
nw of sw	27	83	22
se of se	28	83	22
ne of ne, ne of nw	30	83	22
s hf of se	3	84	22
se of ne	5	84	22
w hf of sw, sw of se	9	84	22
s hf of ne, e hf of se, e hf of sw	10	84	22
sw of se	11	84	22
ne of ne	13	84	22
w hf of ne	14	84	22
e hf of ne, nw of ne, se of se	19	84	22
ne of ne, ne of se, e hf of nw	20	84	22

PARTS OF SECTION.	Section.	Town.	Range.
ne of nw, w hf of nw	21	84	22
nw of se	23	84	22
nw of nw, sw of sw	26	84	22
e hf of ne, ne of se	30	84	22
ne of ne	31	84	22
sw of sw, nw of se	32	84	22
sw of nw, nw of sw	33	84	22
ne of nw, ne of se	34	84	22
nw of nw	35	84	22
sw of se	1	85	22
nw of nw	26	85	22
nw of sw, sw of se	28	85	22
sw of sw	29	85	22
ne of ne, nw of nw, se of se	32	85	22
nw of nw	33	85	22
ne of sw	2	82	23
e hf of sw	4	82	23
se of sw	11	82	23
ne of sw, ne of se	14	82	23
sw of ne	15	82	23
nw of ne	22	82	23
se of ne	27	82	23
nw qr	3	83	23
n hf of ne	4	83	23
n hf of se, se of se	5	83	23
w hf of nw, sw of sw	9	83	23
se of sw	12	83	23
s hf of ne, se of sw, ne of se	13	83	23
sw of se	20	83	23
sw of sw, nw of se	23	83	23
se of ne, ne of nw	24	83	23
ne of nw	27	83	23
se of ne	29	83	23
sw of ne, se of nw	35	83	23
se of sw	36	83	23
se of ne, w hf of sw	8	84	23
sw of nw	9	84	23
ne of ne	11	84	23
nw of ne, ne of nw	12	84	23
ne of ne	13	84	23
n hf of ne	15	84	23
ne of sw	19	84	23
s hf of se	20	84	23
ne of ne	21	84	23
e hf of ne, sw of nw, sw of sw	22	84	23
se of sw, e hf of se, sw of se	24	84	23
ne of ne, w hf of sw	25	84	23
se of ne, sw of nw	26	84	23
ne of nw, se of nw, ne of sw	27	84	23
ne of nw, sw of nw	28	84	23
nw of ne	29	84	23
sw of nw	34	84	23



## STORY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.
		N.	W.	
sw of ne	12	85	23	
se of sw	4	85	23	
w hf of nw, w hf of sw, se of sw, e hf of se	6	85	23	
e hf of ne, n hf of sw, nw of se	7	85	23	
n hf of nw	8	85	23	
e hf of se	13	85	23	
se of ne	17	85	23	
ne of ne	18	85	23	
se of nw, se of se	19	85	23	
nw of sw, ne of ne	20	85	23	
s hf of nw, s hf of ne	21	85	23	
ne of se	23	85	23	
s hf of nw	26	85	23	
sw of sw, sw of se	28	85	23	
nw of sw, w hf of se, se of se	29	85	23	
se of sw, sw of se	30	85	23	
sw of nw, n hf of sw	31	85	23	
nw of ne, sw of se, ne of nw, w hf of sw	32	85	23	
n hf of se, se of se	2	85	24	
nw of se	4	85	24	
ne of nw	5	85	24	
sw of nw, s hf of sw	6	85	24	
n hf of ne, se of ne	7	85	24	
e hf of ne, sw of ne, se of nw, se of sw, sw of se	10	85	24	
n hf of se	18	85	24	
n hf of nw	19	85	24	
sw of ne, se of se, n hf of nw	20	85	24	
ne of sw	23	85	24	
sw of sw	25	85	24	
se of ne	26	85	24	
n hf of ne, se of ne, w hf of nw	27	85	24	
s hf of ne, s hf of sw, sw of se	30	85	24	
w hf of nw, sw qr	34	85	24	
nw of ne	35	85	24	
nw of nw	36	85	24	
n hf of ne, se of ne, nw of nw, se of sw	3	85	24	
nw of se, se of se	7	85	24	
sw of se	9	85	24	
n hf of ne	11	85	24	
sw of nw	14	85	24	
w hf of nw	17	85	24	
e hf of ne, nw qr	18	85	24	
nw of sw, se of se	19	85	24	
w hf of sw, se of sw	20	85	24	
nw of se	21	85	24	
w hf of ne	22	85	24	
sw of ne	23	85	24	
sw of nw	24	85	24	
s hf of nw	25	85	24	
nw of ne, nw of nw	26	85	24	
e hf of ne, sw of ne	29	85	24	

## STORY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.
		N.	W.	
e hf of se	32	85	24	
sw of se	33	85	24	
se of ne, n hf of nw	34	85	24	
sw of nw	35	85	24	
ne of se	9	84	24	
ne of sw	10	84	24	
nw of ne	14	84	24	
ne of ne	20	84	24	
sw of se	1	85	24	
w hf of nw	3	85	24	
sw of ne, se of nw	10	85	24	
se qr, w hf	11	85	24	
sw of ne, nw of nw, se of sw, w hf of se	13	85	24	
n hf	14	85	24	
n hf of se	22	85	24	
sw of ne, ne of nw, nw of se	23	85	24	
ne of ne, se of se	24	85	24	
w hf of ne, nw qr	25	85	24	
ne of ne, w hf of ne, n hf of nw, se of nw	26	85	24	

## WEBSTER COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.
		N.	W.	
e hf of nw	6	86	27	
e hf of sw, sw of nw, se of se	8	86	27	
se of se	12	86	27	
nw of ne, ne of nw	18	86	27	
sw of ne, n hf of nw, se of nw, nw of se, se of se	20	86	27	
e hf of sw	22	86	27	
se of nw, n hf of se	26	86	27	
sw of se	28	86	27	
nw of ne, w hf of nw, nw of sw	30	86	27	
nw of ne	36	86	27	
s hf of ne, n hf of sw	2	87	27	
lot 2	22	87	27	
lots 3 and 4	36	87	27	
w hf of nw, s hf of se	1	88	27	
w hf of nw, sw qr, ne of se, s hf of se	2	88	27	
e hf of ne, e hf of nw, ne of sw, ne of se, s hf of se	3	88	27	
s hf of ne, e hf of nw	4	88	27	
s hf of ne, n hf of nw, nw of se, se of se	8	88	27	
ne of ne, w hf of ne, n hf of nw, s hf of sw, nw of se, s hf of se	10	88	27	
nw of ne, ne of nw, nw of sw	11	88	27	
ne of nw	12	88	27	
ne of sw, sw of sw	13	88	27	
s hf of ne, w hf of nw, w hf of sw, sw of se	18	88	27	
ne of nw, nw of sw	20	88	27	
e hf of sw, nw of sw, se qr	22	88	27	
ne of sw, sw of sw, nw of se, se of se	24	88	27	
ne of ne, w hf of ne, se of nw, e hf of sw, w hf of se	26	88	27	

## WEBSTER COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.
e hf of ne, sw of ne, w hf of nw, w hf of sw.	28	88	28
ne qr, e hf of nw, n hf of se.	30	88	28
nw of nw.	32	88	28
n hf of ne.	34	88	28
e hf of sw, n hf of se, sw of se.	36	88	28
n hf of ne, sw of sw, se of se.	1	89	27
se of se.	2	89	27
ne of nw, sw of nw.	3	89	27
w hf of ne, nw of nw, se of nw.	4	89	27
w hf of sw.	5	89	27
ne of ne.	6	89	27
ne of ne.	10	89	27
e hf of nw, nw of nw.	11	89	27
e hf of se, nw of se.	12	89	27
s hf of ne, nw of se.	15	89	27
w hf of sw.	18	89	27
nw of ne, se of ne, s hf of sw, nw of se.	20	89	27
sw of ne, e hf of nw, sw of nw.	22	89	27
nw of nw, se of nw.	25	89	27
nw of nw, se of nw, ne of sw.	28	89	27
ne qr, sw of nw, n hf of sw.	30	89	27
ne qr, ne of nw, s hf of nw.	32	89	27
se of ne.	36	89	27
w hf of nw, w hf of sw, se of sw.	2	90	27
sw of sw.	14	90	27
s hf of ne, nw of nw, se of nw, e hf of sw, sw of sw, nw of se.	17	90	27
ne of ne.	23	90	27
nw of nw.	25	90	27
se of nw.	26	90	27
nw of se.	5	86	28
n hf of sw.	10	86	28
se of nw.	15	86	28
ne of ne, s hf of nw, sw of se.	21	86	28
w hf of sw, se of sw, se qr.	22	86	28
n hf of ne, se of ne, se of nw, ne of sw.	24	86	28
n hf of se, sw of sw.	26	86	28
s hf of ne.	36	86	28
n hf of sw.	6	87	28
e hf of sw.	8	87	28
s hf.	22	87	28
sw of ne, ne of se, sw of se.	23	87	28
sw of ne, n hf of nw, nw of sw, sw of se.	34	87	28
n hf of ne.	2	88	28
se of nw.	4	88	28
nw of sw.	10	88	28
n hf of ne.	12	88	28
w hf of sw, se of sw.	14	88	28
lots 5 and 6.	20	88	28
e hf of ne.	22	88	28
lots 5, 7, 9.	24	88	28
ne of ne, sw of ne, sw of nw, n hf of sw, w hf of se.	26	88	28
	30	88	28

## WEBSTER COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.
w hf of ne, ne of sw, s hf of se.	32	88	28
sw of sw, se of se.	34	88	28
e hf of nw, nw of sw.	36	88	28
ne of se.	1	89	28
nw of ne, ne of nw, se of se.	2	89	28
se of ne.	4	89	28
nw of ne, nw of nw, se of nw.	6	89	28
ne of nw, ne of se, sw of se.	8	89	28
w hf of ne, ne of sw, s hf of sw, nw of se, s hf of se.	10	89	28
sw of ne, e hf of nw, sw of nw, w hf of sw, nw of se.	12	89	28
nw of ne, se of ne, sw of se.	14	89	28
nw of ne, n hf of se.	20	89	28
nw of nw, s hf of nw, e hf of sw.	22	89	28
nw qr, e hf of se, sw of se.	24	89	28
ne of ne, nw of nw, n hf of se, se of se.	26	89	28
nw of se.	34	89	28
ne of sw, sw of sw, nw of se.	36	89	28
sw of ne, n hf of nw, se of nw, ne of sw, se of se.	4	90	28
e hf of ne, ne of nw, e hf of sw.	6	90	28
se of se.	8	90	28
se of ne, w hf of nw, se of nw, w hf of sw, w hf of se.	10	90	28
n hf of ne, ne of nw, sw of nw, ne of sw, se of se.	12	90	28
e hf of ne, nw of ne, s hf of se.	18	90	28
s hf of ne, ne of sw, nw of se.	20	90	28
nw of ne, se of ne, se of nw, ne of sw, w hf of sw.	28	90	28
e hf of se.	30	90	28
se of nw, ne of sw, s hf of se.	32	90	28
ne of nw, s hf of nw, e hf of sw, ne of se.	34	90	28
ne of sw.	36	90	28
se of nw.	5	86	29
nw of nw.	5	86	29
ne of se.	14	86	29
sw of ne, sw of sw.	23	86	29
ne of nw.	25	86	29
nw of ne.	2	87	29
e hf of ne, nw of sw.	9	87	29
nw of ne.	12	87	29
ne of se.	15	87	29
sw of sw.	17	87	29
se of se.	22	87	29
se of sw.	24	87	29
nw of nw, w hf of sw.	27	87	29
ne of nw.	32	87	29
sw of ne, se of nw, ne of sw.	2	88	29
ne of sw.	4	88	29
w hf of nw.	6	88	29
sw of ne, sw of nw, ne of sw, sw of sw.	10	88	29
w hf of se.	12	88	29
e hf of ne, ne of nw, se of sw.	14	88	29
ne of sw, sw of sw.	22	88	29
lot 5.	36	88	29
	24	90	29



## WEBSTER COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	N.	W.
e hf of nw, sw of sw, nw of se.	1	88	30
nw of nw.	3	88	30
w hf of nw.	6	88	30
u hf of ne.	1	89	30

## WOODBURY COUNTY.

	N.	W.
ne of nw.	8	86 46
ne of ne, w hf of ne.	22	86 46
ne qr, se of nw.	20	87 46
lot 1.	5	86 47
sw of ne.	22	86 47
lots 1 and 2.	23	86 47
sw qr.	2	87 47
n hf of nw, se of nw.	5	87 47
n hf of ne.	6	87 47
ne qr.	10	87 47
ne qr, w hf of se.	11	87 47
nw qr.	12	87 47
sw of sw.	13	87 47
sw of ne, w hf of nw.	14	87 47
s hf of ne, s hf of nw, n hf of sw.	17	87 47
se of ne.	21	87 47
sw of sw.	23	87 47
sw of sw.	24	87 47
s hf of sw.	36	87 47
w hf of se.	23	88 47
ne of se.	26	88 47
e hf of nw.	27	88 47
e hf of sw, sw of se.	35	88 47
n hf of ne.	36	88 47
n hf of ne.	11	87 48
nw of nw.	12	87 48
lots 1, 2, 3 and 4.	12	88 48
lots 1, 2, 3 and 4.	13	88 48
lots 1, 2, 3 and 4.	24	88 48
lots 1, 2, 3 and 4.	25	88 48

## DECISION OF SECRETARY OF THE INTERIOR RELATIVE TO POWESHIEK COUNTY INDEMNITY CLAIM.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
WASHINGTON, D. C., August 3, 1889.

*His Excellency, the Governor of Iowa, Des Moines, Iowa:*

SIR—I inclose herewith a copy of a decision by the Secretary of the Interior, dated July 19, 1889, on the appeal of J. M. Bailey, Jr., agent for the State of Iowa, from my office decision of November 16, 1886, in the matter of the claim of Poweshiek county, Iowa, for cash indemnity on certain alleged swamp lands in said county.

Very respectfully,  
W. M. STONE,  
*Acting Commissioner.*

DEPARTMENT OF THE INTERIOR,  
WASHINGTON, July 19, 1889.

POWESHIEK COUNTY,

e.

UNITED STATES.

SIR—I have considered the case arising upon the appeal of the State of Iowa, from your office decision of November 16, 1886, in the matter of the claim of Poweshiek county, Iowa, for indemnity on account of certain alleged swamp and overflowed lands in said county. By act of the legislature of the State of Iowa, passed January 13, 1853, all the rights of said State of Iowa in and to lands and indemnities for lands granted to said State under acts of September 28, 1850 (9 Stat., 519), as extended by act of March 3, 1855 (10 Stat., 634), and March 3, 1857 (11 Stat., 251), were granted to the respective counties in which said lands are situated.

The duly authorized agent of the State of Iowa filed in your office, in accordance with the rules and regulations laid down by your office in its circular of August 12, 1878, a list of lands selected and claimed by Poweshiek county, in said State.

Under instructions from your office, dated January 22, 1883, supplemented by further and more specific instructions of October 10, 1883, and September 3 and November 28, 1884, Robert L. Ream was sent to Iowa as special agent of the United States, to take testimony relative to the character of said lands

in Poweshiek county. In due time, said Ream made a report relative to said lands, embracing in all six hundred and eighty-five tracts, aggregating twenty-seven thousand and four hundred acres.

On June 15, 1886, your office instructed Special Agent Forrey to make an investigation of the lands in Poweshiek county, which had previously, by Special Agent Ream's report, been shown to be swampy in character. On September 9, 1886, Agent Forrey reported upon three hundred and ninety-nine tracts, embracing fifteen thousand nine hundred and sixty acres. Of the tracts examined, he reported that three hundred and twenty-six acres were dry, that sixty-nine were swampy, and that the State agent waived claim to the remaining four.

Your office, on November 16, 1886, rendered a decision as follows:

"The claim of the State of Iowa to indemnity under the acts of March 2, 1855, and March 3, 1857, on the following described lands in Poweshiek county, Iowa, is hereby held for rejection for the reason that evidence on file in this office shows that said lands are not of the character contemplated by the act of September 28, 1850."

Thereupon follows a list of two hundred and twenty-five tracts thus held for rejection. The tracts so rejected appear to be identical with the three hundred and twenty-six tracts reported by Agent Forrey to be dry; your office decision, describing, sometimes by half sections, and sometimes by entire sections, tracts which Agent Forrey describes by quarter sections.

While your office decision rejects the tracts in question "for the reason that evidence on file shows that said lands are not of the character contemplated by the act of September 28, 1850," it gives no indication of the nature of such evidence. The natural presumption is that the evidence referred to is that of the field notes on file in your office, and the report of Special Agent Forrey.

The testimony taken before United States Agent Ream consisted of sworn statements of at least two disinterested witnesses in each case, properly taken in the manner prescribed by your office. The witnesses are in each case certified by the judge of the district court of the judicial district in which the county of Poweshiek is situated, to be persons with whom he is "personally acquainted," and who are "citizens prominent in their respective counties for probity and good judgment." The majority of them were more than fifty years of age; five of them were between seventy and eighty years of age. In a considerable number of cases the witnesses had personally known the tract since before the passage of the act of September 28, 1850. In no case had a witness been well acquainted with the tract concerning which he testified, for less than fourteen years.

The substance of the testimony is to the effect that Poweshiek county, especially along its streams, is a comparatively level region. The beds of its rivers and streams incline but slightly; hence their currents are not rapid. As a natural consequence, after a heavy rain the streams become choked with surplus water which overflows the adjacent land, from a few inches to several feet deep (according to the amount of rain-fall), remaining from a day to a week, until the stream gradually sinks to its ordinary level. The land subject to such overflow becomes thereby unfit for cultivation. The condition of such land is well set forth in the affidavit of John Sanders, regarding the sw q r of the sw q r of Sec. 23, T. 78 N., R. 15 W., which your

office rejects from the list of swamp and overflowed land claimed by the State:

"That at one time I had a part of said forty acre tract broken, and tried to cultivate it for several years, but failed at least four out of every five years to get a crop; that I finally tried to set in timothy grass with the hope of being able to use it for tame grass pasture, but this, too, failed, and the attempt to cultivate it was at last wholly abandoned as a futile and hopeless task; that the tract was then let go back to wild grass, in which condition it has ever since remained; that it is very uncertain and practically worthless as hay or meadow land, on account of its liability to overflow and leave sand, dirt, weeds and driftwood scattered promiscuously through the grass, just on the eve of hay harvest, entirely ruining it for the purpose of feeding stock."

Special Agent Forrey, on the other hand, took no testimony, basing his report exclusively upon his own personal observation. It is in evidence from men who drove the teams used by him, that this observation was but partial and very superficial. Witness Carr makes affidavit:

"During the six days \* \* \* Mr. Forrey did not get out of his buggy only twice to examine land, and then he did not go out of the public highway. \* \* \* At one time in particular I remember that said Forrey made an examination of a tract that was one and a half miles from the buggy."

C. W. Boody makes affidavit that he drove team for Mr. Forrey while making a part of his examinations; that all of said examinations made by said Forrey, while witness was driving team for him, were made from the buggy. Mr. Forrey saying in substance, that he did not come out here to walk.

There is abundance of other testimony to the same effect.

But no amount of merely personal observation, made at the time when Agent Forrey examined the land could determine its condition in 1850. First, because ditching and draining had been carried on throughout this region for thirty-six years (intervening between the passage of the swamp-land act, and the date of Mr. Forrey's examination). Secondly, because Mr. Forrey made said examination at the driest time of an exceptionally dry year.

T. S. Appelgate makes affidavit that he had been a resident of the county since 1852:

"That the year 1886 was an extremely dry year—more so than any other year since I came to this county—no rain having fallen for ninety days and more; that stock running in pasture had to be fed to keep them from want, on account of the pasture drying up."

There are numerous affidavits in the record to the same effect.

Certainly, the sworn testimony of men of character and probity, who have been intimately acquainted with the land for from fifteen to forty years, ought not to be set aside upon the report of an examination like this, made under circumstances like these.

The field notes of survey of the tracts in controversy are rarely, or never, sufficiently full to afford satisfactory evidence as to whether a given tract does or does not come within the provisions of the swamp-land act. Thus,



the field notes of the first tract named in the list, rejected by your office decision—the nw qr of the sw qr of Sec. 1, T. 78, R. 13—say simply, "creek-bottom." In other cases the sole comment is, "level creek-bottom;" "level rich creek-bottom;" "creek-bottom, first-rate land;" "level creek-bottom, second-rate land," etc. Such statements contain nothing to indicate, even inferentially, that the land thus referred to may not be overflowed, as heretofore described, to an extent to render it so wet as to be "unfit for cultivation." Such a notation as is made in the field notes opposite the nw qr of the ne qr of Sec. 22, T. 79, R. 13, "level bottom, rather wet," would seem to corroborate Agent Ream's report rather than Agent Forrey's; yet your office rejects the tract as not granted by the swamp-land act.

Section 3, of the act of September 28, 1850, provides: "That in making out a list and plats of the land aforesaid, all legal sub-divisions, the greater part of which is wet and unfit for cultivation, shall be included in said list and plats."

Taking this section in connection with the first section of the act, donating to the State, "those swamp and overflowed lands made unfit thereby for cultivation," it is clear that the act intended to grant, not solely such lands as might strictly come under the description, "swamp-lands," but such as were so "wet" as to be rendered thereby unfit for cultivation.

This is apparent, when it is considered that the act of March 2, 1850, designated the lands contemplated by the grant as "swamp and overflowed," whereas the grant of September 28, 1850, enlarged the provision of the grant by including therein "land, the greater part of which is wet and unfit for cultivation."

In the case of *Marrill v. Tobin* (30 Fed. Rep., 738), the United States Circuit Court for the Northern District of Iowa, held that lands which, by reason of swamp or overflow, become unfit for cultivation, are within the purview of the act of Congress of 1850, granting certain swamp and overflowed lands to the State of Iowa. In that case it appeared that the land was low-bottom land, liable to overflow sometimes once, and sometimes oftener, each year.

"Some years it was so completely overflowed that not even a crop of wild hay could be saved from it, and at no time since 1857 could the land, or any part of it, be cultivated for the raising of any kind of grain, corn, or the like."

Upon this state of facts the court held: "No other conclusion can possibly be reached under the evidence than that the land is 'overflowed,' within the meaning of the term as used in the act of 1850."

To the same effect is the decision of the court in the case of *Keeran v. Griffith* (31 Cal., 461), in which the court held, that "if land is not susceptible of cultivation in grain or other staple productions, by reason of 'overflow,' it is swamp and overflowed." See, also, *Thompson v. Thornton* (50 Cal., 142).

Nothing heretofore said is to be understood as deciding the question of the character of the specific tracts now in controversy, or any of them. The case has not yet reached a stage where such decision by the Secretary is necessary or proper. Your office (by its decision of November 16, 1886), held for cancellation a large number of tracts in Poweshiek county, "for the reason that evidence on file shows that said lands are not of the character contemplated by the act of September 28, 1850." Such evidence, if reference be had to the report of Special Agent Forrey, is alleged to be partial, superficial,

and unreliable; certainly it is wholly *ex parte*, and as such cannot properly be made the basis of a decision. If, to the field notes, they are entirely insufficient to show whether or not the tracts therein described are subject to overflow, whereby they become so "wet" as to be unfit for cultivation. Besides, the State of Iowa elected not to abide by the field notes, but to select land by its own agents and report the same to the Surveyor-general, with proof as to the character thereof. Upon the testimony, taken in due form and in strict accordance with the law and the regulations of your office, and approved by the Department, your office has never passed. The papers in the case are herewith returned in order that you may do so. If you find the testimony so taken to be sufficient to satisfactorily show whether or not the lands in question, or any of them, by reason of being overflowed, are rendered so wet or swampy as to be unfit for cultivation, you will decide accordingly, unless the facts reported by said Special Agent Forrey are such as to cast serious doubt upon the correctness of said testimony. But, if such doubts should arise, or if in the case of any tract or tracts the testimony should be found insufficient to enable you to arrive at a satisfactory conclusion as to the true character of the said lands, you will order another hearing with reference thereto.

Your office decision of November 16, 1886, is modified accordingly. The papers transmitted with your letter of June 3, 1887, are herewith returned.

Very respectfully,

(Signed)

JOHN W. NOBLE,  
Secretary.

## SWAMP LAND INDEMNITY CERTIFICATES.

The following is a complete list of the special swamp land indemnity certificates, or scrip issued to the State of Iowa by the Commissioner of the General Land Office, under act of Congress of March 2, 1855, and as extended by act of March 3, 1857, authorizing the location of lands as indemnity for swamp and overflowed lands disposed of by the U. S. in the several counties under warrant and scrip locations; giving the name of the county receiving the benefit of the locations made with such special certificates or scrip so issued to the State, the number and date of each certificate or scrip, number of acres authorized to be located and number of acres patented to the State under the locations in each case:

COUNTY.	Number of scrip or certificate.	Date of scrip or certificate.	Number of acres authorized to be located.	Number of acres patented to State under location.
Adair	23	August 29, 1864	2,595.13*	
Adams	8	April 7, 1863	748.70	747.12
Adams	80	August 18, 1866	200.00	200.00
Adams	90	October 19, 1869	80.00	80.00
Allamakee	38	August 29, 1864	6,331.48	6,329.01
Appanoose	31	Dec. 9, 1863	3,880.00	3,879.56
Audubon	11	April 11, 1863	3,572.84	3,572.24
Audubon	84	August 22, 1866	40.00	40.00
Benton	58	June 12, 1866	3,280.81	3,280.44
Black Hawk	49	June 23, 1865	4,878.07	4,878.25
Boone	26	October 30, 1863	1,049.69	1,049.69
Bremer	47	August 29, 1864	3,243.00	3,198.01
Buchanan	45	August 29, 1864	1,839.80	1,839.08
Buena Vista.	(None issued).			
Butler	48	Dec. 16, 1864	11,056.15	11,045.97
Calhoun	71	August 9, 1866	510.23	509.23
Carroll	67	July 30, 1866	3,161.98	3,161.67
Cass	4	Feb. 25, 1863	500.00	500.00
Cass	55	April 19, 1866	9,042.92	9,042.92
Cedar	14	April 27, 1863	6,466.56	6,466.51
Cerro Gordo	86	March 1, 1867	30,057.54	30,053.78
Cherokee	(None issued).			
Chickasaw	33	Dec. 2, 1863	9,157.76	9,157.11
Chickasaw	Suppl. 33	March 16, 1870	109.19	Not located.
Chickasaw	34	August 29, 1864	10,612.09	10,585.55
Clarke	63	July 24, 1866	684.37	684.37
Clay	(None issued).			
Clayton	39	August 29, 1864	208.33	208.00
Clinton	25	Oct. 30, 1863	600.00	599.06
Clinton	89	June 16, 1869	2,186.55	2,185.29

\* No patent received and possibly no location.

## SWAMP LAND INDEMNITY CERTIFICATES—CONTINUED.

COUNTY.	Number of scrip or certificate.	Date of scrip or certificate.	Number of acres authorized to be located.	Number of acres patented to State under location.
Crawford	(None issued).			
Dallas	15	April 27, 1863	200.00	200.00
Davis	(None issued).			
Decatur	35	August 29, 1864	2,639.46	2,320.00
Decatur	Suppl. 35	Feb. 26, 1870	320.00	320.00
Delaware	57	May 30, 1866	2,200.00	2,200.00
Des Moines	12	April 11, 1863	2,920.00	2,918.91
Dickinson	(None issued).			
*Dubuque	42	August 29, 1864	840.00	841.21
Emmet	(None issued).			
Fayette	40	August 29, 1864	4,372.22	4,364.53
Floyd	59	June 29, 1869	3,316.89	3,316.89
Franklin	(None issued).			
Freemont	32	August 29, 1864	1,964.00	1,963.86
Greene	91	Nov. 24, 1871	10,658.22	Not located.
Grundy	81	August 20, 1866	2,838.69	2,233.85
Grundy	Suppl. 81		604.84	
Guthrie	19	April 27, 1863	4,413.30	4,280.00
Guthrie	43	August 29, 1864	320.00	160.00
Guthrie	94	March 15, 1863	1,840.00	Not located.
Hamilton	77	August 17, 1866	7,480.29	7,436.66
Hancock	85	August 23, 1866	5,683.17	5,689.22
Hardin	69	August 4, 1866	2,190.87	1,708.74
Hardin	79	August 16, 1866	120.00	120.00
Harrison	17	April 27, 1863	600.00	600.00
Henry	18	April 27, 1863	1,400.00	1,318.59
Howard	(None issued).			
Humboldt	(None issued).			
Ia.	88	May 11, 1868	2,967.92	2,956.65
Iowa	21	June 17, 1863	3,434.42	3,434.40
Jackson	37	August 13, 1866	1,896.46	1,895.99
Jasper	29	Dec. 2, 1863	2,239.61	2,239.17
Jefferson	(None issued).			
Johnson	37	August 29, 1864	15,412.99	15,115.10
Johnson	Suppl. 37	January 13, 1868	297.89	
Jones	22	June 23, 1863	6,222.07	6,221.07
Keokuk	5	April 7, 1863	4,895.24	4,891.60
Kossuth	(None issued).			
Lee	(None issued).			
Linn	52	Feb. 8, 1866	2,497.46	2,497.23
Louis	2	May 30, 1861	13,516.32	11,835.39
Louis	Suppl. 2	April 19, 1866	691.62	596.60

\* 131 acres of Dubuque locations paid for in cash.

† 646 acres of Hancock locations paid for in cash.

‡ Located but not patented.



## SWAMP LAND INDEMNITY CERTIFICATES—CONTINUED.

COUNTY.	Number of scrip or certificate.	Date of scrip or certificate.	Number of acres authorized to be located.	Number of acres patented to State under location.
Lucas .....	3	Feb. 25, 1863	2,200.00	2,199.72
Lucas .....	92	March 28, 1872	3,363.26	3,363.26
Lucas .....	93	March 15, 1872	36.36	36.36
Lyon .....	(None issued).			
Madison .....	83	August 22, 1866	9,054.12	9,053.34
*Mahaska .....	13	April 11, 1863	833.62	840.00
Mahaska .....	46	Aug. 29, 1864	1,400.00	1,400.00
Marion .....	16	April 27, 1863	120.00	Not located.
Marshall .....	1	May 11, 1861	5,827.30	5,815.13
Mills .....	61	July 23, 1866	359.86	359.34
Mills .....	36	August 29, 1864	4,180.27	4,174.49
Mitchell .....	(None issued).			
Monona .....	7	April 7, 1863	10,314.67	10,314.16
Monona .....	74	August 14, 1866	10,113.30	10,111.46
Monroe .....	(None issued).			
Montgomery .....	9	April 11, 1863	4,740.00	4,738.27
†Montgomery .....	76	August 14, 1866	480.00	560.00
Muscataine .....	50	January 15, 1866	3,875.71	3,869.00
O'Brien .....	(None issued).			
Oscola .....	(None issued).			
Page .....	6	April 7, 1863	600.00	600.00
Page .....	78	August 15, 1866	80.00	80.00
Palo Alto .....	(None issued).			
Plymouth .....	(None issued).			
Pocahontas .....	(None issued).			
Polk .....	30	Dec. 4, 1863	3,975.92	3,860.88
Pottawattamie .....	44	August 29, 1864	4,352.45	4,351.85
Poweshiek .....	(None issued).			
Ringgold .....	72	August 9, 1866	4,993.94	4,993.94
Ringgold .....	82	August 20, 1866	40.00	40.00
Sae .....	60	July 17, 1866	4,520.00	4,518.83
Scott .....	(None issued).			
Shelby .....	56	May 1, 1866	5,715.55	5,714.71
Sioux .....	(None issued).			
Story .....	27	October 30, 1863	1,288.50	1,288.13
Tama .....	10	April 11, 1863	1,032.04	1,029.99
Tama .....	31	January 15, 1866	1,140.00	1,140.22
Tama .....	70	August 9, 1866	600.00	600.00
Taylor .....	64	July 26, 1866	1,999.96	1,999.96
Union .....	62	July 29, 1866	4,732.49	4,614.96
Van Buren .....	(None issued).			
Wapello .....	(None issued).			
††Warren .....	65	July 30, 1866	7,427.47	7,418.81

\* 6.06 acres of Mahaska county locations paid in cash.

† No explanation why the additional eighty acres were given for Montgomery county.

†† 634 acres of Warren county locations paid in cash.

‡ No report of location and no patent received.

‡ Located but not patented.

## SWAMP LAND INDEMNITY CERTIFICATES—CONTINUED.

COUNTY.	Number of scrip or certificate.	Date of scrip or certificate.	Number of acres authorized to be located.	Number of acres patented to State under location.
Washington .....	28	October 30, 1863	4,340.00	4,239.23
Washington .....	41	August 29, 1864	1,080.00	1,080.00
Washington .....	53	March 19, 1866	2,758.98	2,758.98
Wayne .....	54	April 6, 1866	564.22	560.00
Webster .....	87	July 6, 1867	3,695.23	3,695.23
Winnebago .....	75	August 14, 1866	922.32	921.86
Winnesiek .....	68	August 2, 1866	1,040.00	1,037.61
Woodbury .....	(None issued.)			
Worth .....	(None issued.)			
Wright .....	66	July 30, 1866	5,240.00	5,240.00

The special certificates or scrip Nos. 16, 91, 94, and supplemental certificate No. 33, issued on account of swamp lands disposed of in Chickasaw, Greene, Guthrie and Marion counties have not been located, the certificates are still in this office. Certificate No. 16 might have been located, as there were plenty of vacant government lands in the State at the date of its receipt, and for some time subsequent; but the Marion county authorities, although duly notified of its receipt, made no attempt to make use of it. The other three certificates named came too late.

Special certificate No. 70, and supplemental certificates Nos. 37 and 81, were located by duly appointed State agents, but it is understood that there was a prior claim or disposition of the lands located.

All other certificates noted in the foregoing list were delivered to locating agents.

## THE RAILROAD LANDS.

In this sub-division of the report is given, under the proper headings, brief statements of the quantities of lands that have been approved and certified under the various congressional grants, for railroads in Iowa, with the disposition made of the same, as accurately as can be ascertained from the records and files of the office.

