

CHAPTER 10.

SWAMP AND INDEMNITY LANDS OF CERRO GORDO COUNTY.

FEBRUARY 9. AN ACT to Legalize the Devoting of the Swamp and Overflowed Lands, and Indemnity Lands obtained for Swamp and Overflowed Lands of Cerro Gordo County, Iowa, to the Construction of the McGregor and Sioux City Railway through said County.

Preamble.

WHEREAS, The board of supervisors of Cerro Gordo county did, on the 21st day of August, A. D. 1868, enter into a contract with the McGregor and Sioux City Railway Company, whereby said county did agree to devote and convey certain indemnity lands for swamp and overflowed lands, belonging to said county, to said McGregor and Sioux City Railway Company, in consideration of said company constructing, and putting in operation, a line of railway through said county, on certain terms and restrictions in said contract, particularly set forth; and

WHEREAS, Said board of supervisors did submit said contract to the people of said county for ratification, at an election by them specially called for that purpose, at which election said contract was ratified by a large majority of the voters of said county, and said contract was by said county, and said McGregor and Sioux City Railway Company, carried into effect, according to the terms and conditions thereof; and

WHEREAS, Doubts have arisen as to the authority of said board of supervisors to call said election; whereby the title to said lands is rendered doubtful, and less valuable than it would otherwise be; therefore,

Grant of swamp and indemnity lands of Cerro Gordo county legalized.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the contract entered into by the board of supervisors of Cerro Gordo county, Iowa, with the McGregor & Sioux City Railway Company, giving, granting, and devoting indemnity lands for swamp and overflowed lands belonging to said county, to said McGregor & Sioux City Railway Company, in consideration of the construction by said company, its successors or assigns, [of] a line of railway through said county, according to all the terms, limitations, and restrictions set forth in said contract; also the election called and held in and by said county, by order of said board of supervisors to ratify said contract by the vote of the people of said county, and all acts, doings, proceedings, and conveyances, done, had, or

made, under and by virtue of said contract, and the ratification thereof by the people, be and hereby are made legal, valid, and binding on all parties thereto, in all respects, and to all intents and purposes, and that the records, contracts, and other evidences are receivable in evidence in any court of law or chancery in this State or the United States, any illegality or informality in the making of said contract, calling or holding of said election, and submission of said contract to the people thereof for ratification, to the contrary notwithstanding; and any and all such illegalities or informalities are hereby legalized; and said contract and the proceeding thereunder, are hereby made valid and binding according to their true intent and meaning: *provided*, that nothing in this act contained shall in any wise affect the legal or equitable rights of third persons, if any such there be, who may have acquired any right or interest in said lands before the same were granted, or attempted to be granted and ceded, to said McGregor and Sioux City Railroad[way] Company.

SECTION 2. This act, being deemed by the General Assembly of immediate importance, shall take effect, and be in force, from and after its publication in the *Weekly State Register*, and *Iowa Statesman*, newspapers published in Des Moines, Iowa, without expense to the State. Taking effect.

Approved, February 9, 1870.

I hereby certify that the foregoing act was published in the *Weekly State Register*, February 2, and in the *Iowa Statesman*, February 12, 1870.

ED WRIGHT, *Secretary of State*.

CHAPTER 11.

LEGALIZING SALES OF LANDS AND SCRIP BY CERTAIN COUNTIES.

AN ACT to Legalize the Sale of Indemnity