In preparing these statements, in order to have them as correct as possible, the original certified lists and patents made to the State by the United States have all been carefully refooted and reexamined.

As will be seen, some of the lands certified to the State for railroad purposes have been withheld from certification to the railroad companies on account of pending litigation, and other causes; these lands will be certified to the companies, in all cases, upon the proper showing that the litigation has terminated in their favor, or the interfering obstacle or cause has been removed. The railroad companies, however, claim that the certificate of the State is not necessary to vest in them, respectively, the title to lands granted by the act of Congress of May 15, 1856; that the title received under the grant to the State by act of Congress, and from the State to the company by act of the General Assembly, is as valid and perfect without such certificate as with it; that to establish title to a tract of land claimed by such company it is only necessary to show that it is part of the grant of lands *in place* within the six mile or granted limits of the road or lands given in lieu thereof within the fifteen mile or indemnity limits, and not interfered with by any prior valid right. The companies regard the State's certificate as record evidence, presumptive of the genuineness of their title to lands embraced in the same.

The act of the State, chapter 167 of the acts of the Twelfth General Assembly, which provides for certifying lands to these railroad companies, carefully guards the rights of others, for it provides that the certified lists made by the State to the company shall be evidence of title to the lands described so far as the lists



certified to the State by the Commissioner of the General Land Office conferred title to the State; "but when lands embraced in such lists are not of the character embraced by such acts of Congress, or the acts of the General Assembly of the State, and are not intended to be granted thereby, the lists, so far as these lands are concerned, shall be perfectly null and void, and of no force or effect whatever." It further provides for excluding from the lists certified by the State to the company any lands that are in suit until the suit is determined and the land adjudged to belong to the company; also any land adjudicated to belong to any other grant, or to any county or individual under the swamp land grant, or any homestead or pre-emption settlement. And it stipulates that the certificate issued to the company shall not confer "any right or title as against any person or company having any vested right, either legal or equitable, to any of the lands so certified."

Some of the lands certified to the State by the United States authorities will be lost to the companies on account of conflicts with the swamp grant, etc.; but this office has no means of knowing the full extent of such loss.

It appears by a notice the State has received, which is published under the head of "Dubuque and Sioux City Railroad," that the Department of the Interior has taken the initiatory steps to recover certain tracts certified to the State many years ago under act of May 15, 1856, for railroad purposes; because, as it is claimed in the notice, the tracts were, at the date of such certification, covered by pre-emption, declaratory statements, uncanceled entries, etc.

The railroad company interested has been furnished with a copy of the notice. The General Land Office has, as I learn, been engaged for some time in the work of adjusting the several land grants, and the work is still in progress. The results will likely be embodied in the report of said office.

In regard to the lands inuring to the railroad companies, under the act of Congress of June 2, 1864, it must be understood that they are certified directly to such companies by the Secretary of the Interior, as said act provides, and not to the State, in trust, as are the lands granted by act of Congress of May 15, 1856. The State authorities have nothing whatever to do with certifying them to the railroad companies. Certified copies of the lists of all of such lands have been procured by the State for public information, and they are on file in this office.

#### BURLINGTON & MISSOURI RIVER RAILROAD.

There have been certified to the State, under act of Congress of May 15, 1856, to aid in the construction of the road known as the Burlington & Missouri River Railroad, according to the totals of the several approved lists furnished the State by the Interior Department, and now on file in this office, 293,043.14 acres. Of this quantity eighty acres is included in a list approved June 25, 1889, received since the close of the last biennial period, and for which the railroad company has not applied for certificate.

In addition to the quantity certified to the State for said road, there have been certified directly to the Burlington & Missouri River Railroad Company, by the Secretary of the Interior, under act of Congress of June 2, 1864, as appears by certified copies of the original lists now on file in this office, 97,146.67 acres, which, added to the quantity certified to the State, as heretofore stated, makes a total certified for said railroad of 390,189.81 acres.

The State has nothing to do with certifying to the railroad company the lands inuring under the act of Congress of June 2, 1864. The lands received by the State, under act of May 15, 1856, referred to, have been certified to the said railroad company except about 34,522.47 acres, withheld under the requirements of the statute providing for certifying lands to railroad companies. A list of these, by counties, is given herewith, with reasons for withholding them. Following this list is a description of the tracts embraced in the approved list recently received:

## LIST OF LANDS WITHHELD FROM CERTIFICATION.

A list of lands approved and certified to the State under act of Congress of May 15, 1856, which have been withheld by the State from certification to the Burlington & Missouri River Railroad Company, under requirements of the statute, with the reasons therefor.

## ADAMS COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD.
	N.	W.			
ne of ne	3	71	34	39.00	Relinquished to U. S.
sw of ne, sw of sw	3	71	34	80.00	Claimed as swamp.
se of se	5	71	34	40.00	Claimed as swamp.
w hf of sw, ne of se	7	71	34	134.95	Claimed as swamp.
nw of ne, se of sw	31	72	34	80.00	Claimed as swamp.
s hf of ne	35	72	34	80.00	Claimed as swamp.
se of se	15	73	34	40.00	
sw of nw	23	73	34	40.00	Claimed as swamp.
ne qr, n hf of nw	27	73	34	240.00	Claimed as swamp.
s hf of sw	29	73	34	80.00	Claimed as swamp.
ne of ne, w hf of se	31	73	34	120.00	Claimed as swamp.
w hf of sw	1	71	35	80.00	Claimed as swamp.
s hf of ne, ne of nw	11	71	35	120.00	Claimed as swamp.
n hf of se, se of se	11	71	35	120.00	Claimed as swamp.
sw of ne, se of nw	15	71	35	80.00	Homestead claim or entry.
w hf of nw	15	71	35	80.00	Claimed as swamp.
ne qr, e hf of sw	17	71	35	240.00	Claimed as swamp.
ne of se	17	71	35	40.00	Claimed as swamp.
se of se	19	71	35	40.00	Claimed as swamp.
se of sw, se qr	31	71	35	200.00	Claimed as swamp.
se qr	11	72	35	160.00	Claimed as swamp.
se of ne, w hf of ne, s hf of nw, nw of se	15	72	35	240.00	Claimed as swamp.
n hf	29	72	35	320.00	Claimed as swamp.
Total in Adams county.				2,694.04	

## APPANOOSE COUNTY.

nw qr	35	N.	W.	160.00	Relinquished to U. S.
		70	19		

## CASS COUNTY.

se of se	7	N.	W.	40.00	Claimed as swamp.
n hf of nw, sw of sw	17	74	37	120.00	Claimed as swamp.
		74	37		
Total in Cass county				160.00	

## CLARKE COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD.
	N.	W.			
se of sw	19	72	26	40.00	Relinquished to U. S.

## DECATUR COUNTY.

w hf of sw, se of sw	33	N.	W.	120.00	Relinquished to U. S.
		70	27		

## DES MOINES COUNTY.

sw of sw	31	N.	W.	40.00	
se qr	1	72	4	160.00	Relinquished to U. S.
		72			
Total in Des Moines county				200.00	

## FREMONT COUNTY.

		N.	W.		
se of ne, s hf of sw, w hf of se, ne of se	5	69	40	240.00	Claimed as swamp.
n hf of ne, ne of nw, w hf of nw	7	69	40	207.53	Claimed as swamp.
e hf of ne, se qr	1	70	40	239.94	Claimed as swamp.
sw of ne, w hf of se	13	70	40	360.00	Claimed as swamp.
ne qr, e hf of sw, w hf of se	23	70	40	320.00	Claimed as swamp.
se of ne, se of sw, se qr	27	70	40	240.00	Claimed as swamp.
s hf of ne, w hf of nw, w hf of sw, se of sw, se qr	33	70	40	440.00	Claimed as swamp.
all	5	69	41	626.80	Claimed as swamp.
se of ne, ne of se	7	69	41	80.00	Claimed as swamp.
ne of ne, s hf of ne, sw of nw, s hf	9	69	41	480.00	Claimed as swamp.
s hf of ne, s hf of nw, s hf	11	69	41	480.00	Claimed as swamp.
nw qr, w hf of sw	3	70	41	234.83	Claimed as swamp.
all	5	70	41	621.48	Claimed as swamp.
e hf of ne, e hf of se	7	70	41	160.00	Claimed as swamp.
all	9	70	41	640.00	Claimed as swamp.
nw of nw	15	70	41	40.00	Claimed as swamp.
n hf, n hf of sw, sw of sw, se qr	17	70	41	600.00	Claimed as swamp.
ne of se, s hf of se	19	70	41	120.00	Claimed as swamp.
e hf	21	70	41	320.00	Claimed as swamp.
w hf of nw	27	70	41	80.00	Claimed as swamp.
w hf of ne, w hf, w hf se	29	70	41	480.00	Claimed as swamp.
e hf of ne, sw of se, e hf of se	31	70	41	200.00	Claimed as swamp.
nw of sw, s hf of sw s hf of se	33	70	41	200.00	Claimed as swamp.
e hf, se of nw, e hf of sw	5	69	43	429.30	Claimed as swamp.



## FREMONT COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD.
	N.	W.			
w hf. ....	3	70	43	310.45	Claimed as swamp.
lots 1, 3, 4, ne of ne, ne of se, s hf of se ....	5	70	43	366.29	Claimed as swamp.
e hf of ne, sw of ne, se of nw, w hf of nw, s hf. ....	9	70	43	560.00	Claimed as swamp.
w hf. ....	11	70	43	320.00	Claimed as swamp.
s hf of ne, s hf of nw, s hf. ....	15	70	43	480.00	Claimed as swamp.
sw of ne, nw qr, n hf of sw, se of sw, se qr. ....	17	70	43	480.00	Claimed as swamp.
lot 3, ne of sw. ....	19	70	43	84.80	Claimed as swamp.
e hf of ne, nw qr, se qr. ....	21	70	43	400.00	Claimed as swamp.
n hf, s hf of sw, s hf of se. ....	27	70	43	480.00	Claimed as swamp.
e hf, w hf of nw, w hf of sw, e hf of ne, ne of nw, lots 3, 4, se qr. ....	29	70	43	480.00	Claimed as swamp.
w hf of ne, w hf, se qr. ....	31	70	43	399.53	Claimed as swamp.
	33	70	43	560.00	Claimed as swamp.
Total in Fremont county. ....				12,520.95	

## LEE COUNTY.

	N.	W.			
lot 1. ....	25	68	3	18.50	Patented as swamp.
lots 4, 5, 6, 7, 8. ....	31	68	3	292.30	Patented as swamp.
lots 2, 3, 4. ....	1	67	4	77.85	Patented as swamp.
Total in Lee county. ....				358.65	

## MILLS COUNTY.

	N.	W.			
w hf of n hf of nw. ....	5	72	40	26.92	Claimed as swamp.
w hf of nw. ....	17	72	40	80.00	Claimed as swamp.
s hf of ne. ....	19	72	40	80.00	Claimed as swamp.
w hf of nw, w hf of sw. ....	3	73	40	155.85	Claimed as swamp.
ne of se, s hf of se. ....	11	73	40	120.00	Claimed as swamp.
s hf of ne, w hf, se qr. ....	15	73	40	590.00	Claimed as swamp.
s hf of se. ....	17	73	40	80.00	Claimed as swamp.
nw, n hf of sw. ....	21	73	40	240.00	Claimed as swamp.
ne of nw, w hf of nw, nw of sw, nw of ne. ....	29	73	40	200.00	Claimed as swamp.
n hf of nw, e hf of sw, se qr n hf, sw qr, n hf of se qr. ....	31	73	40	314.65	Claimed as swamp.
w hf of sw, sw of nw. ....	9	71	41	560.00	Claimed as swamp.
ne qr, e hf of se. ....	11	71	41	120.00	Claimed as swamp.
e hf, sw qr. ....	15	71	41	240.00	Claimed as swamp.
w hf of ne, w hf, w hf of se. ....	21	71	41	480.00	Claimed as swamp.
	27	71	41	480.00	Claimed as swamp.

## MILLS COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD.
	N.	W.			
e hf of ne, e hf of nw, nw of sw, e hf of sw, se qr. ....	29	71	41	440.00	Claimed as swamp.
w hf of ne, e hf of nw, nw of nw, w hf of se. ....	33	71	41	280.00	Claimed as swamp.
se of se. ....	1	72	41	40.00	Claimed as swamp.
se of nw. ....	19	72	41	40.00	Claimed as swamp.
e hf of nw, sw qr, w hf of se n hf, e hf of sw. ....	23	72	41	320.00	Claimed as swamp.
ne qr, e hf of se. ....	25	72	41	400.00	Claimed as swamp.
sw qr. ....	27	72	41	160.00	Claimed as swamp.
ne qr, nw of nw, s hf sw of sw. ....	29	72	41	320.00	Claimed as swamp.
sw of ne. ....	19	73	41	35.17	Claimed as swamp.
	25	73	41	40.00	Released to U. S. Oc- tober 12, 1870.
s hf of ne, w hf of sw, n hf of se. ....	1	73	42	240.00	Claimed as swamp.
ne qr, e hf of sw. ....	5	73	42	234.00	Claimed as swamp.
e hf of ne, e hf of se. ....	11	73	42	160.00	Claimed as swamp.
e hf of nw. ....	19	73	42	80.00	Claimed as swamp.
n hf of ne. ....	25	73	42	80.00	Claimed as swamp.
sw of ne, nw of se. ....	31	73	42	80.00	Claimed as swamp.
n hf of sw, se of sw. ....	3	71	43	120.00	Claimed as swamp.
s hf of nw, n hf of sw. ....	9	71	43	160.00	Claimed as swamp.
w hf of nw. ....	17	71	43	80.00	Claimed as swamp.
ne of ne. ....	19	71	43	40.00	Claimed as swamp.
nw of ne, e hf of nw. ....	21	71	43	120.00	Claimed as swamp.
ne qr, w hf of se. ....	29	71	43	240.00	Claimed as swamp.
se qr of ne, w hf of ne, se of nw, e hf of sw, se qr. ....	33	71	43	400.00	Claimed as swamp.
sw of ne, nw qr, w hf of sw, se of sw. ....	5	72	43	301.85	Claimed as swamp.
sw qr of nw. ....	7	72	43	41.51	Claimed as swamp.
ne of se. ....	17	72	43	40.00	Claimed as swamp.
ne of nw, w hf of nw. ....	19	72	43	120.31	Claimed as swamp.
all. ....	21	72	43	640.00	Claimed as swamp.
sw of ne. ....	23	72	43	40.00	Released to U. S. March 30, 1874.
sw of sw. ....	23	72	43	40.00	Claimed as swamp.
e hf of ne, sw of ne, nw qr, ne of sw, s hf of sw, se qr. w hf of se, e hf of sw. ....	27	72	43	560.00	Claimed as swamp.
se of nw. ....	29	72	43	160.00	Claimed as swamp.
e hf, s hf of nw. ....	33	72	43	40.00	Claimed as swamp.
n hf of se, se of se. ....	35	72	43	400.00	Claimed as swamp.
	1	73	43	120.00	Released to U. S. March 8, 1879.
se of ne. ....	19	73	43	40.00	Claimed as swamp.
w hf of ne, w hf of se. ....	31	73	43	160.00	Claimed as swamp.
lots 2, 3, 4, e hf of ne, se qr. ne of sw. ....	1	72	44	411.61	Claimed as swamp.
w hf of ne, ne of sw, nw of se, lots 1, 2, 3, ne of nw. ....	13	72	44	40.00	Claimed as swamp.
	25	72	44	160.00	Claimed as swamp.
	35	73	44	191.27	Claimed as swamp.
Total in Mills county. ....				11,793.14	

## MONTGOMERY COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD.
e hf of se.....	9	71	36	80.00	Patented as swamp.
e hf of se.....	21	71	36	80.00	Patented as swamp.
ne of nw, w hf of nw.....	23	71	36	120.00	Patented as swamp.
ne of se.....	27	71	36	40.00	Patented as swamp.
sw of se.....	21	72	36	40.00	Patented as swamp.
e hf of nw, e hf of sw.....	9	71	37	160.00	Patented as swamp.
w hf of ne, ne of nw.....	29	71	37	120.00	Patented as swamp.
w hf of ne, ne of sw.....	33	71	37	120.00	Patented as swamp.
w hf of ne, sw qr.....	7	71	38	237.89	Patented as swamp.
nw of ne.....	17	72	38	40.00	Patented as swamp.
ne of sw, w hf of sw.....	29	72	38	120.00	Patented as swamp.
sw of ne, e hf of sw.....	31	72	38	120.00	Patented as swamp.
nw of ne.....	13	73	38	40.00	Patented as swamp.
sw of sw.....	31	73	38	40.00	Patented as swamp.
sw of ne, w hf of se.....	1	71	39	120.00	Patented as swamp.
s hf of nw.....	17	71	39	80.00	Patented as swamp.
e hf of ne.....	19	71	39	80.00	Patented as swamp.
sw of se.....	11	72	39	40.00	Patented as swamp.
ne of nw.....	23	72	39	40.00	Patented as swamp.
nw of se.....	27	72	39	40.00	Patented as swamp.
Total in Montgomery Co.....				1,737.89	

## PAGE COUNTY.

s hf of ne, e hf of sw, ne of sw,	N.	W.	
w hf of se, ne of se.....	9	68	36
e hf of nw, w hf of sw.....	7	68	36
sw of ne, se of nw, sw qr, w hf			
of se, se of se.....	1	69	36
e hf.....	5	69	36
w hf.....	9	69	36
se of ne, w hf of ne, w hf of se	23	69	36
se of ne, se qr.....	27	69	36
e hf of ne, e hf of se.....	5	70	36
n hf of sw.....	9	70	36
e hf of ne.....	17	70	36
e hf of nw, e hf of sw, w hf of			
se, se of se.....	21	70	36
ne of ne, w hf of ne, se qr.....	29	70	36
e hf of nw, s hf of sw.....	33	70	36
se of sw.....	3	69	37
sw of sw, e hf of sw.....	7	70	37
all.....	5	69	39
all.....	7	69	39
ne of nw, s hf of nw, ne of			
sw, s hf of sw.....	1	70	39
nw qr.....	13	70	39
Total in Page county.....			4,717.80
Aggregate number of acres withheld.....			34,522.47

A list of lands approved by the Secretary of the Interior June 25, 1889, under act of Congress of May 15, 1856, to aid in the construction of the Burlington & Missouri River railroad, received by the State since the close of the last biennial period, and for which the railroad company has not requested certificate.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
sw of se.....	7	71	28	40.00
ne of sw.....	11	73	30	40.00
Total.....				80.00

By the provisions of chapter 185, of the acts of the Twenty-second General Assembly, the State grants to the Chicago, Burlington & Quincy Railroad company any right, title, or interest it may have, or might assert, to certain lands bordering the Des Moines river, in the city of Ottumwa, Iowa. (See Session Laws, pages 221 to 223.

## CHICAGO, ROCK ISLAND &amp; PACIFIC RAILROAD.

According to the footings of the original lists of railroad lands in this office there have been approved and certified to the State, under the act of Congress of May 15, 1856, to aid in the construction of the railroad from Davenport to Council Bluffs, now the Chicago, Rock Island & Pacific Railroad, 482,374.36 acrer. Of these lands there are apparently within the five-mile limits of the

Des Moines river.....	35,805.49 acres
Released to the United States by the State.....	420.00 acres
Released to the United States by the railroad company.....	40.00 acres
Other tracts noted on the records as prior locations.....	440.00 acres
Total.....	36,705.49 acres

Deduct this quantity from the total quantity approved and certified, as above, and a balance remains of..... 445,668.87 acres

In addition to these lands there have been certified by the Secretary of the Interior directly to said railroad company, under act of



Congress of June 2, 1864, as shown by certified copies of the original lists in the office furnished by the Commissioner of the General Office, 161,372.81 acres. Of this quantity 120 acres appears to have been certified to the State under act of May 15, 1856, for said road, and there is a repetition of forty acres, making 160 acres, which, deducted from said quantity of lands, a total of 161,212.81 acres. This, added to the number of acres certified under the act of May 15, 1856, as heretofore given, makes the quantity certified by the Interior Department, for the benefit of the railroad company, 606,881.68 acres.

Complete lists of all the lands approved and certified to the State under act of Congress of May 15, 1856, to aid in the construction of said road, are published in State Land Office Report for 1860, pages 130 to 176, except 600 acres included in subsequent supplemental lists.

This railroad company has made no general application to the State for certificate of lands it is entitled to, possibly not deeming such certificate essential as evidence, or as confirmation of title. It is understood that the company has certified copies of the original lists that have been approved and certified to the State for their road, and these, together with the acts of Congress, and of the State, and judicial decrees, they may consider sufficient.

The only lands certified to said railroad company by the State authorities are 652.44 acres in Iowa county, certified at request of the company, and 70.54 acres in Johnson county, certified at request of a grantee of the company. A list of them is given herewith.

A list of lands forming a part of this railroad grant which were patented to certain settlers under an act of the Twelfth General Assembly, is also published herein. The said settlers respectively made proof of claim to the land occupied before the county court of the county in which the land is situated, and paid into the State Treasury the price of the land at \$1.25 per acre for the benefit of the railroad company, as the said act required.

*A complete statement of all the lands certified by the United States to the State of Iowa, under the act of Congress of May 15, 1856, to aid in the construction of the railroad from Davenport to Council Bluffs, which have been certified by the State of Iowa, with date of certification, and name of county in which the lands are situated. They were certified to the Chicago, Rock Island & Pacific Railroad Company.*

## IOWA COUNTY.

PARTS OF SECTION.	Section.	TOWNSHIP.		Range.	Acres.	DATE OF CERTIFICATION.
		N.	W.			
ne of sw.....	25	81	10		40.00	February 18, 1882.
lots 2 and 3.....	3	78	11		81.15	February 18, 1882.
lot 4, and w hf of nw.....	17	81	11		148.10	February 18, 1882.
lot 3.....	3	78	12		51.01	February 18, 1882.
nw of sw.....	33	79	12		40.00	February 18, 1882.
s hf of nw.....	35	79	12		80.00	February 18, 1882.
sw of se.....	11	80	12		40.00	February 18, 1882.
ne qr.....	3	81	12		172.18	February 18, 1882.
Total.....					652.44	

## JOHNSON COUNTY.

Lot No. 7, and nw fraction of sw.....	31	N. W.		70.54	December 14, 1887.
		81	8		
Aggregate number acres.....				722.98	

## LANDS PATENTED TO SETTLERS.

A complete statement of all the lands certified to the State of Iowa under act of Congress of May 15, 1856, to aid in the construction of the railroad from Davenport to Council Bluffs, now known as the Chicago, Rock Island & Pacific Railroad, which have been patented to settlers under sections 4 and 5, chapter 13, acts of the Twelfth General Assembly, with name of patentee and date of patent.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	NAME OF PATENTEE.	DATE OF PATENT.
	N.	W.				
n hf of ne	29	77	39	80.00	Leander Hack.	June 16, 1869.
n hf of sw	5	76	39	80.00	Thomas Dulin.	June 16, 1869.
e hf of sw, nw of sw	29	77	39	120.00	John H. Word.	June 16, 1869.
s hf of ne, n hf of se	29	77	39	160.00	William W. Gibbons	June 16, 1869.
nw of sw	33	77	39	40.00	Harvey S. Peterson.	June 16, 1869.
s hf of sw	33	77	37	80.00	Pierce Maher.	March 25, 1870.
n hf of nw	35	78	44	80.00	James A. Kirkland.	April 19, 1870.
ne of nw	6	76	39	35.18	James L. Byrd.	August 27, 1870.
nw of nw	1	77	44	46.75	Joseph Seebold.	Sept. 8, 1870.
n hf of nw	15	77	39	80.00	Josiah True.	Sept. 28, 1870.
sw of se	19	76	43	40.00	Solomon McMullen.	Nov. 1, 1870.
nw qr	29	77	39	160.00	James M. Wood.	Nov. 21, 1870.
se of se	11	77	44	40.00	Jonathan Branson.	Feb. 1, 1871.
sw of nw, nw of sw	13	77	44	80.00	Basil Fox.	March 21, 1871.
sw of ne	35	77	44	40.00	Alfred Frazier.	April 19, 1871.
nw of ne	5	76	39			
sw of sw	33	77	39	75.06	Mahlon Griffith.	June 6, 1871.
w hf of nw	15	77	44	80.00	John G. Jones.	Sept. 23, 1871.
lots 10, 11, 15.	3	78	35	120.00	John Crane.	Nov. 14, 1871.
se of nw	5	76	43	40.00	David Roberts.	Sept. 15, 1874.
lot 4	1	78	32	47.57	E. W. Moore.	April 7, 1877.
e hf of nw, nw of ne	27	81	41	120.00	Henry N. Tyler.	Sept. 6, 1880.
Total				1,644.56		

## CEDAR RAPIDS &amp; MISSOURI RIVER RAILROAD.

(FORMERLY THE IOWA CENTRAL AIR LINE RAILROAD.)

The whole amount of lands approved and certified to the State of Iowa under the act of Congress of May 15, 1856, to aid in the construction of the railroad now known as the Cedar Rapids & Missouri River Railroad, formerly the Iowa Central Air Line Railroad,

As per the aggregate of the totals of the original lists on file here, is..... 783,904.83 acres  
 From this must be deducted lands in the five-mile limits of the Des Moines River..... 109,756.85 acres  
 Leaving a balance of..... 673,547.98 acres

The lands certified to the Cedar Rapids & Missouri River Railroad Company by the Secretary of the Interior, under act of Congress of June 2, 1864, as shown by the aggregate of the totals of the certified copies of the lists furnished the State by the Commissioner of the General Land Office, amount to 360,774.16 acres. But there are repetitions and interferences amounting to 1,044.82, which, being deducted, reduces the quantity to 359,729.34 acres. All the lands approved and certified to the State under the act of May 15, 1856, to aid in the construction of this road, have been certified to the Cedar Rapids & Missouri River Railroad Company, except those described in the lists herewith published as withheld from the company.

It appears by a decision of the Supreme Court of Iowa, in the case of *Courtwright v. The Cedar Rapids & Missouri River R. R. Co.*, published in 35th Iowa, pages 386-400, that the Iowa Central Air Line Railroad Company, the predecessor of the Cedar Rapids & Missouri River Railroad Company, was vested with a good and valid title to 120 sections of these lands, which were selected by said company on the western portion of the line of the road, and before the completion of any portion of said road. The company, as it appears, never furnished this office with a list of the 120 sections selected, but the Supreme Court decision referred to, says: "They are all located in Woodbury and Monona counties, and in townships 83 to 87 north, ranges 42 and 43 west." There is a list of a part of them, with the papers in the case named, on file in the



office of the Clerk of the Supreme Court of Iowa. A statement on file here, made to this office by the officers of the Cedar Rapids & Missouri River Railroad Company, purports to give the lands involved in said suit; they are those lands in Monona and Woodbury counties, published herewith as lands withheld from the railroad company, marked with a star. The balance of the 120 sections are, no doubt, included in the certificates issued by the State to said railroad company.

The General Assembly of Iowa never provided for certifying lands to the Iowa Central Air Line Railroad Company, and none have ever been certified by the State to said company.

In the years 1874 and 1875 the State authorities, upon application of the Cedar Rapids & Missouri River Railroad Company, issued and delivered to said company, under the provisions of section 93 of the Code of 1873, certified lists of the lands which the State had received under this grant by act of May 15, 1856, and to which said company was presumed to be entitled under the grant from the State, and the said section 93 of the Code which provided for issuing such lists to railroad companies.

In the year 1881 the said company made application, under chapter 167, acts of the Eighteenth General Assembly, which had superseded the law of the Code aforesaid for lists of their lands, objecting to those already issued, and stating that they would not be placed on record in the counties where the lands were situated. After consideration of the matter the Register of the State Land Office issued to said company, under chapter 167, acts Eighteenth General Assembly, the certified lists as per their request. In these latter lists most of the lands contained in the former lists were included, with a large additional amount of lands which, by a change of restrictions, made by this act of the General Assembly, the Register of the State Land Office was enabled to include therein.

There are, however, some tracts included in the first set of lists that are not included in the latter, and a statement of these is furnished herewith.

Both sets of lists are recorded in this office, and the originals are all in possession of the railroad company.

# LANDS WITHHELD UNDER CHAPTER 167, ACTS EIGHTEENTH GENERAL ASSEMBLY, FROM CERTIFICATION.

*A list of lands approved and certified to the State under act of Congress of May 15, 1856, which were excluded from the certificates issued by the State authorities to the Cedar Rapids & Missouri River Railroad Company under the provisions of Chapter 167, acts Eighteenth General Assembly, with the reasons therefor. (In the words "adjudicated not railroad company's," the company referred to is the Cedar Rapids & Missouri River Railroad Company.)*

## CARROLL COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD.
	N.	W.			
nw of nw.....	25	83	33	40.00	Patented as swamp.
e hf of ne, nw of ne, nw of ne, s hf.....	1	83	34	440.90	Adjd not R. R. Co's.
e hf of ne.....	3	83	34	63.92	Adjd not R. R. Co's.
e hf of ne, nw of ne, ne of se.....	11	83	34	160.00	Adjd not R. R. Co's.
se of ne, w hf of ne, ne of nw, s hf of nw, s hf.....	13	83	34	600.00	Adjd not R. R. Co's.
nw of se.....	15	83	34	40.00	Adjd not R. R. Co's.
n hf of ne, n hf of nw.....	17	83	34	100.00	Adjd not R. R. Co's.
n hf of ne.....	23	83	34	80.00	Adjd not R. R. Co's.
sw of sw.....	3	84	34	40.00	Adjd not R. R. Co's.
s hf of sw, e hf of se, sw of se.....	11	84	34	200.00	Adjd not R. R. Co's.
e hf of ne.....	15	84	34	80.00	Adjd not R. R. Co's.
nw of nw, sw of sw.....	23	84	34	200.00	Adjd not R. R. Co's.
ne of ne, sw of nw.....	25	84	34	80.00	Adjd not R. R. Co's.
nw of sw, w hf of se.....	27	84	34	120.00	Adjd not R. R. Co's.
e hf of se.....	31	84	34	80.00	Adjd not R. R. Co's.
nw of ne, ne of nw.....	33	84	34	80.00	Adjd not R. R. Co's.
ne of nw, s hf of nw, sw of sw, w hf of se.....	35	84	34	240.00	Adjd not R. R. Co's.
ne of ne.....	1	85	34	37.65	Adjd not R. R. Co's.
ne of ne.....	7	85	34	40.00	Adjd not R. R. Co's.
e hf of ne, e hf of se, sw of se.....	33	85	34	200.00	Adjd not R. R. Co's.
sw of ne.....	7	83	35	40.00	Adjd not R. R. Co's.
nw of se, s hf of sw.....	7	84	35	121.04	Adjd not R. R. Co's.
s hf of nw, nw of se.....	15	84	35	120.00	Adjd not R. R. Co's.
s hf of ne, s hf of nw.....	17	84	35	160.00	Adjd not R. R. Co's.
nw of sw, nw of se.....	23	84	35	80.00	Adjd not R. R. Co's.
ne of ne.....	27	84	35	40.00	Adjd not R. R. Co's.
s hf of sw, sw of se, ne of se.....	35	84	35	160.00	Adjd not R. R. Co's.
sw of sw.....	1	85	35	40.00	Adjd not R. R. Co's.
nw of sw.....	3	85	35	40.00	Adjd not R. R. Co's.
w hf of ne.....	5	85	35	75.15	Adjd not R. R. Co's.
ne of ne.....	7	85	35	40.00	Adjd not R. R. Co's.

## CARROLL COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
nw of ne, ne of nw, se of se	9	85	35	120.00	Adj'd not R. R. Co's.
ne of nw, n hf of sw	11	85	35	120.00	Adj'd not R. R. Co's.
nw qr, w hf sw, se of sw	15	85	35	280.00	Adj'd not R. R. Co's.
w hf of nw, sw qr	23	85	35	240.00	Adj'd not R. R. Co's.
sw of nw, nw of se	25	85	35	80.00	Adj'd not R. R. Co's.
ne of nw	1	84	36	60.00	Adj'd not R. R. Co's.
e hf of se	3	85	36	80.00	Adj'd not R. R. Co's.
se of ne	11	85	36	40.00	Adj'd not R. R. Co's.
Total				4,918.75	

## CALHOUN COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
ne of ne	3	86	34	30.61	Objection not stated.
nw fr qr	19	86	34	102.31	Objection not stated.
w fr hf	31	86	34	215.34	Objection not stated.
se of se	33	86	34	40.00	Objection not stated.
Total				388.26	

## CLINTON COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
nw qr	27	81	2	160.00	Relinquished to U. S.
nw of sw	21	83	3	40.00	Relinquished to U. S.
n hf of se	11	82	5	80.00	Relinquished to U. S.
Total				280.00	

## DALLAS COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
sw of nw	3	81	29	40.00	Pat'd to N. M. Letts by U. S. May 1, 1885.

## GREENE COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
w hf of sw	13	83	29	80.00	In suit.
ne of sw	23	84	29	40.00	In suit.
n hf of nw	3	85	29	83.12	In suit.
se of sw	13	85	29	40.00	In suit.
e hf of sw	19	85	29	80.00	In suit.
sw of sw	21	85	29	40.00	In suit.
nw of se	27	85	29	40.00	In suit.
n hf of nw	3	84	30	108.00	In suit.

## GREENE COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
lot 2	7	84	30	38.40	In suit.
nw of se	27	84	30	40.00	In suit.
s hf of ne	1	85	30	80.00	In suit.
sw of nw	5	85	30	40.00	In suit.
e hf of ne, e hf of se	11	85	30	160.00	In suit.
nw of ne, nw of nw, se of nw,	17	85	30	160.00	In suit.
sw of se	21	85	30	120.00	In suit.
nw of nw, s hf of nw	33	85	30	160.00	Relinquished to U. S.
ne qr	33	85	30	120.00	In suit.
sw of ne, n hf of ne	23	82	31	40.00	In suit.
nw of sw	25	84	31	80.00	In suit.
nw of ne, se of ne	23	85	31	80.00	In suit.
nw of ne, ne of nw	25	85	31	80.00	In suit.
ne of ne	7	82	32	40.00	In suit.
Total				1,669.52	

## LINN COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
sw of sw	33	82	5	40.00	Prior disposition by United States.

## MONONA COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
sw of nw, sw qr	1	82	42	200.00	In suit.
e hf of sw, sw of se	15	82	42	120.00	In suit.
*se qr, nw qr	5	80	42	328.99	Adj'd not R. R. Co's.
*all	9	83	42	640.00	Adj'd not R. R. Co's.
*all	17	83	42	640.00	In suit.
*se of nw, e hf of se	19	83	42	120.00	Adj'd not R. R. Co's.
ne qr, s hf of sw, w hf of se	19	83	42	324.13	In suit.
*all	33	83	42	640.00	In suit.
*w hf	3	84	42	321.73	Adj'd not R. R. Co's.
*all	3	84	42	649.98	Adj'd not R. R. Co's.
n hf of nw, sw of sw	11	84	42	120.00	In suit.
w hf of ne	15	84	42	80.00	In suit.
*w hf	15	84	42	320.00	Adj'd not R. R. Co's.
*all	23	84	42	640.00	Adj'd not R. R. Co's.
e hf of se	25	84	42	80.00	In suit.
*all	27	84	42	640.00	Adj'd not R. R. Co's.
w hf of sw	31	84	42	82.93	In suit.
e hf of se, sw of se	33	84	42	120.00	In suit.
sw of ne, ne of sw, n hf of se	35	84	42	100.00	In suit.
n hf se qr, ne of sw, s hf of sw	5	85	42	501.80	In suit.
e hf of ne, sw of ne	7	85	42	120.00	In suit.
*all	19	85	42	630.76	Adj'd not R. R. Co's.

\* Lands involved in the case of *Courtright v. The Cedar Rapids & Missouri River Railroad Company*.



## MONONA COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
n hf of se, sw of se.....	25	85	42	120.00	In suit.
*all.....	35	85	42	640.00	Adj'd not R. R. Co's.
ne qr, n hf of nw, sw qr, *w hf of se, ne of se.....	1	84	43	526.61	Adj'd not R. R. Co's.
sw of sw.....	7	84	43	39.01	In suit.
*se qr.....	17	84	43	160.00	In suit.
*s hf of nw, s hf.....	19	84	43	395.86	Adj'd not R. R. Co's.
*e hf.....	21	84	43	320.00	Adj'd not R. R. Co's.
*e hf of nw, e hf of sw.....	25	84	43	320.00	In suit.
*all.....	27	84	43	160.00	In suit.
*ne qr, w hf of se.....	29	84	43	640.00	Adj'd not R. R. Co's.
*e hf of se.....	21	85	43	240.00	In suit.
s hf of ne.....	25	85	43	80.00	In suit.
s hf of ne, s hf nw, se qr.....	3	83	44	80.00	In suit.
se of nw, nw of sw.....	9	83	44	320.00	In suit.
w hf of nw.....	11	83	44	80.00	In suit.
sw of nw, e hf of sw.....	7	84	44	83.27	In suit.
w hf of sw.....	33	84	44	120.00	In suit.
sw qr.....	1	85	44	80.00	In suit.
all.....	5	85	44	160.00	In suit.
sw of sw.....	7	85	44	641.46	In suit.
n hf of ne.....	9	85	44	40.00	In suit.
w hf of ne, nw qr.....	11	85	44	80.00	In suit.
w hf of nw, sw qr.....	17	85	44	240.00	In suit.
ne of ne.....	19	85	44	244.08	In suit.
e hf of nw, sw of nw, s hf.....	21	85	44	40.00	In suit.
w hf of nw, se of nw, sw of se, sw qr.....	27	85	44	440.00	In suit.
all.....	33	85	44	320.00	In suit.
all.....	35	85	44	640.00	In suit.
all.....	13	82	45	640.00	In suit.
s hf of se.....	35	84	45	80.00	In suit.
w hf, se qr.....	3	85	45	482.00	In suit.
nw qr.....	5	85	45	761.16	In suit.
all.....	1	85	46	641.44	In suit.
Total.....				16,825.21	

## SAC COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
e hf of se.....	21	86	35	80.00	In suit.
e hf of se.....	27	86	35	80.00	In suit.
sw of sw.....	1	87	36	40.00	In suit.
w hf of nw.....	13	87	36	80.00	In suit.
ne of ne.....	23	87	36	40.00	In suit.

\* Lands involved in the case of *Courtright v. The Cedar Rapids & Missouri River Railroad Company*.

\* se of nw 31, 85, 44 does not appear to be in suit and possibly should not have been withheld.

## SAC COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
ne of sw, sw of sw.....	27	87	36	80.00	In suit.
ne of se.....	35	87	36	40.00	In suit.
e hf of sw.....	23	88	36	80.00	Relinquished to U. S.
ne of se.....	21	86	37	40.00	In suit.
nw of ne, ne of nw, w hf of nw.....	35	86	37	160.00	In suit.
ne of ne.....	33	86	37	40.00	In suit.
Total.....				760.00	

## STORY COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
ne of se.....	5	82	21	40.00	Patented as swamp.
w hf of sw.....	3	83	21	80.00	Relinquished to U. S.
e hf of nw.....	9	83	21	40.00	Adj'd not R. R. Co's.
w fr hf of ne.....	3	83	24	48.30	Released to U. S. by R. R. Co.
Total.....				208.30	

## TAMA COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
s hf of sw, se qr, ne of nw.....	9	83	14	360.00	In suit.
w hf of nw.....	11	83	14	480.00	In suit.
s hf of ne, s hf of nw s hf.....	13	83	14	80.00	Relinquished to U. S. Dec. 8, 1863.
+ s hf of nw.....	21	83	14	40.00	In suit.
ne of se.....	23	83	14	320.00	In suit.
n hf.....					
Total.....				1,280.00	

## WOODBURY COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
*all.....	1	86	42	634.36	Adj'd not R. R. Co's.
*all.....	15	86	42	640.00	Adj'd not R. R. Co's.
*nw of ne, n hf of nw, sw of nw, w hf of sw.....	23	86	42	240.00	Adj'd not R. R. Co's.
*nw of ne.....	27	86	42	40.00	Adj'd not R. R. Co's.
s hf of se.....	31	86	42	80.00	In suit.

\* Relinquishment of s hf of nw, Sec. 13, Tp. 83, R. 14, not on record in State Land Department.

\* Lands involved in the case of *Courtright v. Cedar Rapids & Missouri River Railroad Company*.

## WOODBURY COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.	WHY WITHHELD.
	N.	W.			
*n hf of ne, ne of nw, sw of nw.....	25	87	42	110.99	Adjd not R. R. Co's.
*all.....	25	87	42	601.00	Adjd not R. R. Co's.
*all.....	25	87	42	640.00	Adjd not R. R. Co's.
Total.....				2,986.35	
Aggregate.....				29,396.39	

\* Lands involved in the case of *Courtright v. Cedar Rapids & Missouri River Railroad Company*.

## LANDS CERTIFIED UNDER SECTION 93 OF CODE, BUT WITHHELD UNDER CHAP. 167, ACTS EIGHTEENTH GENERAL ASSEMBLY.

*A list of tracts of land certified to the Cedar Rapids & Missouri River Railroad Company, under section 93, Code of 1873, which were excluded, or withheld from the lists issued to said company under chapter 167, acts Eighteenth General Assembly. (They were all certified to the State under act of Congress of May 15, 1856.)*

## CALHOUN COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
ne of ne.....	3	86	34	30.51
nw fr qr.....	19	86	34	102.31
w fr hf.....	31	86	34	215.34
se of se.....	33	86	34	40.00

## CARROLL COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
ne of ne.....	3	83	34	23.92
se of se.....	13	83	34	40.00
nw of ne.....	17	83	34	40.00
sw of ne.....	7	83	35	40.00
se of nw.....	17	84	35	40.00

## CLINTON COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	E.		
*nw of sw.....	21	83	3	40.00

## GREENE COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
sw of sw.....	21	85	29	40.00
nw of se.....	27	85	29	40.00
nw of se.....	27	84	30	40.00
ne qr.....	33	85	30	160.00

\* The nw of sw, Sec. 21, Tp. 83, R. 3 E., relinquished to U. S.



## MONONA COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
e hf of sw.....	1	82	43		80.
nw qr, se qr.....	5	83	42		328.99
e hf, w hf of nw, e hf of sw.....	9	83	42		480.00
w hf of nw, e hf se.....	17	83	42		160.00
se of se, se of nw.....	19	83	42		80.00
all.....	33	83	42		640.00
w hf.....	1	84	42		321.73
all.....	3	84	42		649.98
w hf.....	15	84	42		320.00
all.....	23	84	42		640.00
w hf, se of se.....	27	84	42		360.00
all.....	19	85	42		630.76
all.....	35	85	42		640.00
ne qr, n hf of nw, sw qr, w hf of se, ne of se.....	1	84	43		326.61
sw of sw.....	7	84	43		40.00
se qr.....	17	84	43		160.00
s hf of nw, s hf.....	19	84	43		395.86
e hf.....	21	84	43		320.00
e hf.....	25	84	43		320.00
e hf of nw, e hf sw.....	27	84	43		160.00
all.....	29	84	43		640.00
ne qr, w hf of se.....	21	85	43		240.00
e hf of se.....	25	85	43		80.00
se of ne.....	9	83	44		40.00
w hf of nw.....	7	84	44		83.27
sw of nw, e hf of sw.....	33	84	44		120.00
sw qr.....	5	85	44		160.00
all.....	7	85	44		641.46
sw of sw.....	9	85	44		40.00
w hf of ne, nw qr.....	17	85	44		240.00
e hf of nw, sw of nw, s hf.....	27	85	44		440.00
se of nw, e hf of sw, sw of se.....	33	85	44		160.00
all.....	35	85	44		640.00
n hf of ne, n hf of nw.....	1	85	46		161.44
s hf of sw.....	35	84	45		80.00

## SAC COUNTY.

	N.	W.	
sw of sw .....	1	87	36 40.00
e hf of sw .....	23	88	36 80.00
ne of se .....	21	86	37 40.00
sw of nw .....	33	86	37 40.00
ne of ne .....	35	86	37 40.00

## STORY COUNTY.

		N.	W.	
* ne of se .....	5	82	21	40.00
ne of nw .....	9	83	21	40.00

## WOODBURY COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
	N.	W.		
all .....	1	86	42	634.36
all .....	15	86	42	640.00
nw of ne, ne of nw, w hf of nw, w hf sw .....	23	86	42	240.00
nw of ne .....	27	86	42	40.00
s hf of se .....	31	86	42	80.00
n hf of ne, ne of nw, sw of nw .....	5	87	42	110.99
all .....	7	87	42	601.00
all .....	29	87	42	640.00

\*The ne of se, Sec. 5, Tp. 82, R. 21 W., patented as swamp.

## DUBUQUE &amp; SIOUX CITY RAILROAD.

Matters pertaining to the Iowa Falls & Sioux City Railroad, and to the Dubuque, Bellevue & Mississippi Railroad, will also be considered under this heading.

The quantity of lands approved and certified to the State under act of May 15, 1856, to aid in the construction of the road from Dubuque to Sioux City, with the Tete des Morts branch, after making due allowance for errors in the original lists, is found to be 1,233,601.70 acres.

From this quantity must be deducted lands included in said lists that are within the five-mile limits of the Des Moines river, which were held by the Supreme Court of the United States in the Walcott case, not to belong to said grant, amounting to 88,010.25 acres, leaving a balance of 1,145,591.45 acres. These have been divided between the Dubuque & Sioux City, Iowa Falls & Sioux City and Dubuque, Bellevue & Mississippi Railroad Companies. The latter company built the Tete des Morts branch.

These lands have all been conveyed by the State, except those that were set apart for the Dubuque & Sioux City Railroad Company. A list of the latter (omitting the lands in the Des Moines river five-mile limits), is published herewith, with a separate list showing what portions thereof have been certified to the said company. The said railroad company has made no application under chapter 167, acts of the Eighteenth General Assembly, for certification from the State for those lands not yet conveyed.

Of the lands set apart to the Iowa Falls & Sioux City Railroad Company there have been patented to settlers, under chapter 124, acts of Twelfth General Assembly, 3,378.01 acres. These settlers accounted to said railroad company for said lands at \$2.50 per acre, as required by said act. A list of said lands, with name of claimant, and date of patent, is published in this connection.

There are 10,315.42 acres of land situated in the counties of Humboldt and Pocahontas, approved and certified to the State, December 27, 1858, under this grant, and which, in the division between the three companies, were set over to the Dubuque & Sioux City Railroad Company; they lie within the five-mile limits of the Des Moines river, and are part of the 88,010.25 acres heretofore mentioned as being deducted from the total quantity certified

to the State under this grant. Subsequent to the division of lands between the companies, these lands were approved and certified by the Interior Department to the State, under the act of July 12, 1862, as Des Moines river lands, and the State conveyed them to the Des Moines Valley Railroad Company. The certification of these lands was nullified by the Walcott decision, and they are, therefore, no part of the railroad lands inuring under the grant of 1856. A list of these lands is published herewith.

Lists of the other lands certified to the State under the railroad grant of May 15, 1856, and nullified by the said Walcott decision on account of being within the Des Moines river five-mile limits, are published in full in the State Land Office Report of 1869.

The total number of acres patented by the State to the Dubuque, Bellevue & Mississippi Railroad Company, according to the total given in the patent as of record, is 38,096.82 acres.

In regard to the title to lands sold by the Dubuque & Pacific Railroad Company, which was the original company receiving the grant of lands for building the road from Dubuque to Sioux City, there is an explanation in the land report of this office for 1885, pages 39 and 40, to which reference can be made. I will only here remark relative thereto, that the lands under this railroad grant having been divided between the Dubuque & Sioux City, Iowa Falls & Sioux City, and Dubuque, Bellevue & Mississippi Railroad Companies, the record evidence of title to lands sold by the Dubuque & Pacific Railroad Company must come through one of these channels; and where such lands were purchased in good faith and fully paid for, it will perhaps not be difficult nor expensive to procure the evidence of title.



## LIST OF THE DUBUQUE &amp; SIOUX CITY RAILROAD COMPANY'S LANDS.

A complete list, by counties, of the lands approved and certified to the State under Act of Congress of May 15, 1856, which in the division between the three companies heretofore referred to, were set apart to the Dubuque & Sioux City Railroad Company,—omitting the lands in the five-mile limits of the Des Moines river.

## BENTON COUNTY.

PARTS OF SECTION.				
	Section.	N.	W.	Acres.
ne of nw.....	8	86	11	40.76
ne of nw.....	7	86	12	40.00
Total in Benton county.....				80.76

## BLACK HAWK COUNTY.

	N.	W.	Acres.
nw of sw.....	17	89	11 40.00
nw of ne.....	3	90	11 38.93
nw of ne.....	15	90	11 40.00
ne of nw.....	21	90	11 40.00
ne of se.....	1	87	12 45.93
n hf of nw.....	11	87	12 40.00
n hf of nw.....	5	90	12 58.94
e hf of se.....	1	87	13 91.26
sw of sw.....	5	87	13 80.00
lot 9.....	9	87	13 40.00
sw of nw, nw of sw.....	25	89	13 1.42
se of se.....	7	87	14 68.70
nw of nw.....	13	87	14 40.00
sw of sw.....	17	87	14 40.00
nw of ne.....	11	88	14 40.00
ne of nw.....	15	88	14 40.00
ne of nw.....	29	88	14 40.00
Total in Black Hawk county.....			785.18

## BREMER COUNTY.

	N.	W.	Acres.
sw of ne.....	19	91	11 40.00
e hf of sw.....	11	91	12 80.00
Total in Bremer county.....			120.00

## BUTLER COUNTY.

## PARTS OF SECTION.

PARTS OF SECTION.				Section.	N.	W.	Range	Acres.
				Section.	N.	W.	Range	Acres.
sw of nw.....				35	91	15	40.00	
sw of se.....				27	92	15	40.00	
se of nw, sw of sw.....				5	90	16	80.00	
sw of nw.....				9	90	16	40.00	
ne of sw.....				21	90	16	40.00	
se qr.....				23	90	16	160.00	
nw of nw.....				27	90	16	40.00	
se of ne.....				21	91	16	40.00	
sw fr qr of nw, n hf of se.....				31	91	16	117.50	
w hf of sw.....				19	92	16	65.94	
w hf of sw.....				31	92	16	67.32	
*sw of ne.....				4	90	17	40.00	
nw of se.....				23	90	17	40.00	
sw of ne.....				9	92	17	40.00	
nw of se.....				11	92	17	40.00	
se of sw.....				15	92	17	40.00	
ne of ne.....				21	92	17	40.00	
sw of se.....				31	92	17	40.00	
sw of nw.....				5	90	18	40.00	
nw of nw.....				9	90	18	40.00	
se qr.....				13	90	18	160.00	
nw of sw.....				29	90	18	40.00	
ne of ne.....				1	91	18	44.53	
n fr hf of ne, n fr hf of nw, se of nw, s hf of sw.....				5	91	18	205.12	
n hf, n hf of sw.....				7	91	18	412.00	
nw of nw.....				11	91	18	40.00	
w fr hf of sw.....				19	91	18	89.84	
sw of nw.....				31	91	18	45.30	
ne of nw.....				33	91	18	40.00	
n hf of sw, nw of se.....				11	92	18	120.00	
sw qr.....				23	92	18	160.00	
ne qr, e hf of nw.....				29	92	18	240.00	
se of ne, se of nw.....				35	92	18	80.00	

## BUCHANAN COUNTY.

	N.	W.	Acres.
s hf of se.....	23	90	7 80.00
se of nw.....	31	87	8 40.00
ne of se.....	33	87	8 40.00
nw of nw, s hf of nw, ne of sw.....	15	87	9 160.00
w hf of ne.....	19	87	9 80.00
nw of nw.....	13	89	9 40.00
se of se.....	19	88	10 40.00
w hf of sw, nw of se.....	23	88	10 113.15
nw of se.....	23	88	10 40.00
se of ne.....	33	88	10 40.00
Total in Buchanan county.....			3,530.90

\* Land given in lieu of an odd section.

## BUENA VISTA COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
all	1	90	35		629.06
all	3	90	35		619.16
all	5	90	35		610.64
all	7	90	35		645.38
all	9	90	35		640.00
all	11	90	35		640.00
all	13	90	35		640.00
all	15	90	35		640.00
all	17	90	35		640.00
all	19	90	35		649.22
all	21	90	35		640.00
all	23	90	35		640.00
all	25	90	35		640.00
all	27	90	35		640.00
all	29	90	35		640.00
all	31	90	35		655.14
all	33	90	35		640.00
all	35	90	35		640.00
all	1	91	35		652.10
all	3	91	35		650.02
all	5	91	35		648.80
all	7	91	35		690.84
all	9	91	35		640.00
all	11	91	35		640.00
all	13	91	35		640.00
all	15	91	35		640.00
all	17	91	35		640.00
all	19	91	35		652.60
all	21	91	35		640.00
all	23	91	35		640.00
all	25	91	35		640.00
all	27	91	35		640.00
all	29	91	35		640.00
all	31	91	35		644.44
all	33	91	35		640.00
all	35	91	35		640.00
all	1	92	35		659.28
all	3	92	35		663.00
all	5	92	35		669.62
all	7	92	35		692.14
all	9	92	35		640.00
all	11	92	35		640.00
all	13	92	35		640.00
all	15	92	35		640.00
all	17	92	35		640.00
all	19	92	35		688.68
all	21	92	35		640.00
all	23	92	35		640.00
all	25	92	35		640.00
all	27	92	35		640.00
all	29	92	35		640.00

## BUENA VISTA COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
all	31	92	35		675.36
all	33	92	35		640.00
all	35	92	35		640.00
all	19	93	35		685.92
all	21	93	35		640.00
all	25	93	35		640.00
all	27	93	35		640.00
all	29	93	35		640.00
all	31	93	35		677.98
all	33	93	35		640.00
all	35	93	35		640.00
all	11	90	36		604.54
e hf of ne, e hf of se	13	90	36		640.00
all	23	90	36		160.00
e hf of ne, e hf of se	25	90	36		640.00
all	35	90	36		160.00
e hf of ne, e hf of se	1	91	36		647.80
all	11	91	36		640.00
e hf of ne, e hf of se	13	91	36		640.00
all	23	91	36		160.00
e hf of ne, e hf of se	25	91	36		640.00
all	35	91	36		160.00
all	1	92	36		698.00
e hf of ne, e hf of se	11	92	36		160.00
all	23	92	36		640.00
e hf of ne, e hf of se	25	92	36		160.00
all	35	92	36		640.00
e hf of ne, e hf of se	13	93	36		320.00
s hf	23	93	36		640.00
all	25	93	36		640.00
all	35	93	36		640.00
Total in Buena Vista county.					40,930.38

## CALHOUN COUNTY.

		Town.		Range.	Acres.
		N.	W.		
all	1	87	31		667.24
all	3	87	31		673.98
all	5	87	31		680.14
all	7	87	31		623.84
all	9	87	31		640.00
all	11	87	31		640.00
all	13	87	31		640.00
all	15	87	31		640.00
all	17	87	31		640.00
all	19	87	31		632.14
all	21	87	31		640.00
all	23	87	31		640.00



## CALHOUN COUNTY—CONTINUED.

PARTS OF SECTION.				Section.	Town.	Range.	Acres.
all	25	87	31	640.00			
n hf	27	87	31	320.00			
n hf	35	87	31	320.00			
all	1	88	31	733.43			
all	3	88	31	750.60			
all	5	88	31	746.44			
all	7	88	31	620.00			
all	9	88	31	640.00			
all	11	88	31	640.00			
all	13	88	31	640.00			
all	15	88	31	640.00			
all	17	88	31	640.00			
all	19	88	31	628.14			
all	21	88	31	640.00			
all	23	88	31	640.00			
all	25	88	31	640.00			
all	27	88	31	640.00			
all	29	88	31	640.00			
all	31	88	31	624.78			
n hf, se qr	33	88	31	480.00			
all	35	88	31	640.00			
all	1	89	31	587.20			
all	3	89	31	586.90			
all	5	89	31	588.78			
all	7	89	31	608.48			
all	9	89	31	640.00			
all	11	89	31	640.00			
all	13	89	31	640.00			
all	15	89	31	640.00			
all	17	89	31	640.00			
all	19	89	31	670.40			
all	21	89	31	640.00			
all	23	89	31	640.00			
all	25	89	31	640.00			
all	27	89	31	640.00			
all	29	89	31	640.00			
all	31	89	31	669.40			
all	33	89	31	640.00			
all	35	89	31	640.00			
all	1	87	32	681.04			
all	3	87	32	692.98			
all	5	87	32	696.15			
n hf	7	87	32	708.74			
all	9	87	32	640.00			
all	11	87	32	640.00			
all	13	87	32	640.00			
all	15	87	32	640.00			
all	1	88	32	746.54			
all	3	88	32	737.22			
all	5	88	32	735.46			
all	7	88	32	595.88			
all	9	88	32	640.00			

## CALHOUN COUNTY—CONTINUED.

PARTS OF SECTION.				Section.	Town.	Range.	Acres.
all	11	88	32	640.00			
all	13	88	32	640.00			
all	15	88	32	640.00			
all	17	88	32	640.00			
all	19	88	32	594.36			
all	21	88	32	640.00			
all	23	88	32	640.00			
all	25	88	32	640.00			
all	27	88	32	640.00			
all	29	88	32	640.00			
all	31	88	32	505.20			
all	33	88	32	640.00			
all	35	88	32	640.00			
all	1	89	32	588.00			
all	3	89	32	614.72			
all	5	89	32	628.32			
all	7	89	32	670.16			
all	9	89	32	640.00			
all	11	89	32	640.00			
all	13	89	32	640.00			
all	15	89	32	640.00			
all	17	89	32	640.00			
all	19	89	32	667.16			
all	21	89	32	640.00			
all	23	89	32	640.00			
all	25	89	32	640.00			
all	27	89	32	523.53			
lots 1, 2, e hf, ne of nw, e hf of sw	29	89	32	640.00			
all	31	89	32	664.33			
all	33	89	32	392.15			
lots 1, 2, 4, 5, 6, se qr, se of ne	35	89	32	640.00			
all	1	87	33	694.62			
all	3	87	33	376.22			
n hf	5	88	33	221.20			
lots 1, 2, e hf of se, nw of se	7	88	33	749.44			
all	9	88	33	746.46			
all	11	88	33	615.52			
all	13	88	33	640.00			
s hf nw fr qr	15	88	33	479.43			
all	17	88	33	640.00			
all	19	88	33	611.56			
all	21	88	33	640.00			
all	23	88	33	640.00			
all	25	88	33	640.00			
all	27	88	33	640.00			
all	29	88	33	560.00			
ne qr, n hf of nw, s hf	31	88	33	608.76			
all	33	88	33	640.00			
all	35	88	33	640.00			
all	1	89	33	605.18			

## CALHOUN COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
all	2	89	33		600.22
all	5	89	33		594.78
all	7	89	33		640.30
all	9	89	33		640.00
all	11	89	33		640.00
all	13	89	33		640.00
all	15	89	33		640.00
all	17	89	33		640.00
all	19	89	33		643.00
all	21	89	33		640.00
all	23	89	33		640.00
all	25	89	33		640.00
all	27	89	33		640.00
all	29	89	33		640.00
all	31	89	33		654.40
all	33	89	33		640.00
all	35	89	33		640.00
lots 1, 2, 5, 6, 7, 8, e hf of se	1	88	34		353.58
lots 1, 2, 5, 4, 6, 10, ne of sw, e hf of se	3	88	34		383.02
all	5	88	34		734.98
all	7	88	34		586.24
se of ne, n hf of nw, e hf of se	9	88	34		200.00
s hf	11	88	34		320.00
all	13	88	34		640.00
all	15	88	34		640.00
all	17	88	34		640.00
all	19	88	34		405.84
e hf of ne	21	88	34		80.00
all	23	88	34		640.00
all	25	88	34		640.00
all	27	88	34		640.00
n hf of ne	29	88	34		80.00
n hf	35	88	34		320.00
all	1	89	34		596.00
all	3	89	34		591.92
all	5	89	34		592.54
all	7	89	34		652.90
all	9	89	34		640.00
all	11	89	34		640.00
all	13	89	34		640.00
all	15	89	34		640.00
all	17	89	34		640.00
all	19	89	34		655.30
all	21	89	34		640.00
all	23	89	34		512.00
all	25	89	34		640.00
all	27	89	34		640.00
all	29	89	34		640.00
all	31	89	34		662.24
all	33	89	34		640.00
all	35	89	34		640.00
Total in Calhoun county					101,774.65

## CLAYTON COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
ne of nw	19	91	1		40.00
sw of ne	23	91	4		40.00
se of sw	33	91	4		40.00
nw of ne	17	91	5		40.00
nw of sw	21	91	6		40.00
Total in Clayton county					200.00

## DUBUQUE COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	E.		
nw of ne	21	88	2		40.00
nw of nw	35	88	2		40.00
ne of se	9	89	1		40.00
n hf of nw, ne of sw, n hf of se, sw of se	33	89	1		240.00
nw of ne	3	90	2		40.70
Total in Dubuque county					400.70

## DELAWARE COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
nw of nw	23	90	4		40.00
se of ne	9	90	6		40.00
Total in Delaware county					80.00

## FAYETTE COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
nw of sw	19	91	9		38.04
nw of ne	23	91	10		40.00
Total in Fayette county					78.04

## FRANKLIN COUNTY.

PARTS OF SECTION.	Section.	Town.		Range.	Acres.
		N.	W.		
n fr hf of ne, nw fr qr	1	90	19		208.24
n fr hf of ne, n fr hf of nw	3	90	19		129.04
n fr hf of ne, n fr hf of nw	5	90	19		139.82
w fr hf of sw	7	90	19		72.33
se of ne	7	91	19		40.00
nw of sw	13	91	19		40.00
sw qr	23	91	19		160.00



## FRANKLIN COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Acres.
	N.	W.	
e hf of ne	27	91	80.00
se of nw	35	91	40.00
sw of nw, sw of sw	31	92	79.17
e hf of sw, w hf of se	35	92	160.00
w hf of nw	13	90	80.00
se of nw	35	90	40.00
n hf of se, se of se	21	91	120.00
sw of nw	31	92	43.14
n fr hf of ne, sw of ne, nw fr qr	8	90	256.98
n fr hf n hf of sw, n hf of se	5	90	402.16
ne of nw, w fr hf of nw, w fr hf of sw	5	90	230.18
s hf of nw, s hf	9	90	400.00
n hf of sw	11	90	80.00
nw qr	15	90	160.00
n fr hf of nw, s hf of sw	1	91	150.23
n fr hf	8	91	308.40
n fr hf, n hf of se	5	91	384.04
w fr hf	7	91	329.00
ne of ne, e hf of nw, ne of sw, s hf of sw	11	91	240.00
nw of ne, ne of sw	15	91	80.00
w fr hf of nw, w fr hf sw	19	91	177.10
n hf of ne	21	91	80.00
se of se	29	91	40.00
se of nw, w fr hf of nw	31	91	91.55
ne fr qr of ne, sw of ne, nw fr qr of nw, s hf of nw, s hf	1	90	511.93
n fr hf, se qr, n fr hf of nw, sw of nw	3	90	463.10
n fr hf of ne, n fr hf of nw, sw of nw	5	90	192.88
n hf, n hf of se, sw of se	11	90	440.00
n hf of ne, n hf of nw	13	90	160.00
sw of sw	27	90	40.00
ne of ne	33	90	40.00
all	1	91	626.82
n fr hf of ne, n fr hf of nw	3	91	142.36
ne fr qr, n fr hf of nw	5	91	221.20
w fr hf	7	91	343.54
ne qr, s hf	11	91	480.00
all	13	91	640.00
ne qr, e hf of se	23	91	240.00
w hf of ne, ne of nw, s hf of sw	35	91	200.00
Total in Franklin county			9,642.31

## GRUNDY COUNTY.

PARTS OF SECTION.	Section.		Acres.
	N.	W.	
nw of se	21	88	15
nw of se	27	88	15
se of se	23	89	15
nw of sw	1	88	16
nw of sw	27	88	16
w hf of sw, sw of se	29	89	16
sw of nw	5	87	17
n hf of nw	5	87	17
w hf of se	3	88	17
sw of sw	5	88	17
w hf of nw, w hf of sw	7	88	17
ne of ne, se of nw	9	88	17
w hf of nw, w hf of sw	19	88	17
sw of sw	1	89	17
se qr	11	89	17
nw of ne, sw of se	13	89	17
se of nw	23	89	17
w hf of nw	31	89	17
n fr hf of ne, nw fr qr	1	87	18
n fr hf of nw, n fr hf of ne, sw of nw	3	87	18
sw of sw	11	87	18
nw fr of nw	1	88	18
ne fr of nw, s hf of nw	1	88	18
nw of se, e hf of se	17	88	18
e hf of ne	19	88	18
ne of ne	21	88	18
n fr hf of ne, sw of ne	1	89	18
n fr hf of ne, n fr hf of nw	3	89	18
w hf of nw	7	89	18
ne of se	21	89	18
e hf of nw, e hf of sw, sw of sw	25	89	18
se of sw	29	89	18
Total in Grundy county			2,972.56

## HAMILTON COUNTY.

	Section.		Acres.
	N.	W.	
n fr hf ne, n fr hf of nw	3	86	23
n fr hf of nw	5	86	23
e hf, e hf of nw, n hf of sw	1	87	23
s hf of ne, nw fr qr, s hf	3	87	23
s hf of ne, nw fr of ne, se of nw, n fr hf of nw, sw qr, w hf of se, ne of se	5	87	23
se of nw, w fr hf of nw, w fr hf of sw, e hf of se	7	87	23
n hf, ne of sw, s hf of sw, n hf of se	9	87	23
n hf, ne of sw, se qr	13	87	23
ne qr, ne of nw, s hf of nw, s hf	15	87	23
ne qr, sw of nw, sw qr, w hf of se, ne of se	17	87	23
ne qr, ne of nw, s hf of nw, s hf	19	87	23
nw fr of nw	19	87	23

## HAMILTON COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
all.....	21	87	23	640.00
ne qr, w hf, sw of se.....	23	87	23	320.00
ne qr, ne of nw, s hf of nw, sw qr, n hf of se, se of se.....	25	87	23	560.00
se of ne, w hf of ne, w hf, w hf of se, se of se.....	27	87	23	560.00
nw of sw.....	31	87	23	54.46
all.....	33	87	23	640.00
all.....	35	87	23	640.00
se of sw.....	5	88	23	40.00
ne qr, w fr hf, w hf of se, ne of se.....	7	88	23	662.04
s hf of ne, ne of nw, s hf of nw, ne of sw, s hf of sw, w hf of se, ne of se.....	9	88	23	440.00
ne of ne, w hf of ne, ne of nw, sw of nw, se of sw, n hf of se.....	11	88	23	320.00
all.....	13	88	23	640.00
lots 2, 5, nw of ne, ne of nw, sw of nw, w hf of sw, se of ne, w hf of ne, ne of nw, s hf of nw, n hf of sw, se of sw, n hf of se, sw of se.....	15	88	23	260.24
nw fr qr, w fr hf of sw.....	17	88	23	480.00
n hf, n hf of se.....	19	88	23	303.78
lots 1, 2, 5, nw of sw, s hf of sw.....	21	88	23	400.00
e hf, e hf of nw, sw of nw, n hf of sw, se of sw.....	23	88	23	222.48
se of ne, w hf, w hf of se, ne of se.....	25	88	23	560.00
se of ne, w hf of ne, w hf, nw of se, e hf of se.....	27	88	23	480.00
se of ne, sw of sw, e hf of sw.....	35	88	23	560.00
w fr hf of sw.....	3	89	23	160.00
sw of ne, n hf of se.....	7	89	23	88.43
nw of nw, sw of sw.....	9	89	23	120.00
nw of nw.....	11	89	23	80.00
w hf of se, se of se.....	19	89	23	44.10
ne of ne, s hf of ne, se of nw, w hf of nw, n hf of sw, se of sw, se qr.....	23	89	23	120.00
se of ne, w hf of ne, se of nw, ne of sw, s hf of sw, s hf of se, ne of se.....	27	89	23	520.00
n fr hf, w fr hf of sw, ne of sw, n hf of se, se of se.....	29	89	23	400.00
se of ne, w hf of ne, w hf of nw, nw of sw, se of sw, ne of se, s hf of se.....	31	89	23	581.98
e hf, e hf of nw, nw of nw, n hf of sw, se of sw.....	33	89	23	400.00
se qr, n hf of sw, se of sw.....	35	89	23	560.00
lots 3, 4.....	5	89	24	280.00
n fr hf of nw, n fr hf of ne.....	7	89	24	40.77
all.....	9	89	24	186.26
lots 3, 4.....	5	87	24	659.02
ne of ne.....	7	87	24	64.85
all.....	25	87	24	40.00
ne of sw, s hf of sw.....	27	87	24	408.41
w fr hf of nw, w fr hf of sw, ne of sw, n hf of se, se of se.....	29	87	24	120.00
sw of ne, nw fr qr, e hf of sw, s hf of se.....	31	87	24	321.20
n fr hf of ne, n fr hf of nw.....	1	88	24	368.77
n fr hf of ne, n fr hf of nw.....	3	88	24	176.94
n fr hf of ne, n fr hf of nw, se qr.....	5	88	24	338.64
nw of nw, nw of sw.....	9	88	24	80.00
w hf of se.....	15	88	24	80.00

## HAMILTON COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
ne of se.....	17	88	24	40.00
se of ne, ne of se.....	21	88	24	80.00
all.....	27	88	24	640.00
n fr hf of ne.....	1	89	24	71.77
sw of sw.....	5	89	24	43.21
sw of nw, w hf of sw.....	19	89	24	134.74
n hf of ne.....	27	89	24	80.00
sw of sw.....	31	89	24	46.16
sw of sw.....	35	89	24	40.00
n fr hf, n hf of sw, se of sw, se qr.....	1	86	25	589.16
nw of ne, n hf of nw.....	5	86	25	110.58
e hf.....	11	86	25	320.00
n hf of ne, n hf of nw.....	13	86	25	160.00
ne of ne, se qr.....	9	87	25	200.00
nw of sw.....	11	87	25	40.00
se of ne, nw of ne, nw qr.....	15	87	25	240.00
ne of sw.....	21	87	25	40.00
s hf of sw.....	23	87	25	80.00
w hf of nw, w hf of sw, se of sw.....	25	87	25	200.00
all.....	27	87	25	640.00
nw of nw, se qr.....	31	87	25	109.51
ne qr, e hf of nw.....	33	87	25	240.00
se of se.....	3	88	25	40.00
sw of ne, sw of nw, nw of sw.....	35	88	25	120.00
n fr hf of ne, w hf.....	1	86	26	387.30
se of ne, ne of se.....	11	86	26	80.00
ne of se.....	7	88	26	40.00
ne of sw.....	17	88	26	40.00
sw of nw.....	29	88	26	40.00
sw of se.....	7	89	26	40.00
w fr hf of nw.....	31	89	26	88.40
Total in Hamilton county.....				25,967.06

## HARDIN COUNTY.

	Section.		Range.	Acres.
	N.	W.		
ne qr.....	7	89	19	160.00
nw of sw.....	17	89	19	40.00
sw of sw.....	19	89	19	45.07
w hf of se.....	23	87	20	80.00
s hf of ne.....	29	88	20	80.00
se of se.....	5	89	20	40.00
sw of nw.....	3	89	20	40.00
w hf of nw, w hf of sw.....	7	87	21	86.86
w hf of nw, w hf of sw.....	19	87	21	92.00
w hf of sw.....	31	87	21	46.36
w hf of sw.....	11	88	21	80.00
nw fr of ne, nw fr qr.....	1	86	22	200.26
n fr hf.....	3	86	22	315.64
n fr hf.....	5	86	22	314.68



## HARDIN COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.
n fr hf of ne, n fr hf of nw	7	5	25	194.50
w fr hf of nw, w fr hf of sw	7	5	25	127.18
e hf of ne, w hf of se	15	87	22	160.00
all	17	87	22	640.00
all	19	87	22	615.82
all	21	87	22	640.00
n hf, sw qr, w hf of se	23	87	22	560.00
s hf of sw	25	87	22	80.00
all	27	87	22	640.00
all	29	87	22	640.00
all	31	87	22	623.68
all	33	87	22	640.00
ne qr, s hf of sw	35	87	22	240.00
w hf of nw, w hf of sw	7	88	22	141.12
e hf of sw	19	88	22	80.00
w hf of nw, w hf of sw	20	88	22	145.68
se of sw	31	88	22	40.00
w hf of nw, w hf of sw, s hf of se	1	89	22	216.00
sw of sw	11	89	22	40.00
se of ne	15	89	22	200.00
sw qr, sw of se	17	89	22	40.00
ne of sw	19	89	22	186.36
w hf of nw, w hf of sw	21	89	22	80.00
e hf of ne	29	89	22	320.00
ne qr, ne of nw, nw of se, e hf of se	31	89	22	180.38
w fr hf of nw, w fr hf of sw				
Total in Hardin county				9,131.59

## HUMBOLDT COUNTY.

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.
sw qr	13	91	27	160.00
se qr, n hf of sw	15	91	27	240.00
s hf	17	91	27	320.00
e hf of ne, w fr hf	19	91	27	436.22
e hf, e hf of nw, e hf of sw	21	91	27	480.00
e hf, e hf of nw, sw of nw, w hf of sw	27	91	27	520.00
w hf of ne, s hf of nw, sw qr, sw of se, e hf of se	29	91	27	440.00
e hf, e hf of nw, sw fr qr	31	91	27	575.00
ne of ne, se of nw, nw of sw, s hf of sw, w hf of se				
se of se	33	91	27	320.00
w hf of ne, w hf of se, w fr hf	31	91	29	488.24
s hf of ne, w fr hf of nw, se of nw, sw fr qr, w hf of se, ne of se	7	91	30	560.32
s hf, e hf of nw, sw of nw, se of ne, w hf of ne	17	91	30	560.00
all	19	91	30	663.00
all	21	91	30	640.00
all	23	91	30	480.00
s hf of ne, s hf of nw, s hf	25	91	30	640.00
all	27	91	30	640.00

## HUMBOLDT COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.
n hf, ne of sw, s hf of sw, se qr	29	91	30	600.00
all	31	91	30	664.56
s hf of ne, nw of ne, w hf, se qr	33	91	30	600.00
all	35	91	30	640.00
Total in Humboldt county				10,607.34

## LINN COUNTY.

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.
n hf of se	9	86	7	80.00
sw of sw, sw of se, ne of se	11	86	7	120.00
Total in Linn county				200.00

## POCAHONTAS COUNTY.

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.
n fr hf, se qr	1	90	31	474.56
all	3	90	31	632.00
all	5	90	31	629.47
all	7	90	31	655.00
all	9	90	31	640.00
all	11	90	31	640.00
all	13	90	31	640.00
all	15	90	31	640.00
all	17	90	31	665.48
all	19	90	31	640.00
w hf, se qr	23	90	31	480.00
ne qr, nw of nw, s hf	25	90	31	320.00
all	27	90	31	640.00
all	29	90	31	640.00
all	31	90	31	673.00
all	33	90	31	640.00
s hf of sw	35	90	31	640.00
all	1	91	31	80.00
all	3	91	31	645.74
all	5	91	31	649.22
all	7	91	31	625.38
all	9	91	31	640.00
all	11	91	31	640.00
all	13	91	31	640.00
all	15	91	31	640.00
all	17	91	31	640.00
all	19	91	31	632.61
all	21	91	31	640.00
all	23	91	31	640.00
all	25	91	31	640.00
all	27	91	31	479.50
all	29	91	31	640.00

## POCAHONTAS COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	TOWN.		Range.	Acres.
		N.	W.		
all	31	91	31		637.64
all	33	91	31		640.00
all	35	91	31		640.00
all	19	92	31		631.04
nw qr	27	92	31		160.00
all	29	92	31		640.00
all	31	92	31		639.20
all	33	92	31		640.00
all	1	90	32		611.80
all	3	90	32		608.60
all	5	90	32		602.86
all	7	90	32		660.80
all	9	90	32		640.00
all	11	90	32		640.00
all	13	90	32		640.00
all	15	90	32		640.00
all	17	90	32		640.00
all	19	90	32		664.05
all	21	90	32		640.00
all	23	90	32		640.00
all	25	90	32		640.00
all	27	90	32		640.00
all	29	90	32		640.00
all	31	90	32		668.28
all	33	90	32		640.00
all	35	90	32		640.00
all	1	91	32		669.04
all	3	91	32		661.84
all	5	91	32		656.24
all	7	91	32		652.64
all	9	91	32		640.00
all	11	91	32		640.00
all	13	91	32		640.00
all	15	91	32		640.00
all	17	91	32		640.00
all	19	91	32		654.48
all	21	91	32		640.00
all	23	91	32		640.00
all	25	91	32		640.00
all	27	91	32		640.00
all	29	91	32		640.00
all	31	91	32		658.40
all	33	91	32		640.00
all	35	91	32		640.00
all	15	92	32		640.00
all	17	92	32		640.00
all	19	92	32		658.40
all	21	92	32		640.00
all	23	92	32		640.00
all	25	92	32		640.00
all	27	92	32		640.00
all	29	92	32		640.00

## POCAHONTAS COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	TOWN.		Range.	Acres.
		N.	W.		
all	31	92	32		649.02
all	33	92	32		640.00
all	35	92	32		640.00
all	1	90	33		605.64
all	3	90	33		604.88
all	5	90	33		614.74
all	7	90	33		670.52
all	9	90	33		640.00
all	11	90	33		640.00
all	13	90	33		640.00
all	15	90	33		640.00
all	17	90	33		640.00
all	19	90	33		671.34
all	21	90	33		640.00
all	23	90	33		640.00
all	25	90	33		640.00
all	27	90	33		640.00
all	29	90	33		640.00
all	31	90	33		671.00
all	33	90	33		640.00
all	35	90	33		640.00
all	1	91	33		667.58
all	3	91	33		666.82
all	5	91	33		666.54
all	7	91	33		637.98
all	9	91	33		640.00
all	11	91	33		640.00
all	13	91	33		640.00
all	15	91	33		640.00
all	17	91	33		640.00
all	19	91	33		640.48
all	21	91	33		640.00
all	23	91	33		640.00
all	25	91	33		640.00
all	27	91	33		640.00
all	29	91	33		640.00
all	31	91	33		660.42
all	33	91	33		640.00
all	35	91	33		640.00
all	5	92	33		666.68
all	7	92	33		649.82
all	9	92	33		640.00
all	11	92	33		640.00
all	13	92	33		640.00
all	15	92	33		640.00
all	17	92	33		640.00
all	19	92	33		653.82
all	21	92	33		640.00
all	23	92	33		640.00
all	25	92	33		640.00
all	27	92	33		640.00
all	29	92	33		640.00



## POCAHONTAS COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Town.	Range.	Acres.
	N.	W.			
all.....	31	92	33		651.36
all.....	33	92	33		640.00
all.....	35	92	33		640.00
all.....	1	90	34		604.44
all.....	3	90	34		613.74
all.....	5	90	34		625.52
sw of ne, w hf, s e qr.....	7	90	34		544.24
all.....	9	90	34		640.00
all.....	11	90	34		640.00
all.....	13	90	34		640.00
all.....	15	90	34		640.00
all.....	17	90	34		640.00
all.....	19	90	34		663.20
all.....	21	90	34		640.00
all.....	23	90	34		640.00
all.....	25	90	34		640.00
all.....	27	90	34		640.00
all.....	29	90	34		640.00
all.....	31	90	34		653.98
all.....	33	90	34		640.00
all.....	35	90	34		640.00
all.....	1	91	34		666.52
all.....	3	91	34		655.04
all.....	5	91	34		645.59
all.....	7	91	34		649.80
all.....	9	91	34		640.00
all.....	11	91	34		640.00
all.....	13	91	34		640.00
all.....	15	91	34		640.00
all.....	17	91	34		640.00
all.....	19	91	34		661.16
*w hf of sw.....	20	91	34		80.00
all.....	21	91	34		640.00
all.....	23	91	34		640.00
all.....	25	91	34		640.00
all.....	27	91	34		640.00
all.....	29	91	34		640.00
all.....	31	91	34		664.68
all.....	33	91	34		640.00
all.....	35	91	34		640.00
all.....	1	92	34		684.56
all.....	3	92	34		668.88
all.....	5	92	34		665.02
all.....	7	92	34		613.60
all.....	9	92	34		640.00
all.....	11	92	34		640.00
all.....	13	92	34		640.00
all.....	15	92	34		640.00
all.....	17	92	34		640.00
all.....	19	92	34		616.44

\*Given in lieu of an odd section.

## POCAHONTAS COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Town.	Range.	Acres.
	N.	W.			
all.....	21	92	34		640.00
all.....	23	92	34		640.00
all.....	25	92	34		640.00
all.....	27	92	34		640.00
all.....	29	92	34		640.00
all.....	31	92	34		616.60
all.....	33	92	34		640.00
all.....	35	92	34		640.00
s hf.....	29	93	34		320.00
all.....	31	93	34		616.60
all.....	33	93	34		640.00
all.....	35	93	34		640.00
Total in Pocahontas county.....					124,484.62

## SAC COUNTY.

all.....	1	88	35		735.68
n hf of ne, n hf of nw.....	3	88	35		257.68
n fr hf of ne, nw fr qr.....	5	88	35		340.22
sw of sw.....	9	88	35		40.00
ne qr, ne of se, s hf of se.....	11	88	35		280.00
all.....	13	88	35		640.00
ne of se, s hf of se.....	21	88	35		120.00
w hf of nw, s hf.....	23	88	35		400.00
n hf.....	25	88	35		320.00
all.....	1	89	35		595.44
all.....	3	89	35		603.52
all.....	5	89	35		614.14
all.....	7	89	35		652.38
all.....	9	89	35		425.39
all.....	11	89	35		640.00
all.....	13	89	35		640.00
all.....	15	89	35		640.00
all.....	17	89	35		610.80
all.....	19	89	35		658.72
all.....	21	89	35		640.00
all.....	23	89	35		640.00
all.....	25	89	35		640.00
all.....	27	89	35		640.00
ne qr, s hf.....	29	89	35		480.00
sw fr qr.....	31	89	35		171.80
all.....	33	89	35		640.00
all.....	35	89	35		640.00
ne fr qr, e fr hf of nw, sw of nw, s hf.....	1	88	36		677.66
e hf of nw.....	15	88	36		80.00
all.....	1	89	36		615.56
all.....	13	89	36		640.00
n hf, sw qr.....	25	89	36		480.00
Total in Sac county.....					16,198.48

## TAMA COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
nw fr of nw, e hf of se.....	1	86	13	117.51
ne fr of ne.....	5	86	13	34.32
Total in Tama county.....				151.83

## WEBSTER COUNTY.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
n fr hf of nw.....	1	89	27	64.36
n fr hf of ne, n fr hf of nw.....	2	89	27	120.76
n fr hf of ne, n fr hf of nw.....	3	89	27	116.96
e hf of sw.....	9	89	27	80.00
w hf of sw.....	11	89	27	80.00
se of ne.....	13	89	27	40.00
nw of ne.....	15	89	27	40.00
all.....	17	89	27	640.00
ne qr, nw of se.....	21	89	27	200.00
ne of nw.....	35	89	27	40.00
n fr hf of nw.....	3	90	27	72.56
all.....	5	90	27	625.18
all.....	7	90	27	690.04
ne of ne, w hf of ne, w hf, w hf of se.....	9	90	27	520.00
w hf of nw, nw of sw.....	11	90	27	120.00
all.....	15	90	27	640.00
n hf, n hf of sw, se of sw, w hf of se, ne of se.....	17	90	27	560.00
s hf of ne, se of nw, w fr hf of nw, nw fr of sw, e hf of se.....	19	90	27	340.44
ne qr, e hf of nw, sw of nw, s hf.....	21	90	27	600.00
ne of nw.....	25	90	27	40.00
ne of ne, se of nw, w hf of nw.....	27	90	27	160.00
n hf of nw, se of nw, ne of sw, s hf of sw.....	29	90	27	240.00
ne of ne, se of nw, w fr hf of nw, sw fr qr.....	31	90	27	348.26
n hf.....	33	90	27	320.00
sw qr, s hf of se.....	35	90	27	240.00
se fr of nw, sw of nw.....	5	86	28	76.43
se of nw, w fr hf of nw, n fr hf of sw.....	7	86	28	192.59
se of nw, nw of sw.....	9	86	28	80.00
n hf of ne.....	17	86	28	80.00
sw fr of sw.....	19	87	28	36.91
s hf of ne, nw fr of nw.....	31	87	28	117.63
se of nw, sw of se.....	33	87	28	80.00
e fr hf ne.....	1	90	28	76.99
ne of sw, se qr.....	13	90	28	200.00
ne of se.....	25	90	28	40.00
ne fr of ne, s hf of ne, s hf of nw, sw qr, w hf of se, ne of se.....	1	86	29	474.81
se of ne, n fr hf of ne, n fr hf of nw, sw of nw, nw of sw, se of sw, s hf of se.....	3	86	29	381.38
nw fr of ne, s hf of ne, s hf of nw, n hf of sw, sw of sw, nw of se.....	5	86	29	356.31
n fr hf of nw.....	7	86	29	75.70

## WEBSTER COUNTY—CONTINUED.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
se of ne, w hf of ne, nw of nw, n hf of se.....	9	86	29	240.00
all.....	11	86	29	640.00
nw fr of ne, n fr hf of nw, sw of nw.....	3	87	29	172.54
s hf of ne, nw fr of ne, nw fr qr, n hf of sw, se of sw, se qr.....	5	87	29	375.59
all.....	7	87	29	612.32
nw of nw, se of nw, ne of sw, s hf of sw, nw of se.....	9	87	29	240.00
sw of nw.....	13	87	29	40.00
n hf of sw.....	15	87	29	80.00
n hf, nw of sw, se qr.....	17	87	29	520.00
all.....	19	87	29	609.36
sw qr.....	21	87	29	160.00
e hf of nw, sw of nw.....	23	87	29	120.00
e hf of nw, sw of nw.....	27	87	29	120.00
se of ne, w hf of ne, nw qr, w hf of sw, se qr.....	29	87	29	320.00
ne qr, w hf, w hf of se, ne of se.....	31	87	29	585.60
ne qr, e hf of nw, s hf.....	33	87	29	560.00
se of ne, w hf of ne, e hf of nw, nw of nw, s hf.....	35	87	29	560.00
w fr hf of nw, w fr hf of sw.....	19	88	29	130.48
se qr.....	29	88	29	160.00
sw of ne, w fr hf.....	31	88	29	338.80
nw of sw.....	33	88	29	40.00
se of ne, w hf of ne, nw fr qr, n fr hf of sw, n hf of se.....	19	89	29	453.50
w fr hf of nw, w fr hf of sw.....	7	90	29	122.84
ne fr of ne, s hf of ne, s hf of nw, nw fr of nw, s hf.....	31	90	29	164.24
n hf, n hf of se.....	3	86	30	398.36
ne qr, e hf of nw.....	5	86	30	242.16
n hf of ne, n hf of nw.....	11	86	30	160.00
s hf of ne, nw fr of ne, nw fr qr, n hf of sw, se of sw, nw of se, s hf of se.....	1	87	30	526.30
s hf of ne, nw fr of ne, n fr hf of nw, nw of sw, s hf of sw, se qr.....	3	87	30	484.14
ne fr qr, ne fr of nw, s hf of nw, sw qr, w hf of se, ne of se.....	5	87	30	569.09
n hf, w fr hf of sw, ne of sw, se qr.....	7	87	30	579.98
n hf of ne, ne of nw, s hf of nw, sw qr, s hf of se.....	9	87	30	440.00
s hf of ne, nw qr, n hf of se, sw of se, n hf of sw, se of sw.....	11	87	30	480.00
all.....	13	87	30	640.00
all.....	15	87	30	640.00
all.....	17	87	30	640.00
e hf, e hf of nw, sw qr.....	19	87	30	552.49
ne qr, e hf of nw, nw of nw, sw qr, nw of se, e hf of se.....	21	87	30	560.00
ne of ne, w hf of ne, se of nw, w hf of nw, nw of sw, e hf of sw, se qr.....	23	87	30	520.00
se of ne, w hf of ne, nw qr, se of sw, se qr.....	25	87	30	480.00
ne qr, se of nw, s hf.....	27	87	30	520.00
se of ne, w hf of ne, nw qr, n hf of sw, se qr.....	29	87	30	520.00
s hf of ne, e hf of nw, sw of nw, n hf of sw, n hf of se, sw of se.....	31	87	30	398.40
n hf, n hf of sw, sw of sw, nw of se, se of se.....	33	87	30	520.00



## WEBSTER COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
se of ne, w hf of ne, nw qr, n hf of sw, sw of sw,	35	87	30	520.00
n hf of se, se of se	7	88	30	266.15
w hf of sw, se of sw, se qr	11	88	30	40.00
nw of sw	15	88	30	160.00
sw qr	17	88	30	240.00
e hf of sw, se qr	19	88	30	582.52
se of ne, w hf of ne, w hf, se qr	21	88	30	360.00
e hf, nw of sw	23	88	30	40.00
ne of ne	25	88	30	240.00
w hf of ne, nw qr	27	88	30	200.00
ne qr, nw of se	29	88	30	120.00
e hf of se, sw of se	31	88	30	510.21
n hf, ne of sw, se qr	33	88	30	600.00
w hf, se qr, se of ne, w hf of ne	35	88	30	320.00
s hf of ne, s hf of nw, n hf of sw, e hf of se	1	89	30	160.00
w hf	3	89	30	292.75
n hf, sw qr, w hf of se, se of se	5	89	30	533.20
all	7	89	30	683.20
n hf of ne, nw qr, n hf of sw, sw of sw, se qr	9	89	30	520.00
e hf of nw, sw of nw, s hf	11	89	30	440.00
w hf of nw, n hf of sw, n hf of se, se of se	13	89	30	280.00
se of ne, w hf of ne, n hf of nw, n hf of sw, se of sw	15	89	30	320.00
n hf, n hf of sw, sw of sw, n hf of se, se of se	17	89	30	560.00
se of ne, w hf of ne, w hf, se qr	19	89	30	631.08
all	21	89	30	640.00
ne of ne, s hf of ne, nw qr, n hf of sw	23	89	30	360.00
w hf	25	89	30	330.00
e hf, e hf of nw, nw of nw, e hf of sw, sw of sw	27	89	30	320.00
s hf of ne, nw of ne, nw qr, n hf of sw, se of sw, se qr	29	89	30	560.00
ne qr, se of nw, w fr hf of nw, e hf of sw, w hf of se	31	89	30	451.25
se of ne, w hf of ne, e hf of nw, sw of nw, s hf	33	89	30	580.00
e hf of ne, sw of ne, se of nw, w hf of nw, w hf of sw, ne of sw, n hf of se, se of se	35	89	30	480.00
all	1	90	30	633.04
n fr hf of ne, s hf of nw, n hf of sw, se of sw, se qr	3	90	30	435.55
n hf, sw qr, ne of se	5	90	30	509.52
e hf of ne, sw of ne, w hf, w hf of se, se of se	7	90	30	599.72
s hf of nw, w hf of sw, ne of sw	9	90	30	200.00
w hf of ne, e hf of nw, sw of nw, e hf of sw, se qr	11	90	30	440.00
n hf, n hf of sw, sw of sw, n hf of se	13	90	30	520.00
sw of ne, nw qr, n hf of sw, se of sw, n hf of se, se of se	15	90	30	440.00
all	17	90	30	640.00
se qr	19	90	30	160.00
e hf of ne, se qr	21	90	30	240.00
all	23	90	30	640.00
w hf	25	90	30	320.00
w hf, se qr	27	90	30	480.00
n hf, se of sw, se qr	29	90	30	520.00
s hf	31	90	30	333.40
all	33	90	30	640.00
Total in Webster county				47,584.10

## WRIGHT COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
s hf of se	3	90	23	80.00
n fr hf of ne, n fr hf of nw, sw of nw, w hf of sw, e hf of se	5	90	23	366.36
w hf	7	90	23	328.72
w hf of nw	9	90	23	80.00
w hf of nw, w hf of sw	11	90	23	160.00
nw of se	13	90	23	40.00
w hf of nw, w hf of sw	15	90	23	174.28
nw qr	17	90	23	160.00
nw of ne, w hf, se qr	19	90	23	533.58
ne of nw	21	90	23	40.00
sw qr, w hf of se	23	91	23	256.66
se of ne, ne of se	25	91	23	80.00
all	27	91	23	632.36
n hf of ne, ne of nw	29	91	23	120.00
s hf of sw, s hf of se, nw of se	31	91	23	200.00
all	33	91	23	640.00
all	35	91	23	639.72
all	37	91	23	640.00
w hf	39	91	23	320.00
all	41	90	24	651.56
all	43	90	24	594.55
all	45	90	24	655.88
all	47	90	24	654.28
all	49	90	24	640.00
all fr	51	90	24	119.23
all	53	90	24	640.00
all fr	55	90	24	596.30
all	57	90	24	640.00
all	59	90	24	644.00
all	61	90	24	640.00
all	63	90	24	640.00
all	65	90	24	640.00
all	67	90	24	640.00
all	69	90	24	640.88
all	71	90	24	640.00
s hf	73	91	24	320.00
s hf	75	91	24	320.00
all	77	91	24	632.24
all	79	91	24	640.00
all	81	91	24	640.00
all	83	91	24	640.00
all	85	91	24	640.00
all	87	91	24	640.00
all	89	91	24	640.00
all	91	91	24	640.00
all	93	91	24	640.00
all	95	91	24	640.00
all	97	91	24	640.00
all	99	91	24	640.00
all	101	91	24	640.00
all	103	91	24	640.00
all	105	91	24	640.00
all	107	91	24	640.00
all	109	91	24	640.00
all	111	91	24	640.00
all	113	91	24	640.00
all	115	91	24	640.00
all	117	91	24	640.00
all	119	91	24	640.00
all	121	91	24	640.00
all	123	91	24	640.00
all	125	91	24	640.00
all	127	91	24	640.00
all	129	91	24	640.00
all	131	91	24	640.00
all	133	91	24	640.00
all	135	91	24	640.00
all	137	91	24	640.00
all	139	91	24	640.00
all	141	91	24	640.00
all	143	91	24	640.00
all	145	91	24	640.00
all	147	91	24	640.00
all	149	91	24	640.00
all	151	91	24	640.00
all	153	91	24	640.00
all	155	91	24	640.00
all	157	91	24	640.00
all	159	91	24	640.00
all	161	91	24	640.00
all	163	91	24	640.00
all	165	91	24	640.00
all	167	91	24	640.00
all	169	91	24	640.00
all	171	91	24	640.00
all	173	91	24	640.00
all	175	91	24	640.00
all	177	91	24	640.00
all	179	91	24	640.00
all	181	91	24	640.00
all	183	91	24	640.00
all	185	91	24	640.00
all	187	91	24	640.00
all	189	91	24	640.00
all	191	91	24	640.00
all	193	91	24	640.00
all	195	91	24	640.00
all	197	91	24	640.00
all	199	91	24	640.00
all	201	91	24	640.00
all	203	91	24	640.00
all	205	91	24	640.00
all	207	91	24	640.00
all	209	91	24	640.00
all	211	91	24	640.00
all	213	91	24	640.00
all	215	91	24	640.00
all	217	91	24	640.00
all	219	91	24	640.00
all	221	91	24	640.00
all	223	91	24	640.00
all	225	91	24	640.00
all	227	91	24	640.00
all	229	91	24	640.00
all	231	91	24	640.00
all	233	91	24	640.00
all	235	91	24	640.00
all	237	91	24	640.00
all	239	91	24	640.00
all	241	91	24	640.00
all	243	91	24	640.00
all	245	91	24	640.00
all	247	91	24	640.00
all	249	91	24	640.00
all	251	91	24	640.00
all	253	91	24	640.00
all	255	91	24	640.00
all	257	91	24	640.00
all	259	91	24	640.00
all	261	91	24	640.00
all	263	91	24	640.00
all	265	91	24	640.00
all	267	91	24	640.00
all	269	91	24	640.00
all	271	91	24	640.00
all	273	91	24	640.00
all	275	91	24	640.00
all	277	91	24	640.00
all	279	91	24	640.00
all	281	91	24	640.00
all	283	91	24	640.00
all	285	91	24	640.00
all	287	91	24	640.00
all	289	91	24	640.00
all	291	91	24	640.00
all	293	91	24	640.00
all	295	91	24	640.00
all	297	91	24	640.00
all	299	91	24	640.00
all	301	91	24	640.00
all	303	91	24	640.00
all	305	91	24	640.00
all	307	91	24	640.00
all	309	91	24	640.00
all	311	91	24	640.00
all	313	91	24	640.00
all	315	91	24	640.00
all	317	91	24	640.00
all	319	91	24	640.00
all	321	91	24	640.00
all	323	91	24	640.00
all	325	91	24	640.00
all	327	91	24	640.00
all	329	91	24	640.00
all	331	91	24	640.00
all	333	91	24	640.00

## WRIGHT COUNTY—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
	N.	W.		
all.....	31	91	24	635.58
all.....	33	91	24	640.00
all.....	35	91	24	640.00
n fr hf of ne.....	1	90	25	86.44
n fr hf of ne, n fr hf of nw.....	5	90	25	164.56
se qr.....	21	90	25	160.00
nw qr.....	27	90	25	160.00
s hf.....	9	91	25	320.00
all.....	11	91	25	640.00
all.....	13	91	25	640.00
n hf, se qr.....	15	91	25	480.00
all.....	17	91	25	640.00
w fr hf of nw, w fr hf of sw, se qr.....	19	91	25	320.18
all.....	23	91	25	640.00
se of sw.....	27	91	25	40.00
nw of sw.....	29	91	25	40.00
w fr hf of nw, w fr hf of sw.....	31	91	25	178.12
sw qr.....	35	91	25	160.00
n hf of ne, n hf of nw.....	1	90	26	167.54
nw qr.....	7	90	26	84.92
w hf of sw.....	19	90	26	82.28
sw of nw.....	31	90	26	44.25
se of sw, sw of se.....	21	91	26	80.00
w hf.....	23	91	26	320.00
se of sw.....	25	91	26	40.00
Total in Wright county.....				32,176.15
Aggregate number of acres.....				435,436.65

## LIST OF LANDS CERTIFIED TO DUBUQUE &amp; SIOUX CITY RAILROAD COMPANY.

A complete list of all the lands certified by the State of Iowa to the Dubuque & Sioux City Railroad Company, with date of certification of each tract, and name of county in which the same is situated.

## BUTLER COUNTY.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	DATE OF CERTIFICATION.
	N.	W.			
sw of ne.....	9	92	17	40.00	July 5, 1877.
s hf of sw.....	5	91	18	80.00	July 5, 1877.
Total.....				120.00	

## CLAYTON COUNTY.

se of sw.....	33	91	4	40.00	July 5, 1877.
nw of sw.....	21	91	6	40.00	July 5, 1877.
Total.....				120.00	

## DUBUQUE COUNTY.

nw of nw.....	35	82	2	40.00	July 5, 1877.
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## FRANKLIN COUNTY.

nw fr qr.....	3	90	21	148.79	July 5, 1877.
ne of se, se of nw.....	9	90	21	80.00	July 5, 1877.
nw of sw.....	11	90	21	40.00	July 5, 1877.
nw fr qr.....	5	91	21	151.50	December 1, 1854.
sw fr qr.....	7	91	21	164.55	March 19, 1854.
ne of ne.....	11	91	21	40.00	August 18, 1885.
w hf of ne, ne of nw.....	35	91	22	120.00	July 5, 1877.
Total.....				744.84	



## HAMILTON COUNTY.

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.	DATE OF CERTIFICATION.
nw of sw .....	35	88	25	40.00	July 5, 1877.

## HARDIN COUNTY.

	N. Town.	W. Range.	Acres.	DATE OF CERTIFICATION.
ne qr, ne of nw, e hf of se..	29	89	22	280.00 July 5, 1877.
w hf of se .....	15	87	22	80.00 July 5, 1877.
Total .....			360.00	

## POCAHONTAS COUNTY.

	N. Town.	W. Range.	Acres.	DATE OF CERTIFICATION.
ne qr, nw of nw .....	25	90	31	200.00 January 2, 1883.
Aggregate number of acres certified .....			1,624.84	

## LIST OF LANDS, FORMERLY SUPPOSED TO BELONG TO THE DUBUQUE &amp; SIOUX CITY RAILROAD, BUT SUBSEQUENTLY DISPOSED OF UNDER THE RAILROAD GRANT ACT JULY 12, 1862.

*A list of lands in the five-mile limits of the Des Moines river, which were, on December 27, 1858, with other lands, approved to the State, under act of Congress of May 15, 1856, to aid in the construction of a railroad from Dubuque to Sioux City, but which, on account of the decision of the United States Supreme Court in the Walcott case, were, on January 29, 1874, approved by the Secretary of the Interior, under act of Congress of July 12, 1862; being the act extending the Des Moines river grant from the Raceoon forks to the northern boundary of the State.*

PARTS OF SECTION.	Section.	N. Town.	W. Range.	Acres.	IN WHAT COUNTY SITUATED.
s hf of nw, sw .....	5	91	29	240.00	Humboldt.
e hf, e hf of nw, nw of nw, sw qr.	7	91	29	619.97	Humboldt.
w hf .....	17	91	29	320.00	Humboldt.
all .....	19	91	29	578.24	Humboldt.
w hf of nw, w hf of sw .....	29	91	29	160.00	Humboldt.
all .....	1	91	30	673.64	Humboldt.
all .....	3	91	30	665.32	Humboldt.
all .....	5	91	30	665.38	Humboldt.
n hf of ne, ne of nw .....	7	91	30	120.00	Humboldt.
all .....	9	91	30	640.00	Humboldt.
all .....	11	91	30	640.00	Humboldt.
n hf, sw qr, nw of se .....	13	91	30	520.00	Humboldt.
all .....	15	91	30	640.00	Humboldt.
ne of ne .....	17	91	30	40.00	Humboldt.
n hf of ne, n hf of nw .....	23	91	30	160.00	Humboldt.
all .....	31	92	30	656.68	Humboldt.
all .....	33	92	30	640.00	Humboldt.
e hf, nw qr, n hf of sw .....	1	91	31	576.19	Pocahontas.
all .....	25	92	31	640.00	Pocahontas.
ne qr, s hf .....	27	92	31	480.00	Pocahontas.
all .....	35	92	31	640.00	Pocahontas.
Total .....				10,915.42	

# LIST OF IOWA FALLS & SIOUX CITY RAILROAD LANDS PATENTED TO SETTLERS.

*A list of the Iowa Falls & Sioux City Railroad lands patented by the State to settlers, under Chapter 124, acts Twelfth General Assembly, with name of settler and date of patent.*

PARTS OF SECTION.	Section. Town. Range.	Acres.	NAME OF SETTLER AND PATENTEE.	DATE OF PATENT.
sw qr.....	29 91 40	160.00	Robert Perry.....	May 4, 1871.
nw qr.....	21 93 39	160.00	Eli Johnson.....	May 4, 1871.
sw qr.....	3 90 46	277.00	William Krudwig.....	July 18, 1871.
lots 1, 2, and nw of sw.....	35 90 48	128.15	Joseph La Berge.....	July 21, 1871.
w hf of sw, se of sw.....	19 91 48	123.49	Sampson P. Hughes.....	Aug. 4, 1871.
sw qr.....	33 91 46	160.00	Daniel Schneider.....	Aug. 10, 1871.
ne qr.....	17 92 45	160.00	John H. Betsworth.....	Aug. 12, 1871.
sw qr.....	29 90 41	160.00	John L. Guillems.....	Aug. 21, 1871.
sw of sw.....	35 90 48	40.00	Odillon Lamoureux.....	Aug. 21, 1871.
s hf of nw, nw of nw, sw of ne.....	33 91 46	160.00	Philip Schneider.....	Aug. 30, 1871.
e hf of ne, nw of ne, ne of nw.....	33 91 46	160.00	Peter Shindel.....	Aug. 30, 1871.
n hf of ne, n hf of nw.....	33 94 38	160.00	Christian Kirchner.....	Sept. 1, 1871.
n hf of sw.....	21 91 40	80.00	William Huntley.....	Sept. 23, 1871.
nw of sw, nw of se, se of nw.....	21 90 41	120.00	Henry Gipe.....	Sept. 26, 1871.
n hf of ne, ne of nw.....	3 90 48	142.11	Ezra Carpenter.....	Oct. 2, 1871.
s hf of se, s hf of sw.....	29 94 38	160.00	John W. Brockschink.....	Oct. 3, 1871.
ne of sw.....	21 90 41	40.00	Henry Gipe.....	Oct. 5, 1871.
s hf of sw.....	1 93 38	80.00	Lemuel Dalley.....	Oct. 5, 1871.
s hf of sw, nw of sw, sw of se.....	33 94 38	160.00	John A. Kirchner.....	Nov. 1, 1871.
s hf of nw, ne of sw, nw of se.....	33 94 38	160.00	J. J. Bicknell.....	Nov. 1, 1871.
se qr.....	5 80 47	160.00	Jefferson Cleveland.....	Jan. 9, 1871.
e hf of ne, nw of ne, ne of nw.....	21 90 41	160.00	Martin Guillems.....	Mar. 16, 1872.
e hf of ne.....	21 90 41	80.00	John H. Gipe.....	July 1, 1872.
n hf of ne, se of ne, ne of se.....	1 93 37	184.26	Wm. H. Trusty.....	Mar. 14, 1874.
w hf of sw, se of sw.....	3 90 48	120.00	B. B. Sutton.....	Jan. 18, 1877.
Total number of acres		3,378.01		

The settlers paid over for the use and benefit of the Iowa Falls & Sioux City Railroad Company the price of these lands at \$2.50 per acre.

The following notice was received through the Government Land Office in Des Moines with certificate of the Register of said office affixed to same, of date December 11, 1888, certifying it to be a true copy of the original on file in his office:

[COPY.]

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
WASHINGTON, D. C., March 17, 1888.

Register and Receiver, Des Moines, Iowa:

GENTLEMEN—I inclose herewith two lists of lands marked "A" and "B," which were erroneously certified to the State of Iowa under the Act of Congress, approved May 15, 1856, to aid in the construction of a railroad from the City of Dubuque "to a point on the Missouri River near Sioux City." \* \* \* \*

List "A" embraces lands which were covered by pre-emption declaratory statements at the date the right under the railroad grant attached, October 13, 1856, in the six-mile limits.

List "B" contains lands in the six-mile limits which were covered by entries of record and uncanceled at the date the railroad right attached, and one tract in the fifteen-mile limits, which was disposed of prior to the certification.

I am directed by the Secretary of the Interior to call upon the owner of the lands granted as aforesaid to show cause, within thirty days from receipt of notice, why proceedings should not be instituted by the United States to recover title to said lands, under the provisions of the Act of March 3, 1887. (34 Stat., 556.)

You will cause suitable notice hereof to be served upon the owner aforesaid, accompanied by the two lists inclosed, and transmit to this office evidence of such service. You will also report promptly at the expiration of the thirty days any action taken in the premises, or the failure to respond.

The dates and characters of the claims to the lands are fully given in the lists.

Very respectfully,

S. M. STOCKSLAGER,  
Acting Commissioner.



## LIST "A."

## DUBUQUE &amp; PACIFIC RAILROAD COMPANY.

Definite location October 13, 1856. Act of May 15, 1856.

PARTS OF SECTION.	Section.	Town.	Range.	Settlement.	Filing.	No. of D. S.		NAME.
						N.	W.	
Six mile limit.								
w hf of sw	1	89	30 May	21, 1856 May	23, 1856			112 John E. Smith.
sw qr	2	89	30 September	9, 1856 September	9, 1856			531 John Buck.
nw qr	3	89	30 May	9, 1856 May	23, 1856			145 Sherman Casorty.
ne qr	4	89	30 May	23, 1856 May	23, 1856			135 Edwin Burke.
nw qr	5	89	30 July	29, 1856 October	9, 1856			611 Stephen R. Roger.
sw qr	6	89	30 September	9, 1856 September	11, 1856			552 Snyder Horton.
w hf of sw qr and se qr of se qr	7	89	30 September	10, 1856 September	11, 1856			555 A. S. Cummings.
se qr	8	89	30 September	20, 1856 May	21, 1856			562 J. D. Williams.
s hf of nw qr and ne qr of nw qr	9	89	30 July	5, 1856 July	25, 1856			69 W. M. Preston.
e hf of se qr and e hf of sw qr	10	89	30 August	29, 1856 September	2, 1856			297 Zenophon Young.
w hf of sw qr	11	89	30 July	29, 1856 September	2, 1856			488 Timothy Mason.
w hf of nw	12	89	30 August	26, 1856 August	2, 1856			614 Wm. Bates.
n hf of se qr and se qr of se qr	13	89	30 August	26, 1856 August	2, 1856			488 Timothy Mason.
n hf of se qr and se qr of se qr	14	89	30 October	13, 1856 October	7, 1856			656 H. K. Cornell.
s hf of ne qr and nw qr of ne qr	15	89	30 September	13, 1856 September	14, 1856			656 H. K. Cornell.
n hf of nw qr	16	89	30 October	13, 1856 October	15, 1856			574 Jno. H. Franklin.

e hf of sw qr	15	89	30 October	3, 1856 October	4, 1856			639 Thomas Todd.
nw qr	16	89	30 May	1, 1856 May	17, 1856			301 F. M. Evers.
n hf of sw qr	17	89	30 September	30, 1856 October	2, 1856			469 S. A. Woodard.
nw qr	18	89	30 October	3, 1856 October	4, 1856			622 Wm. O. Sherwood.
n hf of se qr and se qr of se qr	19	89	30 May	22, 1856 May	22, 1856			156 Luke Cummings.
ne qr	20	89	30 July	31, 1856 August	4, 1856			401 Nicholas Snot.
nw qr	21	90	30 September	18, 1856 September	19, 1856			575 Jas. Condon.
se qr	22	90	30 September	18, 1856 September	19, 1856			579 Daniel Noonan.
sw qr	23	90	30 August	26, 1856 August	28, 1856			499 Edward Quinn.
se qr	24	90	30 August	26, 1856 August	28, 1856			498 Patrick Tenney.
sw qr	25	90	30 May	20, 1856 May	20, 1856			61 Daniel Griffin.
se qr	26	90	30 August	19, 1856 August	31, 1856			468 Eleazer Collins.
ne qr	27	90	30 August	18, 1856 August	19, 1856			494 Wm. Nicholson.
sw qr	28	90	30 July	31, 1856 August	1, 1856			301 Geo. Kearney.
se qr	29	90	30 July	17, 1856 July	18, 1856			340 Geo. T. Noble.
nw qr	30	90	30 July	17, 1856 July	17, 1856			423 Thomas West.
sw qr	31	90	30 July	7, 1856 July	8, 1856			341 M. S. Starn.
ne qr	32	90	30 July	7, 1856 July	8, 1856			342 Patrick MacMahon.
se qr	33	90	30 September	10, 1856 September	11, 1856			535 John Foster.
sw qr	34	90	30 August	11, 1856 August	13, 1856			432 Andrew Logan.
ne qr	35	90	30 September	10, 1856 September	11, 1856			560 Louis F. Manning.
sw qr	36	90	30 July	19, 1856 July	31, 1856			393 Ernest Ehart.
se qr	37	90	30 July	19, 1856 July	31, 1856			392 Henry Toseh.
ne qr	38	90	30 July	19, 1856 July	31, 1856			391 Geo. Gerolt.
sw qr	39	90	30 August	26, 1856 August	26, 1856			487 Warren S. Ballou.
se qr	40	90	30 September	10, 1856 September	11, 1856			561 Geo. H. Foster.
sw qr	41	90	30 August	10, 1856 August	21, 1856			467 John H. Van Horn.
se qr	42	90	30 August	10, 1856 August	20, 1856			462 Patrick J. Devine.
sw qr	43	90	30 August	4, 1856 August	26, 1856			452 Jos. Hemphill.
sw qr	44	90	30 May	20, 1856 May	19, 1856			193 Daniel Ellwood.
s hf of ne qr	45	91	40 May	20, 1856 May	19, 1856			302 Martin Burns.
s hf of ne qr	46	91	40 August	8, 1856 August	8, 1856			315 John Moore.
nw qr	47	91	40 August	6, 1856 August	10, 1856			429 John H. Farwell.
ne qr	48	91	45 October	9, 1856 October	10, 1856			425 Geo. Stickney.
w hf of nw qr and ne qr of nw qr	49	91	45 October	9, 1856 October	11, 1856			311 Wm. R. Smith.
ne qr	50	91	45 Not found.	1, 1856 August	4, 1856			362 Jas. Broadwell.

## LIST "A"—CONTINUED.

PARTS OF SECTION.	Section.	N. Town.	Range.	Settlement.	Filing.	No. of D. S.	NAME.
<i>Six-mile limit.</i>		N. W.					
ne qr .....	31	92	45 July	14, 1856 July	14, 1856	240	Fernando Rosler.
se qr .....	31	92	45 August	11, 1856 August	13, 1856	322	John Hittle.
ne qr of sw qr .....	31	92	45 September	9, 1856 September	12, 1856	390	Chas. W. Tusk.
w hf of nw qr .....	3	90	46 September	4, 1856 September	8, 1856	383	P. Stafford.
ne qr .....	3	89	47 July	14, 1856 July	14, 1856	238	John Wilson.

The above tracts were covered at the date of definite location of the railroad by pre-emption filings of record.

## LIST "B."

PARTS OF SECTION.	Section.	Range.	Range.	
<i>Six-mile limit.</i>		N.	W.	
ne qr .....	17	89	27	Wt. 4528, 160.55. Act of '55. Located Nov. 9, '55. Canceled July 20, '57.
e hf of nw qr .....	17	89	27	Wt. 5454, 80.55. Located Nov. 9, '55. Canceled January 20, '57.
w hf of nw qr .....	17	89	27	Wt. 6552, 80.55. Located Nov. 9, '55. Canceled January 20, '57.
e hf of se qr .....	17	89	27	Wt. 2893, 80.55. Located Nov. 9, '55. Canceled January 20, '57.
w hf of se qr .....	17	89	27	Wt. 3534, 80.55. Located Nov. 9, '55. Canceled January 20, '57.
e hf of sw qr .....	17	89	27	Wt. 2894, 80.55. Located Nov. 9, '55. Canceled January 20, '57.
w hf of sw qr .....	17	89	27	80. Wt. 3848, 80.55. Located Nov. 9, '55. Canceled January 20, '57.
<i>Fifteen-mile limit.</i>				
s hf of sw qr .....	21	88	17	M. B. L. Wt. 11219. Loc. July 23, '58. App'd to D. P. R. R. Dec. 27, '58.

The above tracts were certified for the Company December 28, 1858. The certification was erroneous, for the reason that the tracts in the six-mile limits were covered by entries at the date of the definite location of the road, and thereby excepted from the grant, and the tract in the fifteen-mile limit was disposed of prior to the time of certification which was the date the right attached.



## DES MOINES VALLEY RAILROAD.

Under the act of Congress of July 12, 1862, extending the Des Moines River grant from the forks of the Des Moines and Raccoon rivers to the northern boundary of the State of Iowa, there have been approved and certified to the State, according to the aggregate of the totals of the original lists in this office, 515,634.03 acres. There is, however, a repetition of descriptions in the original lists of 2,097.00 acres, which deducted from the aggregate quantity, leaves a balance of 513,537.03 acres.

	ACRES.
Of this quantity the State has released to the United States.....	320.00
Conveyed to the settlers under provisions of law.....	2,320.64
Set apart for S. H. Taft, under chapter 108, and joint resolution No. 15, acts of the Tenth General Assembly.....	6,363.48
Tracts embraced in lists, which were priorly disposed of.....	2,153.13
Total.....	11,157.25

This total, deducted from the above aggregate, leaves a balance as the quantity the State has conveyed to the Des Moines Valley Railroad Company of \*502,379.78 acres.

The aggregate, however, of the totals of the several conveyances made by the State to said company, as of record in this office, is \*502,462.66 acres. Being an excess of 82.88 acres over the quantity obtained by the other method.

The lands set apart for S. H. Taft, are all patented to him by the State, except the nw fr qr of nw fr qr of section 19, township 91, range 28, 36.60 acres, which appears not to be included in any patent issued to him as per the records here.

On account of the lands patented by the State to S. H. Taft, and also to the settlers, as herein stated, there was paid into the State Treasury by such patentees, for the benefit of the Des Moines Valley Railroad Company the price of the lands, at \$1.25 per acre for those patented to S. H. Taft, and at \$2.50 per acre for those patented to the settlers. In some of the cases an accumulation of interest was added to the purchase price. It is possible that in one

\* For the full quantity chargeable to the Des Moines Valley Railroad Company, see statement further on.

or two instances the purchase money was paid by the settler directly to the said railroad company.

The State also gave the said railroad company a credit of \$44,341.67, in the payment of certain old Des Moines river claims, the payment of which said company had assumed in order to obtain title to the lands certified to the State under the act of July 12, 1862.

This credit was given the company for the reason that the State had consented that the quantity of 35,473.54 acres, which was found to be the excess selected under the 500,000-acre grant, act September 4, 1841, should be deducted by the general government from the Des Moines river indemnity, supposed to be due the State under the said act of July 12, 1862. (See the Harvey settlement, State Land Office report, 1887, pages 25 and 26).

In view of the foregoing facts, the Des Moines Valley Railroad Company is chargeable with the following:

	ACRES.
Lands conveyed to settlers.....	2,320.64
Lands set apart for S. H. Taft.....	6,363.48
Indemnity Des Moines river lands withheld by the general government, and for which the company received credit.....	35,473.54
Lands conveyed to the company by the State.....	502,379.78
Total number of acres chargeable to the D. V. R. R. Co..	546,537.44

List of lands approved and certified to the State by the Interior Department, under act of July 12, 1862, and which the State has conveyed to the Des Moines Valley Railroad Company, during the last biennial period.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	DATE OF CONVEYANCE.
nw fr qr, ne of se, s hf of se	31	97	32	476.71	December 29, 1888.
sw of ne.....	7	93	30	40.00	January 16, 1889.
Total.....				516.71	

The last described tract, situated in Humboldt county, was approved to the State November 12, 1888; and the other tracts described, situated in Palo Alto county, were approved to the State several years since.

# LIST OF DES MOINES VALLEY RAILROAD LANDS PATENTED TO SETTLERS.

*A complete list of the lands approved and certified to the State under act of Congress of July 12, 1862, which have been patented by the State to settlers or claimants thereof, with name of claimant or patentee and date of patent in each case:*

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	NAME OF CLAIMANT AND PATENTEE.	DATE OF PATENT.
lot 1, and sw of nw.....	17	96	32	79.10	Michael Jackman.	Jan. 2, 1872.
se qr.....	21	97	33	160.00	Miles Mahon.....	March 7, 1872.
lot 1.....	7	92	30	74.96	C. N. King.....	June 20, 1872.
lots 7 and 8.....	25	93	31	115.38	Henry Jarvis.....	Oct. 1, 1872.
ne qr.....	25	99	34	160.00	Tolef Paulsen.....	Nov. 18, 1872.
nw qr.....	17	92	28	160.00	Charles Lane.....	Nov. 18, 1872.
s hf of nw, n hf of sw.....	25	99	34	160.00	Thuri O. Burge.....	Nov. 18, 1872.
n hf of ne.....	23	99	34	80.00	Sylvester Clark.....	Dec. 20, 1872.
e hf of se.....	25	100	34	80.00	Knuet Espeset.....	Dec. 27, 1872.
ne fr qr.....	1	98	34	159.69	Ole Svensen.....	Feb. 30, 1873.
se qr.....	19	92	28	160.00	M. D. Reed.....	May 27, 1874.
ne of sw.....	19	96	33	40.00	Patrick Nolen.....	Me. 28, 1877.
sw of se.....	19	96	32	40.00	Martin Coonan.....	Nov. 20, 1877.
e hf of sw, nw of sw.....	3	99	34	120.00	E. B. Soper.....	Aug. 23, 1878.
e hf of sw.....	17	94	31	80.00	Allen B. Carter.....	Sept. 17, 1879.
ne of se, se of ne.....	15	99	34	80.00	E. S. Ormsby.....	Jan. 22, 1881.
w hf of sw, sw of nw.....	19	81	25	147.21	John R. Shearer.....	June 3, 1881.
ne of nw.....	23	99	34	40.00	Sylvester Clark.....	July 19, 1881.
se qr.....	13	99	34	160.00	A. J. Nicholson.....	July 20, 1881.
n hf of nw.....	11	99	34	80.00	William B. Wells.....	Aug. 11, 1881.
nw fr of nw.....	3	99	34	64.30	Albion K. Ridley.....	Aug. 18, 1881.
s hf of nw.....	11	99	34	80.00	J. W. Lough.....	Aug. 25, 1881.
Total.....				2,320.64		

# CHICAGO, MILWAUKEE & ST. PAUL RAILWAY, AND SIOUX CITY AND ST. PAUL RAILROAD.

Relative to the lands in dispute, which were patented to the State under the act of May 12, 1864, the report of this office of two years ago was quite full and complete. It furnished the decision of the Supreme Court of the United States, and decree of the Circuit Court, in the case; the partition of the lands between the companies pursuant to the decree of Circuit Court; our Attorney-general's opinion to the Governor upon the question of issuing patents to the companies, with communications from the Interior Department, and other matters; all of which were of much importance in their relation to this land question. The demand for said report was so great that but few copies are left.

Under instructions from the Secretary of the Interior, the Commissioner of the General Land Office, on August 11, 1887, called upon the Governor for a relinquishment to the United States of 21,692.18 acres of the lands patented to the State for building the road from Sioux City to the northern boundary of Iowa, which said department determined had not been earned by the railroad company. In the event the relinquishment was not made, the Commissioner was required to report the fact to the Secretary of the Interior, so that the Attorney-general could be requested to institute suit for the recovery of said lands. The Governor not being authorized to make such relinquishment, the matter was referred to the Twenty-second General Assembly. That body took no action relative thereto.

I wrote to the Secretary of the Interior for information in regard to this matter, and received a reply which is published in this connection. It appears that he has instructed the Attorney-general of the United States to commence suit for the recovery of the lands, if upon examination he thought it advisable. I have no further information in regard thereto.

In the following is a brief statement of the quantity of lands patented to the State under this grant, and their disposition; a statement of the lands patented to the State and by the State to the railway company during the last two years; a list of lands patented



by the State to settlers along the line of the railroad from McGregor westward, and a list of all the lands patented to the State under this grant and withheld from conveyance to the companies.

There have been patented to the State of Iowa, under act of Congress of May 12, 1864, as per the aggregate of totals given in the government patents on file in this office, 731,910.14 acres. In said patents there is a repetition of descriptions amounting to two hundred and eighty acres. Deducting this from said aggregate, leaves a balance of 731,630.14 acres. Of this quantity, as per the records of this office, there were:

Certified by the State to the Sioux City & St. Paul Railroad Company.....	322,421.91 acres.
Relinquished to the United States, as per chapter 21, acts 1884.....	26,017.33 acres.
Patented to the McGregor & Missouri River R'y Co. and the Chicago, Milwaukee & St. Paul R'y Co., together.....	353,094.12 acres.
Patented to settlers on line of McGregor Railway.....	6,964.48 acres.
Withheld by State from patent to the railroad companies...	23,132.30 acres.
Total.....	731,630.14 acres.

There appears to be several conflicts between the lands patented to the State for building the railroad from McGregor to Sheldon, and the lands conveyed to the State under other grants, and on account of these conflicts the two companies last named have relinquished to the State 491.57 acres.

*The following is a statement of the lands patented to the State by the United States, under act of Congress of May 12, 1864, during the last two years, with date of patent; also showing to whom the same were patented by the State, with date of such patent:*

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	DATE OF PATENT FROM U. S. TO STATE.	NAME OF STATES' PATENTEE.	DATE OF PATENT FROM THE STATE.
so qr.....	17	96	39	160.00	May 9, 1888	Chicago, Milwaukee & St. Paul R'y Co.	May 24, 1888.
ne of sw.....	17	94	35	40.00	Sept. 25, 1888	Chicago, Milwaukee & St. Paul R'y Co.	October 24, 1888.
sw of ne.....	27	97	24	40.00	Sept. 25, 1888	Chicago, Milwaukee & St. Paul R'y Co.	October 24, 1888.
e of so.....	31	97	35	80.00	Sept. 25, 1888	Chicago, Milwaukee & St. Paul R'y Co.	October 24, 1888.
sw fr qr.....	19	93	27	160.80	Nov. 26, 1888	William Rummen, a settler	Dec. 19, 1888.
Total.....				480.80			

The following tracts were patented to the State by the United States several years since, under the act of Congress of May 12, 1864, to aid in the construction of the road from McGregor to Sheldon, but were withheld from patent to the railway company because of a supposed conflict with the swamp land grant, but they were all patented to the Chicago, Milwaukee & St. Paul Railway Company on October 24, 1888.

PARTS OF SECTION.	Section.		Range.	Acres.
	N.	W.		
sw of nw.....	35	99	28	40.00
sw of se.....	7	92	32	40.00
nw of sw, se of sw.....	11	96	32	80.00
Total.....				160.00

The following described tracts, viz: ne qr, of ne qr section 31, township 99, range 23, and se qr of ne qr section 1, township 98, range 10, are embraced in a patent issued to the State by the United States July 22, 1889, under act of May 12, 1864, which was received and filed in this office July 29, 1889. The patent having been received at so late a date the lands are not included in the statement heretofore made of lands received and disposed of under this grant.

The tracts are patented to the State for the benefit of the Chicago, Milwaukee & St. Paul Railway Company.

# LIST OF LANDS PATENTED TO SETTLERS OR CLAIMANTS.

A complete list of the lands along the line of the McGregor Railroad (now Chicago, Milwaukee & St. Paul Railway), patented by the State to settlers or claimants, with name of claimant and date of patent. They have all been patented to the State, under act of May 12, 1864, except the tracts described in the note following the list.

PARTS OF SECTION.	Section.		Range.	Acres.	NAME OF CLAIMANT AND PATENTEE.	DATE OF PATENT.
	N.	W.				
sw qr.....	15	97	28	160.00	Henry Chapin.....	April 27, 1870.
se qr.....	15	97	28	160.00	John Chapin.....	April 27, 1870.
sw qr.....	1	97	29	160.00	James H. Warren.....	April 27, 1870.
ne qr.....	2	94	28	160.00	David A. Haggard.....	April 27, 1870.
sw fr qr.....	2	95	29	146.96	Francis Long.....	April 27, 1870.
nw fr qr.....	7	95	29	148.64	William J. Salsbury.....	April 27, 1870.
se qr.....	13	95	30	160.00	Jonas P. Colby.....	April 27, 1870.
ne qr.....	9	98	30	160.00	S. G. A. Read.....	April 27, 1870.
nw qr.....	21	98	29	160.00	L. K. Garfield.....	April 27, 1870.
nw qr.....	13	95	30	160.00	B. W. Williams.....	April 27, 1870.
ne qr.....	13	95	30	160.00	Hannah Peggs.....	April 27, 1870.
sw qr.....	13	95	30	160.00	Henry Durant, Jr.....	April 27, 1870.
ne fr qr.....	1	97	29	149.29	John Jacobs.....	April 27, 1870.
ne qr.....	31	96	29	160.00	Asa C. Call.....	April 27, 1870.
ne of nw, n hf of ne, se of ne.....	15	98	30	160.00	Heirs of Mary C. Finch.....	April 27, 1870.
nw fr qr.....	1	97	29	148.40	John C. Heckart.....	April 27, 1870.
w hf of se.....	1	97	29	80.00	Andrew D. Clark.....	May 20, 1881.
s hf of ne.....	29	93	27	80.00	Reuel Whittier.....	May 20, 1881.
e hf of sw.....	17	93	29	80.00	John Smylie.....	May 20, 1881.
sw of ne.....	27	98	29	40.00	H. S. Vaughn.....	May 20, 1881.
s hf of sw.....	7	93	29	74.22	Caroline Wray.....	May 20, 1881.
s hf of se.....	7	93	29	80.00	William McNally.....	May 20, 1881.
se of nw.....	13	93	30	40.00	Mary E. Emmerson.....	May 20, 1881.
nw of se.....	19	98	29	40.00	Nathan Hawkes.....	May 20, 1881.
ne of ne, sw of ne.....	25	93	28	80.00	William Edson.....	May 20, 1881.
sw of se.....	21	98	29	40.00	Geo. O. Austin.....	May 20, 1881.
sw qr.....	23	93	27	160.00	Hiram J. Babbitt.....	May 20, 1881.
nw of sw.....	5	93	27	40.00	Lasley Barton.....	May 20, 1881.
e hf of se.....	25	93	28	80.00	John Murphey.....	May 20, 1881.
ne of ne, w hf of ne.....	13	93	30	120.00	William Emmerson.....	May 20, 1881.
s hf of nw, ne of nw.....	15	93	27	120.00	Ellis Martin.....	May 20, 1881.
nw of se, e hf of se.....	13	93	28	120.00	Darius A. Nash.....	May 20, 1881.
n hf of ne.....	19	93	29	80.00	Christian A. Roseng.....	May 20, 1881.
s hf of se, ne of se.....	19	93	29	120.00	Ole H. Gullixson.....	May 20, 1881.



## LIST OF LANDS PATENTED TO SETTLERS OR CLAIMANTS—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	NAME OF CLAIMANT AND PATENTEE.	DATE OF PATENT.
n hf of se.	13	33	30	80.00	Charles G. Emmerson	May 20, 1881.
n hf of sw.	19	33	29	74.65	Aravesta Hawkes	May 20, 1881.
ne qr.	7	33	29	100.00	David McNelly	May 20, 1881.
sw of ne, n hf of se.	35	33	29	120.00	Samuel Sands	May 20, 1881.
nw qr.	27	33	27	160.00	Henry Pierce	May 20, 1881.
nw fr qr.	19	33	29	152.04	John Johnson Shazer	May 20, 1881.
ne qr.	15	33	32	160.00	Robert Anderson	July 1, 1881.
se qr.	15	33	32	160.00	Edward Anderson	July 1, 1881.
e hf of sw.	7	32	31	80.00	Harmon Seeley	July 26, 1881.
ne qr.	31	33	27	160.00	Patrick Meary	July 26, 1881.
w fr hf of sw.	31	33	27	83.20	D. C. Moore	Mar. 8, 1883.
ne of ne.	29	33	27	40.00	Renel Whittier	Nov. 9, 1885.
nw fr qr.	7	33	29	148.24	W. J. McNelly	Nov. 9, 1885.
n hf of se, se of se.	21	33	29	120.00	George O. Austin	Nov. 9, 1885.
s hf of ne, ne of se.	19	33	29	120.00	Nathan Hawkes	Nov. 9, 1885.
se of ne.	13	33	30	40.00	William Emmerson	Nov. 9, 1885.
sw of nw.	29	33	29	40.00	Gulick H. Frydland	Nov. 9, 1885.
sw of sw.	13	33	27	40.00	Peter Groshong	Nov. 9, 1885.
s hf of se.	13	33	30	80.00	Charles G. Emmerson	Nov. 9, 1885.
nw of se.	19	33	29	40.00	Ole H. Gullixson	Nov. 9, 1885.
e hf of sw, sw of sw.	5	33	27	120.00	Lasley Barton	Nov. 9, 1885.
sw of nw, nw of sw.						
s hf of sw.	11	33	27	160.00	Hiram L. Babbitt	Nov. 9, 1885.
se of ne.	35	33	29	40.00	Samuel Sands	Nov. 9, 1885.
w hf of sw fr qr.	7	32	31	72.64	Harmon Seeley	Nov. 9, 1885.
s hf of ne.	19	33	29	80.00	Christian A. Rossing	Nov. 9, 1885.
sw of se.	13	33	28	40.00	Darius Nash	Nov. 9, 1885.
w hf of sw.	17	33	29	80.00	John Smylie	June 1, 1887.
sw qr.	21	33	29	160.00	Almira J. Simpson	June 1, 1887.
n hf of nw.	27	33	29	80.00	David D. Wadsworth	June 1, 1887.
ne of nw.	13	33	30	40.00	Mary E. Emmerson	June 1, 1887.
n hf of ne, se of ne.	27	33	29	120.00	H. S. Vaughn	June 14, 1887.
sw fr qr.	19	33	27	160.89	William Rummens	Dec. 12, 1888.
Total				7,199.08		

The nw qr of Sec. 21, Tp. 98, R. 29, and nw of ne and se of ne, Sec. 1, Tp. 97, R. 29, containing 234.00 acres, embraced in the foregoing list, have not been patented to the State under this grant. They were patented to the settlers prior to the receipt of any patent from the United States for lands, under act of May 12, 1864. The nw of ne and se of ne, Sec. 1, Tp. 97, R. 29, have been patented to the State as swamp land, and as such patented by the State to Kossuth county.

## UNPATENTED LANDS.

The following is a list of the lands that have been patented to the State of Iowa by the United States under the grant of May 12, 1864, but which have not been conveyed by the State:

*Lands described in the decree of the Circuit Court as being in the ten and twenty-mile limits common to both railroads, and which have been partitioned by the Commissioners to the Sioux City & St. Paul Railroad Company:*

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
all	15	98	38	640.00
nw qr.	17	98	38	160.00
s hf of nw, sw qr.	9	95	40	240.00
sw of nw.	5	95	40	36.50
w hf.	7	95	41	314.64
n hf of n hf.	11	95	41	480.00
s hf of n hf, s hf.	13	95	41	640.00
all	15	95	41	640.00
w hf.	19	95	41	288.76
all	23	95	41	640.00
all	25	95	41	640.00
all	27	95	41	640.00
ne of nw	3	96	41	39.54
se of ne	15	96	41	40.00
sw of sw	13	97	41	40.00
all	1	95	42	641.36
all (except sw of se, not in grant).	3	95	42	390.82
ne of ne.	7	95	42	40.00
n hf of n hf.	9	95	42	160.00
all	23	95	42	640.00
all	27	95	42	640.00
s hf.	29	95	42	320.00
e hf of ne.	31	95	42	80.00
all	3	96	42	646.16
s hf.	5	96	42	320.00
e hf of se.	7	96	42	50.00
all	11	96	42	640.00
all	15	96	42	640.00
w hf.	17	96	42	320.00
all	23	96	42	640.00

## UNPATENTED LANDS—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
all	29	96	42	640.00
e hf of se	31	96	42	80.00
all	33	96	42	640.00
all	3	97	42	595.60
all	9	97	42	640.00
all	17	97	42	640.00
e hf of e hf	19	97	42	160.00
all	25	97	42	640.00
se of ne, ne of se	31	97	42	80.00
s hf	33	97	42	320.00
all	35	97	42	640.00
Total				17,104.29

Lands described in decree of Circuit Court as being within the limits common to both railroads, but which were not partitioned by the Commissioners for reasons given in the partition:

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
e hf of sw, ne of se	35	97	41	120.00
s hf	29	97	42	320.00
Total				440.00

Lands described in the decree of the Circuit Court as lying within the ten-mile limits of the Sioux City & St. Paul Railroad, and outside of the ten-mile limits of the Chicago, Milwaukee & St. Paul Railroad, and which were by said decree set off to the Sioux City & St. Paul Railroad Company:

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
s hf of n hf, s hf	7	95	41	451.49
se of ne, e hf of se	7	95	42	120.00
s hf of n hf, s hf	9	95	42	480.00
s hf of n hf, s hf	11	95	42	480.00
all	15	95	42	640.00
all	17	95	42	640.00
e hf of e hf	19	95	42	160.00
all	21	95	42	640.00
Total				3,611.49

Lands that were patented to the State to aid in the construction of the Sioux City & St. Paul Railroad, which lie west of the western limit of the Chicago, Milwaukee & St. Paul Railroad, and which were not in dispute between the two companies, hence are not noticed in decree.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
nw of ne, w hf of nw, se of nw, w hf of se	7	95	42	330.41
w hf of sw, se of sw, w hf of se	19	95	42	193.40
se of nw	31	95	42	40.00
nw of ne	7	96	42	40.00
sw of se, se of nw, nw of nw	19	96	42	116.17
sw of ne, ne of nw, nw of se	7	97	42	120.00
Total				740.07

Lands patented to aid in the construction of the railroad from McGregor to Sheldon, but which have been withheld from patent to the railway company, by the State, with the reasons therefor.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.	WHY WITHHELD FROM PATENT.
ne qr	33	95	31	160.00	In 5 mile limits D. M. river.
lots 1, 2, 3, 4, w hf of ne, nw of se	7	96	32	286.40	In 5 mile limits D. M. river.
lots 2, 3, nw of sw	7	92	30	131.79	In 5 mile limits D. M. river.
n hf of nw, sw of nw	19	93	30	118.28	In 5 mile limits D. M. river.
sw of se	27	93	30	40.00	In 5 mile limits D. M. river.
e hf of se	15	93	31	80.00	In 5 mile limits D. M. river.
ne of ne	3	93	32	59.98	In 5 mile limits D. M. river.
s hf of se	11	93	32	80.00	In 5 mile limits D. M. river.
n hf of ne	15	93	33	80.00	In 5 mile limits D. M. river.
se of se	31	99	33	40.00	In 5 mile limits D. M. river.
sw of se	31	99	33	40.00	In 5 mile limits D. M. river.
ne of nw, se of sw	29	99	38	80.00	In 20 mile over-lapping limit.
se of se	35	99	38	40.00	In 20 mile over-lapping limit.
Total				1,256.45	

Aggregate number of acres withheld from patent by the State, 23,133.30.



DEPARTMENT OF THE INTERIOR,  
WASHINGTON, July 30, 1889.

Hon. Frank D. Jackson, Secretary of State, Des Moines, Iowa:

SIR:—I am in receipt of your communication of the 23d inst., making inquiry relative to legal proceedings instituted, or about to be instituted, at the request of this department, to recover certain railroad lands, certified and patented in the county of O'Brien. In reply, you are informed that on January 11, 1888, this department requested the honorable attorney-general of the United States to bring suit in the proper court, in the name of the United States, with a view to having the title to lands in said O'Brien county, which had been conveyed to the State for the benefit of the Sioux City & St. Paul Railway Company, declared in the United States, if on examination and consideration he might deem such suit advisable. For information as to the present status of the suit, you are respectively referred to the Department of Justice, or to the United States attorney for the district embracing Iowa

Very respectfully,

JOHN W. NOBLE,  
Secretary.

## THE DES MOINES RIVER LANDS.

As the United States authorities have determined to bring before the courts for final adjudication and settlement the question of title to the Des Moines River lands above the forks of the Racoon and Des Moines rivers, which were approved and certified to the State under the act of August 8, 1846, I have thought it advisable, as a matter of information, which no doubt at this time will be in demand, to publish complete lists of these lands as they were certified to the State by the Department of the Interior, giving, in additional columns to said lists, the portions deeded by Governor Lowe to the Des Moines Navigation and Railroad Company, and those sold and patented by the State to individuals, the total quantity of these lands according to the footings of the lists being 271,572.24 acres. I have also published the lists of Des Moines River lands approved and certified by said department to the State, under the joint resolution of Congress of June 2, 1861; with such other matters and things as I thought would be of value at this time in this connection.

The history of the Des Moines River land grant has been presented so often in documents and reports, both State and national, that I have thought it inappropriate and unnecessary to occupy space here with a repetition of it.

Matters pertaining to lands the State received under the act of Congress of July 12, 1862, being the act extending the Des Moines River grant from the Racoon fork to the northern boundary of the State, are given in the subdivision of the report pertaining to railroad lands, under the head of "Des Moines Valley Railroad."

In the last biennial report of this office is published a full and complete list of the Des Moines River land patents issued by the State to individuals who purchased of the State and paid for the lands. They are only for lands that were approved and certified to the State under the original Des Moines River grant of August 8,

1846, and include lands above and lands below the forks of the Raccoon and Des Moines rivers. The patents were all issued many years ago—none later than the year 1858. They are ready for delivery, free of charge, to the persons entitled to them, upon return of the certificate of purchase or receipt given the original purchaser at the time payment was made for the land, or if that is lost or destroyed, then the proper affidavit of the owner in fee simple of the land will be received in lieu thereof. The affidavit should be made before a notary public or clerk of a court, as this office has official knowledge of such officers in this State. It may be in the following form:

STATE OF IOWA.

County. } ss.

I, ....., do solemnly swear, that I am the owner in fee simple of the following described real estate, to-wit:  
(Here describe the land.)

.....  
which was originally purchased by.....  
and I have made diligent search and inquiry for the certificate of purchase, or receipt given said purchaser at the time full payment was made for said real estate, and have been unable to find the same; that I believe it is either lost or destroyed, and I make this affidavit for the purpose of obtaining the patent issued for said real estate, which I agree to file for record, forthwith, in the proper county recorder's office.

Subscribed and sworn to before me, by the said.....  
this.....day of....., 18..

Witness my hand and official seal.

If the party entitled to patent employs an agent to procure it for him he should give the agent written authority to perform such service, which authority might be given in the affidavit.

DES MOINES RIVER SCHOOL LANDS SOLD BY JOHN TOLMAN, SCHOOL FUND COMMISSIONER, WEBSTER COUNTY.

*The following statement, compiled from John Tolman's report as School Fund Commissioner, and other records on file in this office, gives a description of all the so-called Des Moines River School Lands sold by said officer, with name of purchaser, date of sale, price per acre, amount paid at date of purchase, amount of credit, and a column of remarks showing upon which sales the money has been refunded as per chapter 63, special acts of 1860, and other items of information in connection with such sales:*

NAME OF PURCHASER.	DATE OF PURCHASE OR CONTRACT.	PART OF SECTION.	Section.	Township.	Range.	Acres.	Price per acre.	Cash paid.	Credit.	REMARKS.
Evan Lewis	Aug. 37, 1853	sec of se	25	88	28	40.00	\$1.25	\$12.50	\$27.50	Paid up and patented.
Jacob Kraus	Sept. 2, 1853	sec of se, e hf of sw of se	19	87	26	60.00	1.25	75.00	75.00	Money refunded.
Rescow Royster	Aug. 18, 1853	w hf of sw	5	87	26	80.00	1.25	25.00	75.00	Money refunded.
William A. Scott	Aug. 18, 1853	sw qtr	7	87	26	140.00	1.25	43.75	131.00	Paid up and patented.
Jesse Goodrich	Aug. 30, 1853	hf of ne	11	87	27	80.00	1.25	100.00	0.00	Paid up and patented.
Wm. T. Woolsey	Aug. 30, 1853	w hf of se, n hf of sw	1	87	27	160.00	1.25	200.00	0.00	Paid up and patented.
Thos. G. Pierce	Aug. 30, 1853	sw qtr	7	87	26	140.00	1.25	175.00	0.00	Patented and money refunded.
Robert Alcorn	Aug. 30, 1853	sec of ne	13	87	27	40.00	1.25	50.00	0.00	Patented and money refunded.
John Tolman	Aug. 30, 1853	hf of se	13	87	27	80.00	1.25	100.00	0.00	Patented and money refunded.
John W. Allen	Sept. 9, 1853	sw hf of sw	17	88	28	80.00	1.25	125.00	37.50	Money refunded.
Perluozo Bell	Sept. 9, 1853	sw hf of sw	31	87	26	62.68	1.25	78.35	0.00	Money refunded.
Eleanor Russell	Sept. 19, 1853	lots 1, 2, 3, 4, and ne of nw	1	86	27	294.92	1.25	355.50	0.00	Money refunded.
Francis W. Allen	Oct. 1, 1853	se qtr	7	87	26	160.00	1.25	200.00	0.00	Allen was an alien and died intestate; interest escheats to State.
Francis W. Allen	Oct. 1, 1853	w hf of se	5	88	28	80.00	1.25	100.00	0.00	No one can demand a refund.
Francis W. Allen	Oct. 1, 1853	sw of se	5	88	28	40.00	1.25	50.00	37.50	No one can demand a refund.



## DES MOINES RIVER SCHOOL LANDS SOLD BY TOLMAN—CONTINUED.

NAME OF PURCHASER.	DATE OF PURCHASE OR CONTRACT.	PART OF SECTION.	Section.	Range.	Acres.	Price per acre.	Cash paid.	Credit.	REMARKS.
John H. Skinner.	Oct. 19, 1853	nw of sw	19	27	39.37	1.25	10.12	30.50	
John B. Skinner.	Oct. 19, 1853	sw of sw	19	27	39.37	1.25	10.12	30.50	Money refunded.
John B. Skinner.	Nov. 12, 1853	w hf of nw	25	27	40.00	1.25	25.75	75.00	Patented and money refunded.
Isaac Murphy.	Nov. 28, 1853	nw of se	11	27	39.37	1.25	25.75	75.00	Patented and money refunded.
Leander Bohrer.	Nov. 28, 1853	w hf of sw	11	27	39.37	1.25	25.75	75.00	Patented and money refunded.
Solomon Bohrer.	Dec. 6, 1853	w hf of se	11	27	39.37	1.25	25.75	75.00	Patented and money refunded.
*Francis McGuire.	Dec. 12, 1853	lot 4, and se qr	13	27	82.37	1.25	20.87	86.59	Money refunded.
Ebenezer H. West.	Dec. 12, 1853	sw of sw, w hf of sw of se	19	27	39.37	1.25	20.87	86.59	Money refunded.
Benjamin Corban.	Dec. 12, 1853	lots 1, 2, 4, 5, e hf of nw, and nw of nw	25	27	39.37	1.25	94.37	298.30	Paid up and patented.
Samuel K. Barnes.	Dec. 27, 1853	sw qr	13	27	39.37	1.25	94.37	298.30	Paid up and patented.
Isaac Murphy.	Dec. 27, 1853	e hf of se, sw of se	13	27	39.37	1.25	94.37	298.30	Paid up and patented.
George C. Goss.	Jan. 3, 1854	w hf of se	31	27	39.37	1.25	25.75	75.00	Patented and money refunded.
Lodowick Martle Jan.	3, 1854	lot 8, and se of se	31	27	39.37	1.25	25.75	75.00	Patented and money refunded.
David A. Eckerson Jan.	4, 1854	ne of nw	21	27	39.37	1.25	13.50	37.50	
Peter Pyram Jan.	7, 1854	e hf of se	13	27	39.37	1.25	25.75	75.00	
James Craig Jan.	7, 1854	se of sw	29	27	39.37	1.25	25.75	75.00	Paid up and patented.
Wesley McKinney Jan.	10, 1854	ne qr, e hf of nw	31	27	39.37	1.25	75.00	225.00	Money refunded.
John E. Gerhart Jan.	13, 1853	sw hf of se	31	27	39.37	1.25	75.00	225.00	Money refunded.
James Gerhart Jan.	13, 1853	sw hf of se	31	27	39.37	1.25	75.00	225.00	Money refunded.
James Gerhart Jan.	13, 1853	sw hf of se	31	27	39.37	1.25	75.00	225.00	Money refunded.
W. Noss Jan.	7, 1854	sw of nw	21	27	39.37	1.25	25.75	75.00	Patented and money refunded.
W. Noss Jan.	7, 1854	sw of nw	21	27	39.37	1.25	25.75	75.00	Patented and money refunded.

\*This description is doubtless a mistake in Tolman's report. According to other reports in the office it should be lot 4, section 13, 27, 25—62.50 acres. The "sw qr" should be written out as improper. See, also 13, 27, 25, full of said section.

Besides the cases enumerated in the foregoing statement, the sw qr of se qr of section 25, township 88, range 28, was sold by John Tolman, School Fund Commissioner, in the year 1858, to Warren Tyler, and the purchase money was refunded to Emily Russell, assignee of said Tyler, by advice of the Attorney-general. It is questionable, however, whether the act of 1860, aforesaid, was applicable to this case.

As will be seen by reference to the foregoing list, there are still a few of the sales made by Tolman upon which the money paid has not been refunded; the money paid still continues to draw interest at the rate of ten per cent per annum from date of payment.

In some cases where these lands were sold by Tolman upon a partial credit, and contract made with the purchaser, the county authorities of the county in which the land is situated, still regarding the land as a part of the 500,000-acre grant, foreclosed the contract in court, although such action was subsequent to the passage of chapter 63, acts of 1860, which authorizes the State authorities to refund with interest the money paid under the Tolman purchase.

Now, it would appear, in view of the facts, that notwithstanding the foreclosure proceedings, the original purchaser of such land from Tolman, his grantee or legal successor in interest, upon making the proper application to the Governor, as required by chapter 63, special acts of 1860, would be entitled to the money paid, with interest. But there appears to be no provision of law which would authorize the refunding, either by the county or State authorities, of the money paid by a purchaser subsequent to the foreclosure. It would likely require an act of the General Assembly to meet such a case.

According to the papers filed in this office, the only refund on account of Tolman sales within the last two years, was on the sale made November 28, 1853, to Leander Bohrer, for the west half of southwest quarter of section 11, township 86 north, range 27 west, containing eighty acres.

As is well known, efforts have frequently been made in the past to obtain relief for the Des Moines River Land settlers, by Congressional legislation, and twice were those efforts so far successful as to procure the passage of a bill through both branches of Congress providing for bringing this question of title to these Des Moines River lands, claimed by the settlers, once more before the courts for determination; but on both occasions the President interposed his veto.

At the last session of our Legislature the following resolution was passed:

CONCURRENT RESOLUTION Relative to Des Moines River Lands.

WHEREAS, The 15th, 16th, 18th, 19th and 20th General Assemblies of the State of Iowa, by joint resolutions, duly approved by the Governor, petitioned the Congress of the United States for relief to the settlers upon what is commonly known as the Des Moines River Lands, and

WHEREAS, Grievous litigation is now pending in the Courts of the United States relating to the title and rights of the settlers to and upon said lands, upon which said settlers located in good faith, and have made valuable improvements and have for many years made their homes, and

WHEREAS, On account of the very great hardship that has been brought about by the conflicting decisions aforesaid, great disturbance and trouble has already arisen and is likely to arise unless some satisfactory and just action be taken by the State and general government relating to this subject, therefore

*Be it resolved by the Senate of Iowa, the House of Representatives concurring:*

That our Senators and Representatives in Congress, are hereby requested to favor the immediate passage of the bill, lately introduced in the Senate of the United States by Hon. James F. Wilson, and now pending in Congress, in so far as it has for its object to provide that the Attorney General of the United States to immediately commence proceedings or cause such proceedings to be instituted by suit, either in law or in equity or both as may be necessary and appear in the name of the United States so as to remove all clouds from the title to said lands in which suits any person or persons in possession of or claiming title to, any tract or tracts of land under the United States involved in such suits may at his or their expense unite with the United States in the prosecution of such suits, to the end that the title or titles of any person or persons claiming said lands may be forever settled.

The Attorney-general of the United States, under instructions from the Secretary of the Interior, has made an examination of this Des Moines River Land question, and has decided to bring suit, with a view to quieting title in the United States to all of the lands above the forks of the Raccoon and Des Moines rivers which were certified to the State of Iowa under the grant of August 8, 1846, for the improvement of the Des Moines river. He has empowered the Hon. John Y. Stone, Attorney-general of Iowa, as his assistant to institute such suit and prosecute it in the courts.

The last session of our Legislature also passed an act, entitled "An act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands, except the lands the title

to which was certified by the United States to the State of Iowa by the joint resolution of Congress of March 2, 1861." See chapter 196, pages 234 and 235, session laws.

In view of the present decisions of the courts as to the title of the lands referred to, nothing was accomplished by the act.

Under chapter 7 of the private, local and temporary laws of the Fourteenth General Assembly, 1872, the Governor appointed a commission, consisting of Chas. Aldrich, Norman H. Hart and John A. Hull to make an examination of the claims of the Des Moines River land settlers as required by said act, and make report. They made their examination under the law, holding sessions, as stated by them, in Webster, Humboldt, Boone, Polk and Dallas counties, and made their report to the Governor on July 25, 1872. The report gives the name of each settler, description and quantity of land, character of improvements, value thereof, value of the land, kind of title, date of title, date of settlement, adverse title, loss of claimant, etc.

This report, at the time it was made, was no doubt quite a complete showing of the Des Moines River settlers' claims, but many changes in the ownership and in the status of title of these settlers' lands have occurred during the time that has elapsed since the date of said report, so that a re-publication of it here would be a more or less erroneous presentation of the matter.

The original report is on file in the office of Secretary of State, proper, and a printed copy is with the "Aldrich Collection" in the State Library, either of which can be consulted by any one who desires to do so.

As the prefatory remarks to the report contain suggestions that are interesting, and that may be of value still, the following extract is given therefrom:

"Two modes have been suggested through which to seek relief for these settlers, as follows:

"1. That Congress shall be asked to purchase the outstanding title for the use of the settlers; and

"2. To give directly to the settler any indemnity that may be awarded, upon his executing the proper releases to the government.

"The first cause is founded upon strict justice, and finds many precedents in the past action of Congress. In the Yazoo case, arising in the State of Mississippi, in 1814, the United States purchased the title for the use of the settlers, at a cost of \$5,000,000. (3 U. S. Statutes at Large, p. 116.) The same action was had in a case arising in Ohio, in 1824, in which Congress, upon the report of a commission, appropriated nearly \$100,000 for the same object



as above stated. (4 U. S. Statutes at Large, pp. 70 and 405.) In 1820 Congress passed a similar bill for the relief of Phillip Barbour. (6 U. S. Statutes at Large, p. 236.) Numerous other instances occur wherein the government has purchased the superior title for the purpose of quieting and confirming the title of the actual settler. In the cases cited, however, there were only single claimants back of the settler, while in the present instance the difficulties are enhanced by facts that the lands have not only passed into the hands of third parties, but that conflicting claims have been set up, and suits instituted by railroad companies, who claim the title under Congressional land grants. In some cases the owners decline to set any price upon their lands. Some tracts in the vicinity of populous towns, or underlain with coal, are held at very high prices, while others belong to minors, incompetent to convey at the present time. We recite these facts in order that the obstacles in the way may be fully comprehended preparatory to any further action in the premises. By the other mode—that of giving a cash indemnity—while it would be less complicated, and therefore more easily secured, but partial justice would be done the claimant, for the reason that a money consideration is an inadequate compensation for the numberless surroundings of one's own home.

"These people have acted in good faith in the effort to secure homes for themselves and their families. They have spent years of earnest toil, aside from the investment of all their means. In this course they have walked in the light of the counsel they have received from the authorities of the State and Nation. With patents of the United States as their muniment of title, they have been turned out of their homes by the strong arm of the law. Some have been imprisoned because they have not obeyed the decrees of the courts to give possession. Several hundred suits are now pending in the State and Federal Courts against the settlers, all of which, under the rule in the case of *William B. Walls v. Hannah Riley*, (U. S. Supreme Court, December Term, 1869,) must be decided in favor of the plaintiffs, and these unfortunate people rendered homeless.

"It does not come within the scope of our duties, under the law of last winter, to recite the story, or attempt to unravel the historical, legal and legislative complications which surround this subject. We may, however, be permitted to state that this question of disputed titles in the Des Moines Valley has been for years the source not only of great injustice to a large number of meritorious settlers—the hardy pioneers who led the way in opening the country to civilization—but a most serious drawback upon the growing interests of one of the richest and most fertile sections of the West. Justice to individuals—and the State cannot quietly allow injustice to be done her humblest citizen—as well as the pervading desire for the progress and welfare of all sections of our commonwealth, alike justify the wisdom of this effort by the State, as proposed in your

inaugural address, and so promptly provided for by legislative enactment.

"The settlers are deserving of high commendation, because up to this time, in the face of efforts to wrest from them their homes—their all—they have pursued peaceable courses, and refrained from those acts of violence which have been almost invariably witnessed in other cases where land titles have been long in dispute, and where the visits of the sheriff and the federal marshal are of frequent occurrence. They are patiently biding their time, in the earnest belief that the accumulated wrongs of years will be fully atoned for by the government, which invited them to come and occupy and make for themselves homes upon these lands. The United States would not for an instant tolerate another country in an act of injustice toward one of their citizens, and upon several occasions we have narrowly escaped foreign war because a single man had suffered a wrong. Can the government in its dealings with its own people do less than it would require at the hands of another nation?

"We have taken steps to bring this matter to the attention of Congress, in which effort we have been heartily seconded by the entire delegation from this State.

"In view of the precedents we have cited, as well as the intrinsic justice of the cause of the settlers, there would seem to be little doubt that some just measure of relief will be secured as soon as the subject becomes fully understood by Congress."

The Commission prepared a memorial to Congress in behalf of the Des Moines River land settlers, which was transmitted to that body by Governor C. C. Carpenter, with a communication dated November 29, 1872. This memorial with the Governor's letter of transmittal are published in the same pamphlet with the printed report aforesaid.

#### DES MOINES RIVER LANDS ABOVE THE RACCOON FORKS—ACT OF AUGUST 8, 1846.

The following four lists are full and complete lists of all the lands north of the forks of the Raccoon and Des Moines rivers, approved and certified to the State of Iowa for the improvement of the navigation of the Des Moines river, under act of Congress of August 8, 1846, with the approvals, certificates, statements, headings, etc., affixed to said lists, as the same appear by the original lists now on file in this office. To which lists are added two columns showing the disposition made by the State of such lands; one column describing the tracts sold and patented to individuals, and the other the tracts deeded by the Governor to the Des Moines Navigation and Railroad Company. They have been carefully compared with the original lists and records.

GENERAL LAND OFFICE, October 31, 1851.

I, Justin Butterfield, Commissioner of the General Land Office, do hereby certify that the annexed copies of lists marked 1, 2 and 3, and the approval of the Secretary of the Interior, are true and literal exemplifications from the records of this office.

In testimony whereof, I have hereunto subscribed my name, and caused the seal of this office to be affixed, at the city of Washington on the day and year above written.

J. BUTTERFIELD,  
Commissioner of the General Land Office.

# EXPLANATIONS.

List No 1—Shows the odd numbered sections and parts of sections within the limits of the Des Moines River grant above the Raccoon forks, in the townships embraced in said list.

List No. 2—Shows the tracts sold within the above mentioned sections and parts of sections between the 24th August, 1848, and the 16th June, 1849, the period during which the grant was supposed to be limited on the north by the Raccoon fork.

List No. 3—Shows the residuary or vacant tracts after deducting from List No. 1 the sales contained in List No. 2, and is an exhibit, therefore, of the lands accruing to the State in virtue of the grant, not interfered with by previous sales.

NOTE.—Lists No. 1 and 2 are omitted, as list No. 3 contains all the lands that were approved and certified to the State at the date mentioned.

## LIST No. 3.

Showing the vacant tracts, within the odd numbered sections, within five miles on either side of the Des Moines river.

CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.		DEDICATED TO D. M. N. & R. R. CO.	
Parts of Sections.	Section.	Town.	Range.	Acres.	Parts of Sections.	Parts of Sections.	Acres.
SW SW	1	79	23	40.00	SW SW	SW SW	40.00
all	1	79	23	609.44	all but nw sec	all but nw sec	40.00
SW SW, n hf SW, nw sec	1	79	23	320.00	SW SW, n hf SW, nw sec	SW SW, n hf SW, nw sec	40.00
nw sec, n hf nw	1	79	23	130.00	nw sec, n hf nw	nw sec, n hf nw	130.00
w hf nw, w hf sw, so sw	31	80	23	232.00	w hf nw, w hf sw, so sw	w hf nw, w hf sw, so sw	232.00
lot 6	9	78	24	43.75	lot 6	lot 6	43.75
s hf and fr on left bank	17	78	24	320.47	s hf and fr on left bank	s hf and fr on left bank	320.47
all	21	78	24	653.12	all	all	653.12
nw nw, nw, w hf sw, ne sw	21	78	24	40.00	nw nw, nw, w hf sw, ne sw	nw nw, nw, w hf sw, ne sw	40.00
ne, e hf nw, nw sw, n hf sec	31	78	24	393.08	ne, e hf nw, nw sw, n hf sec	ne, e hf nw, nw sw, n hf sec	393.08
e hf, n hf nw, s hf sw	1	79	24	508.02	e hf, n hf nw, s hf sw	e hf, n hf nw, s hf sw	508.02
sw nw	3	79	24	40.00	sw nw	sw nw	40.00
w hf sw, lots 6, 7	6	79	24	188.45	w hf sw, lots 6, 7	w hf sw, lots 6, 7	188.45
n hf ne, sw ne, s hf sec, w hf	7	79	24	523.32	n hf ne, sw ne, s hf sec, w hf	n hf ne, sw ne, s hf sec, w hf	523.32



## LIST No. 3—CONTINUED.

CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.				DERIVED TO D. M. S. & R. CO.			
Parts of Sections.		Section.	Town.	Range.	Acres.	Parts of Sections.		Acres.	Parts of Sections.		Acres.
w hf nw, w hf so, w hf sw, so sw		11	79	24	280.00 w hf ne, w hf se, w hf sw, so sw			280.00			
e hf, sw, e hf nw		13	79	24	360.00 e hf, sw, e hf nw			360.00			
all		15	79	24	640.00 all			640.00			
w hf sw, so sw, lots 7, 8, 9		17	79	24	208.25 w hf sw, so sw, lots 7, 8, 9			208.25			
all		19	79	24	646.74 all, except w hf nw, ne nw			323.37 w hf nw, ne nw			
w hf sw, sw nw, lot 3		21	79	24	140.30 w hf sw, sw nw			120.00 lot 3			
all		23	79	24	940.00 all except ne ne			120.00 ne ne			
nw, w hf sw		25	79	24	240.00 s hf nw, w hf sw			190.00 n hf nw			
n hf ne, n hf nw		27	79	24	160.00 n hf ne, n hf nw			100.00			
all		29	79	24	160.00 all			100.95			
hf sw		31	80	24	708.23			86.61			
all		33	80	24	86.61 s hf sw			160.00 n hf, so			708.33
all		35	80	24	640.00 sw qr			all			480.00
sw nw, w hf, w hf so		11	80	24	440.00			all			640.00
n hf, so qr		13	80	24	480.00 nw, se			320.00 ne			100.00
e hf ne		15	80	24	160.00 ne ne			40.00 s hf ne, nw ne			120.00
all		17	80	24	80.00 e hf ne			80.00			
all		19	80	24	640.00 sw nw, w hf sw, e hf se			240.00 ne qr, e hf nw, nw nw, e hf sw, w hf se			280.00
all		21	80	24	640.00 w hf, ne qr			480.00 se qr			100.00
ne ne, n hf nw, s hf sw, se		23	80	24	360.00 ne ne, sw sw, se			240.00 n hf nw, so sw			120.00
e hf se, sw se lot 1		25	80	24	120.41 e hf se, sw se			120.00 lot 1			9.41

w hf nw, ne nw, sw, lots 2, 3, 4, 5, 6	31	80	24	527.43 all (certified)	527.43	n hf nw, nw ne, n hf se, ne	191.55
nw, w hf se	33	80	24	240.00 nw, w hf se	240.00	sw, se se	89.00
w hf sw, so sw	35	80	24	80.00 e hf ne	80.00	n hf	280.00
all	7	81	24	127.83		all	304.80
sw sw	9	81	24	642.08		w hf sw, so sw	681.70
w hf sw	21	81	24	40.00		sw sw	79.01
all	23	81	24	640.00		w hf sw	220.00
se	25	81	24	160.00		all	640.00
all but ne ne	31	81	24	640.00		se qr	120.00
all except w hf sw	33	81	24	643.65 all but ne ne	643.65	all	640.00
e hf ne, sw ne, nw nw, se nw	35	81	24	617.12 all, except w hf sw	617.12		
e hf se lots 6, 7, 8	11	78	25	290.00 e hf ne, sw ne, nw nw se nw	290.00		
e hf se	13	78	25	331.55 ne se	40.00		
nw ne, n hf nw, ne sw, e hf se, nw se	33	78	25	80.00			
n hf	35	78	25	280.00			
all	1	79	25	364.80		n hf nw, nw ne, n hf se, ne	280.00
n hf ne	3	79	25	670.00		sw, se se	304.80
n hf nw, nw nw, e hf sw, e hf	5	79	25	79.01		all	681.70
all	7	79	25	520.00		n hf	79.01
ne ne, e hf sw	11	79	25	640.00		n hf nw, e hf sw, nw nw	220.00
all	13	79	25	120.00		all	640.00
e hf ne, e hf se	15	79	25	640.00		ne ne, e hf sw	120.00
w hf ne, se ne, w hf se	21	79	25	160.00		all	640.00
all but sw sw	23	79	25	600.00 w hf ne, se ne, w hf se	600.00	e hf ne, e hf se	160.00
w hf ne, w hf se, w hf	25	79	25	600.00 all but sw sw	640.00		
s hf ne	27	79	25	480.00 w hf ne, w hf se, w hf	600.00		
s hf ne, e hf se, lots 1, 2, 3, 4, 5, 6, 7	33	79	25	80.00 s hf ne	80.00		
all	1	80	25	497.21 lots 2, 3, 4, 6	212.04 s hf ne, e hf se, lots 1, 5, 7		285.17
all	3	80	25	680.74 ne ne, se nw, ne hf sw, se	332.81 s hf ne, nw ne, n hf nw, sw nw, w hf sw		356.93
all	5	80	25	652.00	all		652.00

CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.		DEEDED TO D. M. N. & R. R. CO.		
Parts of Sections.	Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.	Parts of Sections.	Acres.
all	9	80	25	640.00	ne, w hf, e hf se	560.00	w hf se	80.00
lots 1, 2, 3, 4, 5, 6, 7.	11	80	25	239.63	lots 1, 2, 6.	105.83	lots 3, 4, 5, 7.	133.80
lots 3, 4, 7, 8.	13	80	25	180.18	lots 3, 4, 7, 8.	180.18		
all	15	80	25	640.00	n hf, se sw, sw se, n hf se	480.00	n hf sw, sw sw, se se	160.00
all	17	80	25	640.00	sw ne, s hf nw, n hf sw, se sw, w hf se	320.00	e hf ne, nw ne, e hf se, n hf nw, sw sw	320.00
all	19	80	25	653.04		all		653.04
all	21	80	25	640.00	e hf ne, e hf nw, nw nw	200.00	s hf, w hf ne, sw nw	440.00
all	23	80	25	640.00	e hf, e hf nw, e hf sw, sw sw	520.00	w hf nw, nw sw	120.00
all	25	80	25	640.00	all but sw se	600.00	sw se	40.00
all	27	80	25	640.00	e hf ne, nw ne, n hf sw, e hf se	280.00	s hf sw, nw, w hf se, sw ne	360.00
ne qr, w hf, sw se	29	80	25	520.00	sw ne, se nw, n hf sw, sw se	200.00	s hf sw, e hf ne, nw ne, w hf nw, ne nw	320.00
ne qr, e hf nw, ne se	31	80	25	280.00			ne, e hf nw, ne se	280.00
all	33	80	25	640.00	nw, e hf sw, se	400.00	ne, w hf sw	240.00
all	35	80	25	640.00	e hf ne, nw, e hf se	320.00	sw, w hf ne, w hf se	320.00
all	37	81	25	616.55	w hf	307.06	e hf	309.49
all	39	81	25	617.84	all	617.84		
all	41	81	25	674.16	n hf nw, se	248.54	ne, s hf nw, sw	425.62
all	43	81	25	640.00	w hf ne, nw, nw sw, se sw, sw se	360.00	e hf se, nw se, e hf ne, ne sw, sw sw	280.00
all	45	81	25	640.00	nw, s hf	480.00	ne	160.00
all	13	81	25	640.00	nw, s hf	480.00	ne	160.00
all	15	81	25	640.00	ne, sw nw, e hf sw, sw sw, se	480.00	e hf nw, nw nw, nw sw	160.00
all	17	81	25	640.00	ne, ne nw, nw sw, se sw, e hf se, sw se	400.00	nw se, s hf nw, nw nw, ne sw, sw sw	240.00
e hf, e hf nw, nw nw, e hf sw	19	81	25	529.17	e hf, e hf nw, nw nw, e hf sw	529.17		
e hf	21	81	25	320.00	ne ne, s hf ne, se qr	280.00	nw ne	40.00
all	23	81	25	640.00	s hf ne, w hf, se	560.00	n hf ne	80.00
all	25	81	25	640.00	sw ne, w hf, w hf se qr	440.00	e hf ne, nw ne, e hf se	200.00
e hf ne, w hf nw	27	81	25	160.00	e hf ne, e hf nw	160.00		
n hf ne, lots 5, 6, 7, 8.	29	81	25	268.37	n hf ne, lots 5, 6, 7, 8.	268.37		
all	31	81	25	675.62	ne, nw, n hf se	415.87	sw, s hf se	259.75
sw sw, lots 2, 3, 4, 5, 6	33	81	25	251.91	lots 2, 3, 4, 5, 6, sw sw	251.91		
all	35	82	25	635.18			all	635.18
all	37	82	25	658.86			all	658.86
w hf nw, w hf sw, se sw	7	82	25	200.00			w hf nw, w hf sw, se sw	200.00
all	17	82	25	640.00			all	640.00
w hf, w hf ne, se ne, w hf se, ne se	21	82	25	560.00			w hf ne, se ne, w hf, w hf se, ne se	560.00
sw nw, w hf sw	27	82	25	120.00			w hf sw, sw nw	120.00
all	29	82	25	640.00			all	640.00
all	31	82	25	663.10			all	663.10
all	33	82	25	640.00			all	640.00
w hf, w hf ne, w hf se	7	83	25	467.98			w hf, w hf ne, w hf se qr	467.98
all	19	83	25	653.08			all	653.08
w hf nw, sw qr	29	83	25	340.00			sw, w hf nw	340.00
all	31	83	25	663.32			all	663.32
all	1	80	26	608.18			all	608.18
e hf, nw, ne sw	3	80	26	701.92			e hf, nw, ne sw	701.92
e hf, nw, e hf sw	9	80	26	578.78			e hf, nw, e hf sw	578.78
all	11	80	26	640.00	n hf ne, nw se	120.00	w hf s hf ne, e hf se, sw se	520.00
all	13	80	26	640.00	w hf nw	80.00	e hf, sw, e hf nw	560.00
n hf, n hf se	15	80	26	400.00			n hf, n hf se	400.00



CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.		DEEDED TO D. M. S. & R. R. CO.		
Parts of Sections.	Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.	Parts of Sections.	Acres.
ne ne	23	80	26	40.00			ne ne	40.00
se, ne nw, e hf se	25	80	26	280.00			ne, e hf se, ne nw	280.00
se	1	81	26	160.00	n hf se, sw se	120.00	se se	40.00
all but s hf sw	3	81	26	500.56	all but s hf sw, nw sw	400.56	nw sw	40.00
all	5	81	26	395.26	all but sw nw	555.26	sw nw	40.00
all	7	81	26	612.08			all	612.08
all	9	81	26	640.00	n hf, n hf se, sw se, n hf sw, se sw	560.00	sw sw, se se	80.00
w sw lots 5, 6, 7, 8, 9	11	81	26	302.04	sw sw, lots 5, 6, 7, 8, 9	302.04		
n hf, e hf se, lot 1	13	81	26	409.35	e hf ne, sw ne, nw, e hf se	360.00	nw ne, lot 1	49.35
all	15	81	26	640.00	n hf ne, nw, s hf	560.00	s hf ne	80.00
all	17	81	26	640.00			all	640.00
all	19	81	26	612.00			all	612.00
all	21	81	26	640.00	n hf	320.00	s hf	320.00
n hf, se	23	81	26	480.00	n hf, se	480.00		
s hf, se nw, lots 1, 2, 3, 4	25	81	26	545.42	s hf, se nw lots 1, 2, 3, 4	545.42		
all	27	81	26	640.00	ne, e hf nw, n hf se	320.00	sw, s hf se qr, w hf nw	320.00
all	29	81	26	640.00			all	640.00
ne, ne nw, e hf se, nw se	31	81	26	320.00			ne, ne nw, e hf se, nw se	320.00
all	33	81	26	640.00			all	640.00
n hf ne, e hf se, sw se, w hf sw, se sw	35	81	26	640.00	nw ne	40.00	e hf ne, sw ne, w hf se	600.00
	1	82	26	317.96	n hf ne, se se, s hf sw	197.96	nw sw, ne se, sw se	120.00
all	3	82	26	648.00	n hf ne, sw ne, e hf nw, nw nw, e hf sw, w hf se, se se	448.00	se ne, sw nw, w hf sw, ne se	200.00
nw ne, w hf nw, ne nw, w hf sw, se sw, lots 4, 5, 6, 7, 8	5	82	26	448.00	nw ne, nw nw, w hf sw, se sw, lot 4	245.93	ne nw, sw nw, lots 5, 6, 7, 8	302.97
all	7	82	26	608.00	n hf ne, se	240.00	s hf ne, w hf	368.00
all	9	82	26	598.46	n hf ne, e hf sw, sw sw, s hf se, sw nw, lots 3, 5, 7	443.70	lots, 1, 2, 4, 6, nw sw	154.76
e hf, nw	11	82	26	480.00	w hf ne, se ne, n hf nw, sw nw, n hf se, se se	360.00	ne ne, se nw, sw se	120.00
all	13	82	26	640.00	w hf nw, ne sw, w hf sw	200.00	e hf, e hf nw, se sw	440.00
all	15	82	26	597.58	e hf ne, nw nw, n hf se, se se lots 5, 6, 7	363.49	lots 1, 2, 3, 4, 8	234.00
all	17	82	26	640.00	ne, ne nw, sw, ne se, w hf se	480.00	nw nw, s hf nw, se se	160.00
all	19	82	26	613.24	w hf ne, se nw	120.00	e hf ne, ne nw, w hf nw, s hf	493.24
all	21	82	26	640.00	nw ne, ne nw, s hf nw, n hf sw, se	400.00	ne ne, s hf ne, nw nw, s hf sw	240.00
e hf nw	23	82	26	480.00	w hf ne, w hf nw, ne se, w hf se	280.00	e hf ne, e hf nw, se se	200.00
all but sw sw lot 8, 9	27	82	26	480.36	n hf nw, e hf se lots 1, 2, 3, 5, 6, 7	380.01	sw nw, nw sw lot 4	100.35
all	29	82	26	640.00	se ne, nw sw, n hf se	160.00	n hf ne, sw ne, e hf sw, sw sw, nw, s hf se	480.00
all	31	82	26	621.60	e hf ne	80.00	w hf ne, w hf, se qr	541.60
all	33	82	26	640.00	n hf ne, nw, s hf se, ne se	360.00	s hf ne, sw, nw se	280.00
s hf	35	82	26	320.00	s hf	320.00		
all	1	83	26	521.60	w hf ne, nw, sw, w hf se	391.20	e hf ne, e hf se	130.40
w hf ne, w hf	3	83	26	314.86	w hf ne, w hf	314.86		
e hf ne, s hf	5	83	26	373.00	e hf se, nw se, e hf ne, sw qr	333.00	sw se	40.00
lot 2	7	83	26	43.15	lot 2	43.15		
all	9	83	26	640.00	all	640.00		
e hf, e hf nw, nw nw, s hf sw	11	83	26	320.00	nw ne, e hf nw, nw nw, s hf sw, nw se	280.00	e hf ne, sw ne, e hf se, sw se	240.00
all	13	83	26	640.00			all	640.00
w hf sw, nw	15	83	26	240.00	w hf sw, n hf nw	160.00	s hf nw	80.00
ne, n hf nw, lots 1, 2, 3, 4, 6, 7, 8	17	83	26	513.50	n hf ne, nw nw, sw ne, lots 1, 2, 8	219.17	se ne, ne nw, lots 1, 3, 4, 6, 7	294.33

## LIST No. 3—CONTINUED.

CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.		DEEDED TO D. M. N. & R. E. CO.	
Parts of Sections.		Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.
all	all	29	88	26	616.68 n hf	308.74 s hf	308.74
all	all	29	88	26	632.82 hf	475.23 e hf nw, ne sw, lot 1	155.10
all	all	29	88	26	640.00 all but ne	600.00 hf	40.00
all	all	29	88	26	640.00 e hf nw, nw nw	120.00 e hf	40.00
all	all	29	88	26	640.00 all but ne	600.00 ne ne	40.00
all	all	29	88	26	592.33 se ne, n hf sw, se sw, lots 4, 8, 9	271.91 w hf nw, sw sw, lots 1, 2, 3, 5, 6, 7	320.45
all	all	31	88	26	620.00 ne, e hf nw, ne se, s hf se	360.00 w hf nw, sw, nw se	260.00
all	all	33	88	26	574.02 e hf ne, e hf se, sw sw, lots 2, 6, 8	313.80 w hf ne, nw sw, lots 1, 3, 4, 5, 7	259.12
w hf, ne, n hf se		35	88	26	560.00 w hf, ne qr, n hf se		
Total					81,707.03		40,618.27

DEPARTMENT OF THE INTERIOR, October 30, 1851.

The selections embraced in the within list, No. 3, are hereby approved, in accordance with the views expressed in my letter of the 29th inst. to the Commissioner of the General Land Office, subject to any rights which may have existed at the time the selections were made known to the land officers by the agents of the State, it being expressly understood that this approval conveys to the State no title to any tract or tracts which may have been sold or otherwise disposed of prior to the receipt by the local land officers of the letter of the Commissioner of the General Land Office communicating the decision of Mr. Secretary Walker, to the effect that the grant extended above the Raccoon fork.

(Signed)

ALEX. H. H. STUART,  
Secretary.

GENERAL LAND OFFICE, March 16, 1852.

I, Justin Butterfield, Commissioner of the General Land Office, do hereby certify that the annexed list, showing the vacant lands in the odd numbered sections above the Raccoon Forks, within five miles of the Des Moines river, approved March 10, 1852, is a true and literal exemplification from the original on file in this office.

In testimony whereof, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

[L. S.]

J. BUTTERFIELD,  
Commissioner of the General Land Office.





CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED BY STATE TO INDIVIDUALS.		DEEDED TO D. M. N. & R. R. CO.		
Parts of Sections.	Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.	Parts of Sections.	Acres.
					nw ne, w hf nw, nw sw, se		ne ne, s hf ne, e hf nw, ne	
all	17	87	26	640.00	sw, s hf se	280.00	sw, sw sw, n hf se	360.00
s hf	21	87	26	320.00	se sw	40.00	se qr, w hf sw, ne sw	280.00
w hf of se	23	87	26	80.00			whf se	80.00
e hf and sw qr	27	87	26	480.00			e hf, sw qr	480.00
e hf ne, w hf nw, w hf sw,							e hf ne, w hf nw, nw sw, e	
e hf se	29	87	26	320.00	sw sw	40.00	hf se	280.00
all	33	87	26	640.00			all	640.00
all	35	87	26	640.00			all	640.00
sw sw	29	88	26	40.00			sw sw	40.00
all	31	88	26	580.68			all	580.68
all	1	81	27	593.64			all	593.64
ne qr, e hf se	11	81	27	240.00			ne qr, e hf se	240.00
n hf, se qr, e hf sw	13	81	27	560.00			n hf, se qr, e hf sw	560.00
e hf ne	23	81	27	80.00			e hf ne	80.00
all	1	82	27	633.66			all	633.66
all	3	82	27	639.68			all	639.68
ne qr, e hf se	9	82	27	240.00			ne qr, e hf se	240.00
all	11	82	27	640.00			all	640.00
all	13	82	27	640.00			all	640.00
all	15	82	27	640.00			all	640.00
all	23	82	27	640.00			all	640.00
all	25	82	27	640.00			all	640.00
ne ne	27	82	27	40.00			ne ne	40.00
e hf, e hf nw, e hf sw	35	82	27	480.00			e hf, e hf nw, e hf sw	480.00
all	1	83	27	481.07	w hf nw, sw sw, lots 1, 2, 3, 4, 7, 8, 9	412.97	lots 5, 6	68.10
all	3	83	27	528.04			all	528.04
all	5	83	27	525.34			all	525.34
all	7	83	27	640.08			all	640.08
all	9	83	27	640.00			all	640.00
all	11	83	27	640.00	s hf ne, nw qr, n hf se, sw se	360.00	n hf ne, se se, sw qr	280.00
all	13	83	27	640.00	sw ne, n hf sw	120.00	e hf ne, nw ne, nw qr, s hf sw, se qr	520.00
all	15	83	27	640.00			all	640.00
all	17	83	27	640.00			all	640.00
all	21	83	27	640.00			all	640.00
all	23	83	27	640.00			all	640.00
all	25	83	27	640.00	ne ne, nw qr, n hf sw	280.00	s hf ne, nw ne, s hf sw, se qr	360.00
all	27	83	27	640.00			all	640.00
e hf	33	83	27	320.00			e hf	320.00
all	35	83	27	640.00			all	640.00
all	1	84	27	657.85	lots 1, 2, 3	133.62	w hf nw, sw qr, lots 4, 5, 6, 7, 8	524.23
all	3	84	27	710.78	se sw	40.00	n hf, w hf sw, ne sw, se qr	670.78
all	5	84	27	706.24			all	706.24
all	7	84	27	643.84			all	643.84
all	9	84	27	640.00			all	640.00
all	11	84	27	640.00	s hf ne, se nw, n hf sw, ne se	240.00	n hf ne, n hf nw, sw nw, s hf sw, s hf se, nw se	400.00
all	13	84	27	385.56	all but nw nw	545.56	nw nw	40.00
all	15	84	27	640.00	se sw, se se	80.00	n hf, n hf sw, sw sw, n hf se, sw se	560.00
all	17	84	27	640.00			all	640.00
all	19	84	27	643.84			all	643.84
all	21	84	27	640.00	se ne, sw sw, ne se	120.00	n hf ne, sw ne, nw qr, e hf sw, nw sw, s hf se, nw se	520.00
all	23	84	27	579.25	all but lot 8	558.09	lot 8	21.16
all	25	84	27	629.74	n hf, n hf se, ne sw, lot 2	471.70	nw sw, se se, lots 1, 3	158.04
all	27	84	27	635.53	ne nw, e hf se, lots 1, 2	195.53	w hf ne, s hf nw, nw nw, sw qr, w hf se	440.00



CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED BY STATE TO TO INDIVIDUALS.		DEEDED TO D. M. N. & R. R. CO.		
Parts of Section.	Section.	Township.	Range.	Acres.	Parts of Sections.	Acres.	Parts of Sections.	Acres.
all	29	84	27	640.00			all	640.00
all	31	84	27	645.20			all	645.20
all	33	84	27	640.00			all	640.00
all	35	84	27	599.22 se qr, lots 1, 2, 3.	261.25	sw nw, sw qr, lots 4, 5, 6, 7.		337.97
all	1	85	27	627.58 e hf sw, e hf se	160.00	n hf, w hf se, w hf sw		467.58
all	3	85	27	582.14 se ne, nw nw, ne se, lot 7.	179.20	ne ne, sw sw, lots 1, 2, 3, 4, 5, 6, 8.		402.94
all	5	85	27	643.58		all		643.58
all	7	85	27	638.00		all		638.00
all	9	85	27	640.00 ne ne	40.00	s hf ne, nw ne, nw qr, s hf.		600.00
all	11	85	27	590.64 se sw, w hf se, lots 3, 5, 6, 7	273.31	e hf ne, e hf se, lots 1, 2, 4.		317.33
all	13	85	27	640.00 ne qr, nw se.	200.00	w hf, s hf se, ne se.		440.00
all	15	85	27	605.51 e hf se	80.00	w hf nw, se nw, sw qr, w hf se, lots 1, 3, 4.		523.51
all	17	85	27	640.00		all		640.00
all	19	85	27	644.80		all		644.80
all	21	85	27	640.00		all		640.00
all	23	85	27	617.57 e hf ne	80.00	w hf ne, se nw, s hf, lot 1, 2, 3		537.57
all	25	85	27	640.00 ne ne, nw qr, se sw, nw se.	280.00	w hf ne, se ne, n hf sw, sw sw, e hf se, sw se.		360.00
all	27	85	27	597.60 sw sw, lots 5, 7.	140.54	w hf nw, ne nw, nw sw, se se, lots 1, 2, 3, 4, 6, 8.		457.06
all	29	85	27	640.00		all		640.00
all	31	85	27	645.40		all		645.40
all	33	85	27	640.00		all		640.00
all	35	85	27	621.00 s hf ne	80.00	n hf ne, w hf, nw se, lots 1, 2, 3, e hf se, sw se, lots 5, 6, 7, 8.		541.60
e hf se, sw se, lots 5, 6, 7, 8.	1	86	27	326.39		e hf se, sw se, lots 5, 6, 7, 8.		326.39
all	3	86	27	574.46 se se, lots 6, 7.	157.35	nw ne, nw qr, nw sw, lots 1, 2, 3, 4, 5.		417.11
all	5	86	27	627.58		all		627.58
all	7	86	27	629.60		all		629.60
all	9	86	27	640.00		all		640.00
n hf	11	86	27	320.00		n hf		320.00
all	13	86	27	640.00		all		640.00
all	15	86	27	630.63 se ne, ne sw	80.00	n hf ne, sw ne, se nw, s hf sw, nw sw, se qr, lots 1, 2, 3.		550.63
all	17	86	27	640.00		all		640.00
all	19	86	27	632.00		all		632.00
all	21	86	27	596.88 lots 3, 4.	60.38	nw qr, w hf sw, se sw, lots 1, 2, 5, 6, 7, 8.		536.50
all	23	86	27	640.00 sw sw	40.00	all but sw sw.		600.00
all	25	86	27	640.00		all		640.00
all	27	86	27	591.16 e hf ne, lot 1.	111.13	nw ne, w hf sw, ne se, lots 2, 3, 4, 5, 6, 7, 8.		480.03
all	29	86	27	640.00		all		640.00
all	31	86	27	634.72		all		634.72
all	33	86	27	640.00		all		640.00
all	35	86	27	640.00 e hf nw, n hf se, se se.	200.00	ne qr, w hf nw, sw qr, sw se qr		266.44
n hf, e hf se.	1	87	27	426.44 s hf ne, s hf nw	160.00	n hf ne, n hf nw, e hf se.		673.90
all	3	87	27	673.90		all		673.90
all	5	87	27	681.60		all		681.60
w hf, and se qr.	7	87	27	480.00		w hf, se qr.		480.00
s hf	9	87	27	320.00		s hf		320.00
w hf	11	87	27	320.00 s hf nw, w hf sw.	160.00	n hf nw, e hf sw.		160.00
lots 1, 2, 3, 5, 6, 7, 8, e hf ne, sw nw, w hf sw.	15	87	27	472.80 sw nw, sw sw, lots 7, 8.	182.20	e hf ne, nw sw lots 1, 2, 5, 6.		290.60
all	17	87	27	611.25		all		611.25
all	21	87	27	587.82		all		587.82
lots 1, 2, 3, and sw sw	23	87	27	121.00 lots 2, 3.	79.10	sw sw, lot 1.		41.90
e hf	27	87	27	320.00		e hf		320.00
w hf	33	87	27	320.00		w hf		320.00
all	35	87	27	640.00		all		640.00

CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.				DEEDED TO D. M. N. & R. CO.	
Parts of Section.		Section.	Town.	Range.	Acres.	Parts of Section.		Parts of Section.	
s w nw, w hf sw		8	28	27	130.00	s w nw, w hf sw		Acres.	
all		9	28	27	701.30	all		701.30	
e hf, e hf ne, e hf sw		7	28	27	598.86	all		598.86	
all		9	28	27	640.00	all		640.00	
w hf, w hf ne, w hf se		15	28	27	480.00	w hf ne, w hf se, w hf		480.00	
all		17	28	27	480.00	all		480.00	
all		19	28	27	599.10	all		599.10	
all		21	28	27	640.00	all		640.00	
s hf, s hf ne, s hf nw		23	28	27	480.00	s hf, s hf ne, s hf nw		480.00	
all		25	28	27	640.00	all		640.00	
all		27	28	27	640.00	all		640.00	
e hf ne, w hf nw, sw qr		29	28	27	640.00	e hf ne, w hf nw, sw qr		640.00	
all		31	28	27	285.28	w hf nw, se sw		101.92	
all		33	28	27	640.00	all		640.00	
w hf, w hf ne, se qr		35	28	27	640.00	all		640.00	
s hf sw		19	28	27	583.00	all		583.00	
s hf nw, sw qr, w hf se		21	28	27	80.00	w hf, w hf ne, se qr		583.92	
all		27	28	27	360.00	s hf sw		80.00	
all		29	28	27	640.00	s hf nw, sw, w hf se, se		360.00	
all		31	28	27	640.00	all		640.00	
all		33	28	27	663.72	all		663.72	
w hf nw, se nw, sw qr, w hf		35	28	27	640.00	all		640.00	
se		35	28	27	360.00	w hf nw, se nw, sw, w hf se,		360.00	
e hf, n hf nw, ne sw		1	28	28	352.25	e hf, n hf nw ne, sw		352.25	

all		1	24	28	690.20	all		690.20	
e hf, e hf ne, e hf sw		11	24	28	80.00	e hf, e hf ne, e hf sw		80.00	
all		13	24	28	480.00	all		480.00	
all		35	24	28	640.00	all		640.00	
e hf		11	25	28	645.00	e hf		645.00	
all		11	25	28	320.00	all		320.00	
e hf ne, e hf se, sw se		13	25	28	640.00	e hf ne, e hf se, sw se		640.00	
all		23	25	28	300.00	all		300.00	
e hf		35	25	28	320.00	e hf		320.00	
all		1	26	28	627.88	all		627.88	
n hf, ne sw, se		3	26	28	305.02	n hf, ne sw, se qr		303.02	
all		11	26	28	640.00	all		640.00	
all		13	26	28	640.00	all		640.00	
e hf ne, e hf se		15	26	28	169.00	e hf ne, e hf se		169.00	
all		23	26	28	640.00	all		640.00	
all		25	26	28	640.00	all		640.00	
e hf ne, e hf se		27	26	28	190.00	e hf ne, e hf se		190.00	
all		35	26	28	640.00	all		640.00	
all		1	27	28	622.28	sw nw lot 8		33.35	
all		1	27	28	622.28	ne ne, w hf sw, lots 1, 2, 3, 4, 5, 6, 7, 9, 10		4.56	
n hf, sw qr		3	27	28	318.28	n hf, sw qr		318.28	
all		5	27	28	673.98	all		673.98	
all		7	27	28	621.98	all		621.98	
w hf, se qr		9	27	28	640.00	w hf, se qr		640.00	
all		11	27	28	480.00	all		480.00	
all		13	27	28	640.00	all		640.00	
all		15	27	28	640.00	all		640.00	
all		17	27	28	640.00	all		640.00	
all		21	27	28	640.00	all		640.00	
all		23	27	28	640.00	all		640.00	
all		25	27	28	640.00	all		640.00	
all		27	27	28	640.00	all		640.00	
all		31	27	28	640.00	all		640.00	
all		33	27	28	160.00	n hf ne, se ne, ne se		160.00	
ne qr, ne nw, n hf se, se		35	27	28	320.00	ne qr, ne nw, n hf se, se		320.00	
all		35	27	28	640.00	all		640.00	
all		1	28	28	709.10	all		709.10	



CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED TO INDIVIDUALS BY THE STATE.		DEEDED TO D. M. N. & R. R. CO.		
Parts of Sections.	Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.	Parts of Sections.	Acres.
all	3	88	28	719.64	sw qr	160.00	n hf, se	559.64
n hf, lot 4	5	88	28	439.87	lot 4	38.43	n hf	401.44
se qr	7	88	28	160.00			se qr	160.00
all	9	88	28	640.00	n hf	320.00	s hf	320.00
sw qr, s hf nw	11	88	28	240.00			sw qr, s hf nw	240.00
n hf, se qr	13	88	28	480.00			n hf, se qr	480.00
all	15	88	28	509.68	se se, lot 1, 2, 3, 4, 5, 6, 8	394.13	nw nw, s hf sw, sw se, lot 7	205.55
w hf se, e hf sw	17	88	28	510.55	all but ne qr, and w hf sw	350.55	ne qr	160.00
w hf, se qr, w hf ne	19	88	28	541.58			w hf, se qr, w hf ne	541.58
n hf	21	88	28	320.00			n hf	320.00
all	23	88	28	606.68	s hf sw, s hf se, lot 4	218.88	se ne, n hf se, lots 1, 2, 3, 5, 6, 7	387.80
w hf	25	88	28	320.00	nw qr, w hf sw	240.00	e hf sw	80.00
all	27	88	28	619.88	lot 1	32.00	s hf, s hf nw, nw nw, lots 2, 3, 4	587.28
all	29	88	28	640.00			all	640.00
all	31	88	28	619.08			all	619.08
sw qr	33	88	28	160.00			sw	160.00
all	35	88	28	593.25	e hf ne	80.00	w hf nw, w hf sw, ne se, lots 1, 2, 3, 4, 5, 6, 7, 8	513.25
w hf, sw ne, w hf se	1	89	28	414.03			w hf, sw ne, w hf se	414.03
all	3	89	28	589.02			all	589.02
all	5	89	28	606.16			all	606.16
*all	7	89	28	312.99			ne ne, lots 1, 2, 3, 4, 5, 6	312.99
all	9	89	28	640.00			all	640.00
all	11	89	28	640.00			all	640.00
w hf, w hf ne, w hf se, se se	13	89	28	520.00			w hf, w hf ne, w hf se, se se	520.00
all	15	89	28	640.00			all	640.00
all	17	89	28	640.00	w hf nw, w hf sw, se sw	200.00	e hf, e hf nw, ne sw	440.00
all	21	89	28	640.00			all	640.00
all	23	89	28	640.00			all	640.00
all	25	89	28	640.00			all	640.00
all	27	89	28	640.00			all	640.00
*all	29	89	28	559.21	n hf ne, e hf nw, nw nw, lots 1, 2, 3	318.21	s hf ne, se qr	240.00
*all (fr)	31	89	28	1.41			lot 1	1.41
all	33	89	28	640.00			all	640.00
all	35	89	28	640.00			all	640.00
w hf, w hf ne, w hf se	1	90	28	469.75			w hf, w hf ne, w hf se	469.75
all	3	90	28	642.18			all	642.18
all	5	90	28	638.94			all	638.94
all	7	90	28	640.54	sw sw	40.15	all except sw sw	600.39
all	9	90	28	640.00			all	640.00
all	11	90	28	640.00			all	640.00
w hf nw	13	90	28	80.00			w hf nw	80.00
all	15	90	28	640.00			all	640.00
all	17	90	28	640.00			all	640.00
all	19	90	28	640.13			all	640.13
all	21	90	28	640.00			all	640.00
all	23	90	28	640.00			all	640.00
sw nw, w hf sw	35	90	28	120.00			sw nw, w hf sw	120.00
all	27	90	28	640.00			all	640.00
all	29	90	28	640.00			all	640.00
*all	31	90	28	490.27			e hf, lots 1, 2, 3, 4	490.27
all	33	90	28	640.00			all	640.00
all	35	90	28	640.00			all	640.00
Total				143,908.37		17,477.39		126,430.98

\* E. of river.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON, March 10, 1852.

The selections embraced in the within list are hereby approved in accordance with the views expressed in my letter of the 29th October last, to the Commissioner of the General Land Office, subject to any right which may have existed at the time the selections were made known to the land officers by the agents of the State, it being expressly understood that this approval conveys to the State no title to any tract or tracts which may have been sold or otherwise disposed of prior to the receipt by the local land officers of the letter of the Commissioner of the General Land Office, communicating the decision of Mr. Secretary Walker to the effect that the grant extended above the Raccoon Forks.

ALEX. H. H. STUART,  
Secretary.

GENERAL LAND OFFICE, January 6, 1854.

I, John Wilson, Commissioner of the General Land Office, do hereby certify that the annexed copy of a list of tracts falling to the State of Iowa, under act of 8th August, 1846, is a true and literal exemplification from the original on file in this office.

In testimony whereof, I have hereunto subscribed my name, and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

[L. S.]

JOHN WILSON,  
Commissioner of the General Land Office.

A LIST

Showing the vacant lands in the odd numbered sections above the Raccoon Forks, and within five miles of the Des Moines river, so far as the surveys have progressed, falling to the State of Iowa under the act of 8th August, 1846, as construed by the Secretary of the Treasury, in his letter of 2d March, 1849, and of the Secretary of the Interior of 29th October, 1851, which have not heretofore been approved.

CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED BY THE STATE TO INDIVIDUALS.		DEEDED TO D. M. N. & R. R. CO.	
Parts of Sections.		Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.
*all	19	80	19	80	446.84	all	446.84
s hf, nw qr, sw ne, lots 1, 2	8	81	19	81	328.54	all	328.54
all	9	91	19	91	698.54	all	698.54
w hf nw	81	91	91	91	97.00	all	97.00
all	5	92	92	92	691.80	all	691.80
all	5	92	92	92	638.24	all	638.24
all	9	92	92	92	640.00	all	640.00
w hf nw	9	92	92	92	80.00	w hf nw	80.00
all	17	92	92	92	640.00	all	640.00
all	19	92	92	92	695.92	all	695.92
all	21	92	92	92	615.65	all	615.65
all	29	92	92	92	639.84	all	639.84
all	31	92	92	92	698.08	all	698.08
all	31	91	91	91	635.52	all	635.52
all	31	91	91	91	627.42	all	627.42
all	31	91	91	91	636.08	all	636.08

\* On east side river.



CERTIFIED UNDER D. M. GRANT.				SOLD AND PATENTED BY THE STATE TO INDIVIDUALS.			DEEDED TO D. M. S. & R. E. CO.	
Parts of Sections.		Section.	Town.	Range.	Acres.	Parts of Sections.	Acres.	
lots 1 and 2.		7	91	38	32.00	lots 1 and 2.	32.00	
all		9	91	38	640.00	all	640.00	
all		11	91	38	640.00	all	640.00	
all		13	91	38	640.00	all	640.00	
all		15	91	38	640.00	all	640.00	
lots 1, 2, e hf, e hf nw, sw qr		17	91	38	925.50	e hf, e hf nw, sw qr, lots 1, 2	925.50	
lots 1, 2, 3, 4		19	91	38	188.30	lots 1, 2, 3, 4	188.30	
all		21	91	38	640.00	all	640.00	
all		23	91	38	640.00	all	640.00	
all		25	91	38	640.00	all	640.00	
all		27	91	38	640.00	all	640.00	
lots 1, 2, 3, 4, e hf, e hf nw, ne sw		29	91	38	616.35	all (certified)	616.35	
lot 1		31	91	38	35.70	lot 1	35.70	
all		33	91	38	640.00	all	640.00	
all		35	91	38	640.00	all	640.00	
all		37	91	38	600.80	all	600.80	
lots 1, 2, 3, ne qr, e hf nw, nw nw, e hf sw, ne		39	92	38	564.44	all (certified)	564.44	
n hf, se, lots 1 and 2.		41	92	38	568.80	n hf, se qr, lots 1 and 2.	568.80	
all		43	92	38	640.00	all	640.00	
lots 1 and 2.		45	92	38	18.70	lots 1 and 2.	18.70	
all		47	92	38	640.00	all	640.00	
all		49	92	38	640.00	all	640.00	
lots 1, 2, 3, 4, se qr, ne qr		51	92	38	415.18	se qr, ne qr, lots 1, 2, 3, 4.	415.18	

lot 1	41	92	28	39.00	lot 1	39.00
e hf ne, s hf, lots 1, 2, 3, 4.	43	92	28	581.63	e hf ne, s hf, lots 1, 2, 3, 4.	581.63
all	45	92	28	640.00	all	640.00
all	47	92	28	608.16	all	608.16
ne ne	49	92	29	46.90	ne ne	46.90
all	51	92	29	679.73	all	679.73
all	53	92	29	733.18	all	733.18
all	55	92	29	740.10	all	740.10
all	57	92	29	613.28	all	613.28
all	59	92	29	640.00	all	640.00
all	61	92	29	640.00	all	640.00
all	63	92	29	640.00	all	640.00
all	65	92	29	640.00	all	640.00
all	67	92	29	640.00	all	640.00
all	69	92	29	640.00	all	640.00
all	71	92	29	640.00	all	640.00
all	73	92	29	640.00	all	640.00
all	75	92	29	640.00	all	640.00
all	77	92	29	640.00	all	640.00
all	79	92	29	640.00	all	640.00
all	81	92	29	640.00	all	640.00
all	83	92	29	640.00	all	640.00
all	85	92	29	640.00	all	640.00
all	87	92	29	640.00	all	640.00
all	89	92	29	640.00	all	640.00
all	91	92	29	640.00	all	640.00
all	93	92	29	640.00	all	640.00
all	95	92	29	640.00	all	640.00
all	97	92	29	640.00	all	640.00
all	99	92	29	640.00	all	640.00
all	101	92	29	640.00	all	640.00
all	103	92	29	640.00	all	640.00
all	105	92	29	640.00	all	640.00
all	107	92	29	640.00	all	640.00
all	109	92	29	640.00	all	640.00
all	111	92	29	640.00	all	640.00
all	113	92	29	640.00	all	640.00
all	115	92	29	640.00	all	640.00
all	117	92	29	640.00	all	640.00
all	119	92	29	640.00	all	640.00
all	121	92	29	640.00	all	640.00
all	123	92	29	640.00	all	640.00
all	125	92	29	640.00	all	640.00
all	127	92	29	640.00	all	640.00
all	129	92	29	640.00	all	640.00
all	131	92	29	640.00	all	640.00
all	133	92	29	640.00	all	640.00
all	135	92	29	640.00	all	640.00
all	137	92	29	640.00	all	640.00
all	139	92	29	640.00	all	640.00
all	141	92	29	640.00	all	640.00
all	143	92	29	640.00	all	640.00
all	145	92	29	640.00	all	640.00
all	147	92	29	640.00	all	640.00
all	149	92	29	640.00	all	640.00
all	151	92	29	640.00	all	640.00
all	153	92	29	640.00	all	640.00
all	155	92	29	640.00	all	640.00
all	157	92	29	640.00	all	640.00
all	159	92	29	640.00	all	640.00
all	161	92	29	640.00	all	640.00
all	163	92	29	640.00	all	640.00
all	165	92	29	640.00	all	640.00
all	167	92	29	640.00	all	640.00
all	169	92	29	640.00	all	640.00
all	171	92	29	640.00	all	640.00
all	173	92	29	640.00	all	640.00
all	175	92	29	640.00	all	640.00
all	177	92	29	640.00	all	640.00
all	179	92	29	640.00	all	640.00
all	181	92	29	640.00	all	640.00
all	183	92	29	640.00	all	640.00
all	185	92	29	640.00	all	640.00
all	187	92	29	640.00	all	640.00
all	189	92	29	640.00	all	640.00
all	191	92	29	640.00	all	640.00
all	193	92	29	640.00	all	640.00
all	195	92	29	640.00	all	640.00
all	197	92	29	640.00	all	640.00
all	199	92	29	640.00	all	640.00
all	201	92	29	640.00	all	640.00
all	203	92	29	640.00	all	640.00
all	205	92	29	640.00	all	640.00
all	207	92	29	640.00	all	640.00
all	209	92	29	640.00	all	640.00
all	211	92	29	640.00	all	640.00
all	213	92	29	640.00	all	640.00
all	215	92	29	640.00	all	640.00
all	217	92	29	640.00	all	640.00
all	219	92	29	640.00	all	640.00
all	221	92	29	640.00	all	640.00
all	223	92	29	640.00	all	640.00
all	225	92	29	640.00	all	640.00
all	227	92	29	640.00	all	640.00
all	229	92	29	640.00	all	640.00
all	231	92	29	640.00	all	640.00
all	233	92	29	640.00	all	640.00
all	235	92	29	640.00	all	640.00
all	237	92	29	640.00	all	640.00
all	239	92	29	640.00	all	640.00
all	241	92	29	640.00	all	640.00
all	243	92	29	640.00	all	640.00
all	245	92	29	640.00	all	640.00
all	247	92	29	640.00	all	640.00
all	249	92	29	640.00	all	640.00
all	251	92	29	640.00	all	640.00
all	253	92	29	640.00	all	640.00
all	255	92	29	640.00	all	640.00
all	257	92	29	640.00	all	640.00
all	259	92	29	640.00	all	640.00
all	261	92	29	640.00	all	640.00
all	263	92	29	640.00	all	640.00
all	265	92	29	640.00	all	640.00
all	267	92	29	640.00	all	640.00
all	269	92	29	640.00	all	640.00
all	271	92	29	640.00	all	640.00
all	273	92	29	640.00	all	640.00
all	275	92	29	640.00	all	640.00
all	277	92	29	640.00	all	640.00
all	279	92	29	640.00	all	640.00
all	281	92	29	640.00	all	640.00
all	283	92	29	640.00	all	640.00
all	285	92	29	640.00	all	640.00
all	287	92	29	640.00	all	640.00
all	289	92	29	640.00	all	640.00
all	291	92	29	640.00	all	640.00
all	293	92	29	640.00	all	640.00
all	295	92	29	640.00	all	640.00
all	297	92	29	640.00	all	640.00
all	299	92	29	640.00	all	640.00
all	301	92	29	640.00	all	640.00
all	303	92	29	640.00	all	640.00
all	305	92	29	640.00	all	640.00
all	307	92	29	640.00	all	640.00
all	309	92	29	640.00	all	640.00
all	311	92	29	640.00	all	640.00
all	313	92	29	640.00	all	640.00
all	315	92	29	640.00	all	640.00
all	317	92	29	640.00	all	640.00
all	319	92	29	640.00	all	640.00
all	321	92	29	640.00	all	640.00
all	323	92	29	640.00	all	640.00
all	325	92	29	640.00	all	640.00
all	327	92	29	640.00	all	640.00
all	329	92	29	640.00	all	640.00
all	331	92	29	640.00	all	640.00
all	333	92	29	640.00	all	640.00
all	335	92	29	640.00	all	640.00
all	337	92	29	640.00	all	640.00
all	339	92	29	640.00	all	640.00
all	341	92	29	640.00	all	640.00
all	343	92	29	640.00	all	640.00
all	345	92	29	640.00	all	640.00
all	347	92	29	640.00	all	640.00
all	349	92	29	640.00	all	640.00
all	351	92	29	640.00	all	640.00
all	353	92	29	640.00	all	640.00
all	355	92	29	640.00	all	640.00
all	357	92	29	640.00	all	640.00
all	359	92	29	640.00	all	640.00
all	361	92	29	640.00	all	640.00
all	363	92	29	640.00	all	640.00
all	365	92	29	640.00	all	640.00
all	367	92	29	640.00	all	640.00
all	369	92	29	640.00	all	640.00
all	371	92	29	640.00	all	640.00
all	373	92	29	640.00	all	640.00
all	375	92	29	640.00	all	640.00
all	377	92	29	640.00	all	640.00
all	379	92	29	640.00	all	640.00
all	381	92	29	640.00	all	640.00
all	383	92	29	640.00	all	640.00
all	385	92	29	640.00	all	640.00
all	387	92	29	640.00	all	640.00
all	389	92	29	640.00	all	640.00
all	391	92	29	640.00	all	640.00
all	393	92	29	640.00	all	640.00
all	395	92	29	640.00	all	640.00
all	397	92	29	640.00	all	640.00
all	399	92	29	640.00	all	640.00
all	401	92	29	640.00	all	640.00
all	403	92	29	640.00	all	640.00
all	405	92	29	640.00	all	640.00
all	407	92	29	640.00	all	640.00
all	409	92	29	640.00	all	640.00
all	411	92	29	640.00	all	640.00
all	413	92	29	640.00	all	640.00
all	415	92	29	640.00	all	640.00
all	417	92	29	640.00	all	640.00
all	419	92	29	640.00	all	640.00
all	421	92	29	640.00	all	640.00
all	423	92	29	640.00	all	640.00
all	425	92	29	640.00	all	640.00
all	427	92	29	640.00	all	640.00
all	429	92	29	640.00	all	640.00
all	431	92	29	640.00	all	640.00
all	433	92	29	640.00	all	640.00
all	435	92	29	640.00	all	640.00
all	437	92	29	640.00	all	640.00
all	439	92	29	640.00	all	640.00
all	441	92	29	640.00	all	640.00
all	443	92	29	640.00	all	640.00
all	445	92	29	640.00	all	640.00
all	447	92	29	640.00	all	640.00
all	449	92	29	640.00	all	640.00
all	451	92	29	640.00	all	640.00
all	453					

DEPARTMENT OF THE INTERIOR,  
DECEMBER 17, 1853.

The selections embraced in the within list are hereby approved to the State of Iowa, under act of August 8th, 1846, without prejudice to the rights, if any there be, of other parties.

R. McCLELLAND,  
Secretary.

GENERAL LAND OFFICE,  
JANUARY 6, 1854.

I, John Wilson, Commissioner of the General Land Office, do hereby certify that the annexed copy of a list of tracts falling to the State of Iowa, under act of the 8th August, 1846, is a true and literal explication from the original now on file in this office.

In testimony whereof, I have hereunto subscribed my name and caused [L. s.] the seal of this office to be affixed, at the city of Washington, on the day and year above written.

JOHN WILSON,  
Commissioner of the General Land Office.

APPROVED TO THE STATE UNDER THE DES MOINES GRANT.

A list of lands falling within the Des Moines River Grant, under act of 8th August, 1846, selected by the State under the act of September, 1841, on the 29th day of July, 1850, and erroneously approved 20th February, 1851, previous to the adjustment of the grant, and before it was known that they belonged to the State under the Des Moines River Grant.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
w hf sw	5	87	26	80.00
all	5	87	26	597.92
n hf	9	87	26	320.00
s hf	15	87	26	320.00
all	19	87	26	609.18
n hf	21	87	26	320.00
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
all	31	87	26	605.92
n hf nw, lots 1, 2, 3, 4	1	86	27	241.56
s hf	11	86	27	320.00
sw qr, w hf se	1	87	27	240.00
ne qr	7	87	27	160.00
n hf	9	87	27	320.00
e hf	11	87	27	320.00
all	13	87	27	640.00
lots 3 and 4	15	87	27	113.90
all	19	87	27	618.40
ne qr, ne nw, e hf se, lots 4, 5, 6, 7, 8	23	87	27	475.50
ne qr, e hf nw, nw nw, n hf se, se se, lots 1, 2, 3, 4, 5	25	87	27	604.25
w hf	27	87	27	320.00
all	29	87	27	640.00
all	31	87	27	626.44
e hf	33	87	27	320.00
w hf ne, e hf nw, se qr	31	88	27	320.00
se qr	9	87	28	160.00
ne qr	11	87	28	160.00
e hf se, nw se, lots 1, 2, 3	5	88	28	252.44
w hf, ne qr	7	88	28	468.00
e hf, n hf nw	11	88	28	460.00
sw qr	13	88	28	160.00
w hf sw	17	88	28	80.00
e hf ne	19	88	28	80.00
s hf	21	88	28	320.00
e hf	25	88	28	320.00
n hf, se qr	28	88	28	480.00
Total				12,813.51

The lands in this list are the so-called Des Moines river school lands; they are all included in the deeds issued to the Des Moines Navigation and Railroad Company by the Governor, May 3, 1856.



DEPARTMENT OF THE INTERIOR,  
DECEMBER 30, 1853.

The sections embraced in the within list are hereby approved to the State of Iowa, under act of August 8, 1846, without prejudice to the rights, if any there be, of other parties.

R. McCLELLAND,  
Secretary.

LISTS OF LANDS APPROVED AND CERTIFIED UNDER JOINT  
RESOLUTION OF CONGRESS OF MARCH 2, 1861.

*The following are exact copies of the lists of Des Moines river lands approved and certified to the State of Iowa under the joint resolution of March 2, 1861, and the lands described therein are all of the Des Moines river lands that have ever been so approved and certified under said joint resolution.*

PARTS OF SECTION.				
	Section.	Town.	Range.	Acres.
all of.....	19	81	24	642.08
sw qr of sw qr.....	21	81	24	40.00
all of.....	19	81	25	640.00
all of.....	15	81	25	640.00
all of.....	17	81	25	640.00
all of.....	19	81	25	676.38
e hf of.....	21	81	25	320.00
all of.....	23	81	25	640.00
all of.....	25	81	25	640.00
e hf ne and w hf nw.....	27	81	25	160.00
s hf.....	27	81	25	320.00
lots 5, 6, 7, 8, and n hf ne.....	29	81	25	268.37
all of.....	31	81	25	675.62
all of.....	33	81	25	561.25
n hf of sec and se qr.....	5	80	26	538.78
ne sw.....	5	80	26	40.00
n hf of sec and se qr.....	9	80	26	480.00
e hf sw.....	9	80	26	80.00
e fr hf of sec and e fr hf nw.....	25	81	26	385.42
sw qr.....	25	81	26	160.00
all of.....	27	81	26	640.00
all of.....	29	81	26	640.00
ne qr, ne nw, e hf se and nw se.....	31	81	26	320.00
all of.....	33	81	26	640.00
all of.....	35	81	26	640.00
e hf ne.....	25	81	27	80.00
Total.....				12,269.82

## APPROVED UNDER JOINT RESOLUTION, MARCH 2, 1861—CONTINUED.

*A list of Des Moines River lands in place approved to State, June 14, 1866,  
under Joint Resolution of March 2, 1861, in Fort Dodge District.*

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
all of.....	3	86	26	625.92
all of.....	5	86	26	624.86
all of.....	7	86	26	606.82
all of.....	9	86	26	640.00
n hf.....	15	87	26	320.00
n hf.....	17	87	26	640.00
s hf.....	21	87	26	320.00
w hf of sec.....	23	87	26	80.00
e hf of sec., and sw qr.....	27	87	26	480.00
e hf of e hf, and w hf of w hf.....	29	87	26	320.00
all of.....	33	87	26	640.00
all of.....	35	87	26	640.00
s hf se, ne se, and lots 5, 6, 7 and 8.....	1	86	27	326.39
all of.....	3	86	27	574.46
n fr hf of sec., and s w qr.....	5	86	27	467.58
all of.....	7	86	27	629.60
all of.....	9	86	27	640.00
n hf.....	11	86	27	320.00
n fr hf.....	15	86	27	310.65
n hf.....	17	86	27	320.00
e hf ne, and sw nw.....	15	87	27	120.00
lots 1, 2, 5, 6, 7 and 8.....	13	87	27	272.80
w hf sw.....	15	87	27	80.00
all of.....	17	87	27	611.25
all of.....	21	87	27	587.82
lots 1, 2, 3, and sw sw.....	23	87	27	121.00
e hf.....	27	87	27	320.00
w hf.....	33	87	27	320.00
all of.....	35	87	27	640.00
w fr hf nw.....	31	91	27	97.00
all of.....	1	86	28	627.88
n fr hf sec., se qr, and ne sw.....	3	86	28	503.02
all of.....	11	86	28	640.00
all of.....	13	86	28	640.00
all of.....	15	87	28	640.00
all of.....	17	87	28	640.00
all of.....	21	87	28	640.00
all of.....	23	87	28	640.00
all of.....	25	87	28	640.00
all of.....	27	87	28	640.00
n hf ne, se ne, and ne se.....	29	87	28	160.00
ne qr, ne nw, n hf se, and se se.....	33	87	28	320.00
all of.....	35	87	28	640.00
w fr hf sec, and w fr hf of e hf.....	1	90	28	469.75
all of.....	3	90	28	642.15
all of.....	5	90	28	638.94
n hf.....	11	90	28	320.00

## APPROVED UNDER JOINT RESOLUTION, MARCH 2, 1861—CONTINUED.

PARTS OF SECTION.	Section.	Town.	Range.	Acres.
all of.....	3	91	28	627.42
all of.....	5	91	28	636.08
lots 1 and 2, east of river.....	7	91	28	32.00
all of.....	9	91	28	640.00
all of.....	11	91	28	640.00
w hf ne, and nw qr.....	13	91	28	320.00
s hf.....	13	91	28	640.00
all of.....	15	91	28	626.60
all, east of river.....	19	91	28	188.39
lots 1, 2, 3, 4.....	21	91	28	640.00
all of.....	23	91	28	640.00
all of.....	25	91	28	640.00
all of.....	27	91	28	640.00
e hf sec, and lots 1, 2, 3 and 4.....	29	91	28	616.25
lot 1, *west of river.....	31	91	28	35.70
all of.....	33	91	28	640.00
all of.....	35	91	28	640.00
se qr.....	27	92	28	160.00
lot 1, * west of river.....	31	92	28	20.08
lots 3, 4, and s hf sec.....	33	92	28	427.65
w hf nw, and w hf sw.....	35	92	28	160.00
Total.....				32,628.82

\* should be, "east of river."



## APPROVED UNDER JOINT RESOLUTION, MARCH 2, 1861—CONTINUED.

*List of lands selected by the State of Iowa, on the east fork of the 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.*

PARTS OF SECTION.	Section.			Acres.
	Section.	Town.	Range.	
fractional section.....	5	91	27	599.67
all of.....	7	91	27	668.54
all of.....	5	92	27	691.80
all of.....	7	92	27	658.24
all of.....	9	92	27	640.00
w hf, nw qr.....	15	92	27	80.00
all of.....	17	92	27	640.00
all of.....	19	92	27	665.92
lots 1, 2, w hf of ne qr, and nw qr.....	21	92	27	305.10
all of.....	29	92	27	639.84
all of.....	31	92	27	668.68
all of.....	1	91	28	635.52
e hf of ne qr.....	13	91	28	80.00
all of.....	1	92	28	690.80
ne fr qr, n fr hf of nw qr, se qr of nw qr, e hf of se qr, nw qr of se qr, and lots 1, 2, 3.....	3	92	28	564.44
n hf of sec., e hf of se qr, and nw qr of se qr.....	11	92	28	440.00
all of.....	13	92	28	640.00
lots No. 1 and 2.....	15	92	28	18.70
all of.....	23	92	28	640.00
all of.....	25	92	28	640.00
lot No. 1.....	27	92	28	65.20
e hf of sec., e of nw qr, e hf of sw qr.....	35	92	28	480.00
Total.....				11,152.45

Of the foregoing lists, the first two were filed in the State Land Office August 2, 1866. The larger portion of the lands described in them were patented by the State to individuals, but some were included in the deeds issued May 3, 1858, to the Des Moines Navigation and Railroad Company.

The third and last list was filed in the State Land Office October 23, 1867, and the lands described therein are all included in the deeds issued to the Des Moines Navigation and Railroad Company, aforesaid, and none of them sold or conveyed by the State to individuals.

The following tracts, lots 1, 7, 8, 9 and 13, of section 33, township 81, range 25—140.70 acres—are included in the first of the foregoing lists. This was an error of the Department. The said tracts were not certified to the State under the old grant of August 8, 1846, and were not disposed of by the State under said grant; hence should not have been certified under the joint resolution aforesaid. These tracts were subsequently certified to the State under act of Congress of July 12, 1862, and the State certified them to the Des Moines Valley Railroad Company.

## MISCELLANEOUS.

## CONVEYANCES FOR REAL ESTATE TAKEN ON ACCOUNT OF DEBTS DUE THE STATE.

The following is a statement of the real estate taken on account of debts due the State, for which conveyances have been issued during the last two years.

Taken on account loans by James D. Eads, Superintendent of Public Instruction.

PARTS OF SECTION.				Acres.	NAME OF PATENTEE.	DATE OF PATENT.
Section.	Town.	Range.				
25	33	23		100.00	Mary S. Scott.	December 1, 1887.

W 1/2 of ne, se of ne, ne of se

PARTS OF SECTION.				CITY.	NAME OF PATENTEE.	DATE OF PATENT.
Block.						
11, 12						
1, 2, 3, 4, 9, 10, 12						
1, 2, 5, 6, 9, 10						
1, 2, 3, 4, 5, 8, 9						
5, 6						
				Nassau addition to city of Keokuk.	Charles P. Birge.	January 30, 1888.

Taken on account of indebtedness of Samuel M. Dyer, Ex-County Treasurer of Polk County, to State revenue.

PARTS OF SECTION.				CITY.	NAME OF PATENTEE.	DATE OF PATENT.
Block.						
11, 12						
1, 2, 3, 4, 9, 10, 12						
1, 2, 5, 6, 9, 10						
1, 2, 3, 4, 5, 8, 9						
5, 6						
				Griffith's addition to the city of Des Moines.	J. C. Painter, (quit claim).	March 6, 1888.

The w 25 ft of e 25 ft of n 10 ft of e 25 ft of lots 5 and 6

## HOSPITAL FOR INSANE AT INDEPENDENCE—TITLE TO LAND FOR, PERFECTED.

The case appealed to the Secretary of the Interior mentioned on page 184 of the last land report of this office, involving title to the south half of southeast quarter of section 6, township 88, range 9, west, being a tract deeded to the State by Gershom H. Hill, for the benefit of the Hospital for the Insane at Independence, has been decided by the Secretary in favor of said Hill, and patents for the land have been issued by the United States to Silas Sawyer, who originally located the land, and under whom said Hill claimed title. The patents have been recorded in this office and deposited with the Auditor of State who, under the law, seems to be the proper custodian thereof. This puts at rest the title of the State to said land under its purchase from Gershom H. Hill.

A copy of the decision of the Secretary of the Interior, in the case, has been presented this office, and as it may be of interest, it is herewith given:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
WASHINGTON, D. C., December 24, 1888.

GERSHOM H. HILL  
vs  
THOMAS J. FELLING.

The Commissioner of the General Land Office:

SIR—In the case of Gershom H. Hill vs. Thomas J. Felling, involving the question of the validity of Felling's homestead entry for the s 1/2 of se, of sec. 6, town 8, range 9 W., 5th P. M., Iowa, appealed from your decision of May 11, 1887, the record discloses the following facts:

On July 2, 1853, said tracts were located by one Silas Sawyer, with military bounty land warrants, No. 84,657, issued to James P. Harvey, and No. 85,795, issued to Daniel Cochran, each for forty acres. On August 1, 1854, a patent for each forty of said tract issued to said Sawyer—that is, was duly signed, sealed, countersigned and recorded in your office, but was not transmitted or delivered to said Sawyer.

On March 14, 1855, a deed for said land from Sawyer and wife to Leander Keyes (dated February 24, 1854), was placed of record in the county in which said land is situated. Hill traces title to Keyes, having in October, 1882, purchased said land from a party who held under Keyes—through several intermediate transfers—and who had been in actual possession of said land since 1868.



On October 28, 1860, the locations made by Sawyer, and the patents issued to him as aforesaid, were attempted to be canceled of record by your office, "because the Commissioner of Pensions had canceled the warrants for having issued upon false and forged papers." But said attempted cancellation was wholly without jurisdiction and void.

On March 2, 1887, Felling made his homestead entry. Soon afterwards, Hill applied to make cash substitution for said warrants, or cash entry, in the name of Sawyer, which application was rejected by the local officers, because of Felling's uncanceled entry of record. On appeal, you reversed the decision of the local officers, held said homestead entry for cancellation, and directed that Hill be allowed to make cash substitution in the name of Silas Sawyer. From this decision Felling appeals. Felling's entry was illegally allowed and must be canceled.

The proposed substitution, however, cannot be permitted. The patent issued for this land, August 1, 1854, vested the legal title thereto in Sawyer, and put an end to the jurisdiction of your office, and of this department, over the question of the rightful ownership of said land. *United States v. Schurz*, 102 U. S. 378.

Your decision is modified accordingly. The papers in the case are herewith returned.

Very respectfully,

WILLIAM F. VILAS. *Secretary.*

#### ISLAND NEWLY FORMED.

There is an island in the Mississippi river, in front of the city of Davenport, said to have been formed subsequent to the government surveys of the State. Under an act of the Nineteenth General Assembly, approved March 20, 1882, said island was sold by the Executive Council to the city of Davenport for the sum of one thousand and five dollars. By reason of an imperfection in the description given in said act, the purchase price was not paid, nor deed issued.

The Twenty-second General Assembly, by act approved March 10, 1888, corrected the description and authorized the issuing of patent to said city, "conveying the right, title and interest of the State of Iowa in and to said island" upon payment into the State treasury of the purchase money. Full payment was made of the purchase money by the said city of Davenport, and the patent issued as required by the said act, on April 13, 1888. The island, by the corrected description, "is located in the south half of the north-east quarter of section 34, and the south half of the northwest quarter of section 35, township 78, north of range 3, east of the 5th P. M., Iowa."

#### UNITED STATES LAND OFFICE RECORDS.

The Twenty-second General Assembly passed the following joint resolution relative to permanently retaining the records of the Government Land Office at the capital of our State:

#### NUMBER 4.

JOINT RESOLUTION No. 17. Contemplating the permanent Retention to the Capital of the State of Iowa, of the Records of the Government Land Office in Des Moines.

WHEREAS, It has been the practice of the general government, upon the final discontinuance of all government land offices in a State, to remove the records of such offices to Washington, D. C.

AND, WHEREAS, The best interests of the people of the State of Iowa require, that all records, pertaining to said State, shall be permanently retained at our State Capital; therefore,

*Resolved by the General Assembly of the State of Iowa:*

That our Senators in Congress be instructed, and our representatives requested to procure, if possible the passage of an act providing for the permanent retention at the Capital of the State, of the records of the government land office in Des Moines, Iowa, whenever the offices of Register and Receiver of said office shall be discontinued by the proper authorities, in pursuance of law. Said records to be turned over to the State of Iowa, and placed under the care and control of the Secretary of State, who shall provide for their safe keeping and proper arrangement as public records.

Approved March 31st, 1888.

In taking this action our General Assembly had no intention of hastening the day for the discontinuance of the Government Land Office in Des Moines; the only object and purpose being to induce Congress to adopt some measure for turning the records of said office over to the State of Iowa whenever the office *should* be discontinued, instead of sending them to Washington, as is the custom in such cases.

These records, if retained at the capital, would always be of great service and value to the people of our State, especially, and they would be of little value to the General Land Office, as said office has duplicates and copies of most of them.

There is an act of Congress providing for turning over to a State all the original records and files of the Surveyor-general's office as soon as the public surveys of the State are completed, and our Legislature was of the opinion that a similar act could be passed by Congress in regard to the original records and files of the United States Land Office in Des Moines, so that the State would not only be in possession of all of the records of the *surveys* of the lands of the State, but also of the records of the *disposition* of all of those lands.

### SURVEYS.

For the purpose of supplying, in some measure, a constant demand for information relative to questions pertaining to the original surveys of the State, rights of riparian owners, etc., the following statement is furnished, which consists principally of deductions from decisions of courts, Congressional laws, and rules of the Land Department of the general government.

The State of Iowa has an area of about 55,475 square miles. The surveys of the State of Iowa are governed primarily, by the fifth principal meridian and a base line. The base line commences at the mouth of the St. Francis river in the State of Arkansas, and runs from thence directly west. The fifth principal meridian commences at the mouth of the Arkansas river in said State, and runs from thence due north. It first touches the State of Iowa in township 77, about six miles west of the east line of Muscatine county, passing up through the eastern portion of the State, forming the eastern boundary of Cedar and Jones counties, running through the center of Dubuque county and terminating in township 91, north. All of the surveys of Iowa are referable to this meridian and base line; and extend from range No. 1 to range No. 7, east of said meridian, and from range No. 1 to range No. 49, west, of the same; and from township No. 67, north of the base line, and on the south line of the State, to township No. 100, north of the base line, and on the north line of the State. Except that the southern portion of Lee county, known as the "Half Breed tract," extends southerly between the Des Moines and Mississippi rivers into township No. 65.

The southern boundary of the State cuts off a portion of township No. 67, as does the northern boundary a portion of township No. 100.

The range lines extend across the State north and south, and the township lines extend across the State east and west.

Subordinate and conformable to this principal meridian and base line, we have run and established in Iowa, for the regulation of the public surveys, a base line and two correction lines. The said base line is the north line of township No. 67, extending from the Mississippi river westward to the line between ranges No. 33 and 34, and from said range line to the Missouri river the base line is the north line of township No. 68. The two correction lines extend across the State east and west. The first correction line is the north line of township No. 78, and the second is the north line of township No. 88. These lines were run to correct or counteract errors occasioned by the convergence of the meridian lines, as the surveys extended northward.

The townships are measured as nearly as practicable into squares of six miles, and these are sub-divided into thirty-six sections, each being as nearly as may be, one mile, or eighty chains square.

Appropriate monuments are established at each section and quarter section corner to perpetuate the same, and one or more trees, if there are any near the corner, are noted and marked as witnesses. When the place for a corner happens to come in the water, or upon ground where a monument cannot be placed, a *witness corner* is established as convenient thereto as possible. In running the section lines all important objects along, or near the same, are noted by the Surveyor in his field notes, and a description of the character of the land given at the close of each line of survey.

If, in running the section lines, a stream, lake or pond of any considerable dimensions is encountered, meander posts are set at the intersections, and such body of water is meandered and segregated from the public lands.

In the sub-division of the township any excess or deficiency in measurement is always thrown upon the north and west tiers of sections. The numbering of the sections invariably commences at the northeast corner of the township, with number 1, thence west, numbering consecutively to number 6, thence east to number 12, thence west to number 18, and so on until section 36 is reached in the southeast corner.

In extending the section lines to the north and to the west boundaries of a township, the Surveyor has occasionally, by mistake, set his corner either inside of the township line or beyond it; in such



case his monument must be held to be a *witness* to the true corner on the township line. The township lines must first be run and established with the section and quarter section corners fixed along the same, before the township can be sub-divided, and the government deputy in sub-dividing the township must conform to such boundaries.

Frequently, in extending the sub-division section lines to the north or to the west boundary of a township, the intersection is not made at the corner previously established, but at a distance to the right or left thereof, where the Surveyor has established his corner; there will, therefore, be two sets of corners on such township or range line, and care must be taken that the one be not mistaken for the other.

The corners established by the Government Surveyor *in the field*, when they can be identified, are the *true* corners whether they conform to the field notes or not. "Courses and distances must yield to actual monuments."

Where section corners are obliterated and their locality cannot be identified by bearing trees, or some other kind of unquestionable proof, they may be restored by measuring from the nearest known corners, or line trees, if there are any nearer than the known corners, being careful to make proper distribution of any excess or deficiency of measurement. Lost or extinct quarter section corners, except on fractional section lines, must be placed equi-distant between the section corners and on a right line therewith. Extinct quarter section corners on the lines closing on the north or west boundary of a township, must be placed forty chains, *original measurement*, from the last interior section corner.

A section is divided by running a straight line from the quarter section corner on the east line of a section to the quarter section corner on the west line, and from the quarter section corner on the north line to the quarter section corner on the south line; the intersection of these two lines being the center of the section. A quarter section, not fractional, is divided in a similar manner by finding the equi-distant point on each of its four sides, and running straight lines across the quarter section from those points, taking the intersection as the center thereof. In the sub-division of fractional quarter sections on the north or west lines of a township, the quarter quarter corner must be placed on the line closing on the township line, at exactly twenty chains, *original measurement*, from the quarter section corner.

This rule of finding the center of a section does not always give the geographical center of sections not fractional, especially if the quarter section corner was not placed by the Government Surveyor equi-distant between the section corners and on a right line therewith, and it sometimes seems to cause an unjust division between land owners; but nevertheless it is the law and must be complied with.

In the re-measurement of any section line, fractional or otherwise, any excess or deficiency found in the length thereof, must be divided between the several *legal sub-divisions* of the line measured, in proportion to the length of each as per the *original* measurement.

The portion of a fractional section, bordering on a meandered pond, lake, or stream, is sub-divided into lots which are numbered and disposed of by their numbers. In sections which largely exceed 640 acres, especially those bounded on the north by a correction line, the excess over 80 chains is also sub-divided into lots.

In a State where the surveys have been completed, the office of Surveyor General discontinued and the archives of the office turned over to the State, the general government still has the reserved right to cause to be surveyed any strips of land, or and island in navigable waters, which may have been accidentally, or otherwise, omitted in the surveys; or any tract of land that on account of collusion, fraud, neglect, or mistake, has been meandered by the Government Surveyor when it should have been surveyed instead. This right has been exercised several times in this State, as well as in some other States.

But this reserved right, it is presumed, does not extend to the survey of islands formed in navigable waters subsequent to the completion of the public surveys, nor to the beds of meandered ponds or lakes, or the beds of navigable streams that may become dry. (See under head of "riparian rights" where this matter is more fully spoken of.)

In case it is desired to have surveyed any tract, the survey of which was omitted in the original survey as aforesaid, application must be made to the Commissioner of the General Land Office at Washington, D. C., as that officer has jurisdiction over all matters pertaining to the public surveys.

As is, perhaps, generally known, the office of Surveyor General for Iowa was discontinued in the year 1866, and in the year 1868 all of the archives of said office, including the original field notes and

plats, correspondence, and a large accumulation of other records and papers, were turned over to the State and are now under the control of this office. Subsequent to the discontinuance of said office there was an office created, entitled, "Surveyor General for Iowa and Nebraska," with headquarters at Plattsmouth, Nebraska; but this office was of little use and has been discontinued.

All questions relative to the public surveys are, by the law, referable to the Commissioner of the General Land Office, whose opinion with regard thereto, is authoritative.

A question of fact as to what the aforesaid records may disclose, can be answered from this office; but it must be understood that the opinion of this office, upon intricate questions that may arise in regard to the public surveys, is not authoritative.

#### RIPARIAN RIGHTS.

The following is the law relative to riparian ownership as defined by the courts:

The meander line, as run by the Government Surveyor, along a stream, lake or pond, is not a line of boundary. On a meandered navigable stream the title of the riparian owner extends to the water, which is held to be the natural boundary. The same rule is applied as to such rights on meandered lakes or ponds, whether navigable or not.

On a meandered stream not navigable, the title of the riparian owner on either side, extends to the middle or central thread thereof.

Land formed by accretion on a navigable stream, belongs to the riparian owner. On a meandered lake where the water has gradually receded, leaving a strip of dry land between the meander line and the water, such strip is held to be an accretion belonging to the riparian owner.

The title to a purchase on a meandered navigable stream is not extended should the stream subsequently, by competent authority, be declared to be non-navigable.

A sudden change in the locality of a stream does not affect the title as held on the stream prior to the change.

The beds of navigable rivers belong to the State.

The swamp land grant of September 28, 1850, does not include lands that were covered by permanent bodies of water at the date of the grant.

The title to the meandered non-navigable lakes does not seem to be well settled by the courts. As to riparian ownership upon such lakes, the courts have applied the same rules as in cases of ownership on navigable streams: viz.: the title of the riparian owner stops with the water, and he is entitled to any "accretion," or land that has become dry between the meander line and the water. This being the rule of law applied by the courts to any such lake,

clearly the bed thereof would not belong to the riparian owner, and if from any reason the waters of the lake should disappear, his title would not be extended thereby.

In a State where the surveys have been completed, the office of Surveyor General abolished, and the field notes and plats, with all the records and files of the office turned over to the State, it is reasonable to believe that the title to such lakes is in the State, and that the United States has no jurisdiction over them. If the bed of a navigable stream belongs to the State, and not to the riparian proprietor, and if when such stream has suddenly changed its locality, the title of the riparian proprietor is not extended, but the bed of the stream still belongs to the State, as the courts appear to hold; so in accordance with a logical conclusion would the bed of a meandered lake or pond, should the waters thereof, from any cause, suddenly disappear. So, by the same reasoning, it would appear that islands formed in navigable waters, subsequent to the completion of the public surveys, would belong to the State.



## UNITED STATES LAND OFFICES.

ALABAMA:	FLORIDA:	NEBRASKA:
Huntsville.	Gainesville.	Neligh.
Montgomery.	IDAHO:	Lincoln.
ALASKA (District of):	Boise City.	O'Neill.
Sitka.	Lewistown.	Grand Island.
ARKANSAS:	Blackfoot.	North Platte.
Little Rock.	Hailey.	Bloomington.
Camden.	Coeur d'Alene.	Valentine.
Harrison.	INDIAN TERRITORY:	Sidney.
Dardanelle.	Guthrie.	Chadron.
ARIZONA:	Kingfisher.	McCook.
Prescott.	IOWA:	NEVADA:
Tucson.	Des Moines.	Carson City.
CALIFORNIA:	KANSAS:	Eureka.
San Francisco.	Topeka.	NEW MEXICO:
Marysville.	Salina.	Santa Fe.
Humboldt.	Kirwin.	Las Cruces.
Stockton.	Larned.	Folsom.
Visalia.	Wa-Keeney.	Rovell.
Sacramento.	Oberlin.	OREGON:
Los Angeles.	Garden City.	Oregon City.
Shasta.	LOUISIANA:	Roseburg.
Susanville.	New Orleans.	Le Grand.
Independence.	Natchitoches.	Lakeview.
COLORADO:	MICHIGAN:	The Dalles.
Denver City.	Grayling.	Drussey.
Leadville.	Marquette.	Burns.
Central City.	MINNESOTA:	UTAH:
Pueblo.	Taylor's Falls.	Salt Lake City.
Del Norte.	Saint Cloud.	WASHINGTON:
Montrose.	Duluth.	Seattle.
Gunnison.	Marshall.	Vancouver.
Durango.	Crookston.	Walla Walla.
Glenwood Springs.	MISSISSIPPI:	Spokane Falls.
Lama.	Jackson.	North Yakima.
DAKOTA:	MISSOURI:	WISCONSIN:
Mitchell.	Boonville.	Menasha.
Devil's Lake.	Fargo.	Wausau.
Watertown.	Springfield.	Ashland.
Yankton.	MONTANA:	Ironton.
Bismark.	Helena.	Eau Claire.
Rapid City.	Bozeman.	WYOMING:
Aberdeen.		Cheyenne.
Grand Forks.		Evanston.
Huron.		Buffalo.

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NOTE.—This list was furnished by the Commissioner of the General Land Office and is presumed to be correct.

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## ERRATA.

On page 28, in 8th line, after the word "the", read "sections of."

On page 87, in line next to bottom, read Sec. "25" instead of Sec. "32."

On page 90, in 4th line from bottom, read "nw of sw" instead of "sw of sw."

NOTE.—On page 28, the tract referred to by the dagger was patented to the railroad company. It was the ne of nw, Sec. 33, Tp. 35, R. 44, that was withheld.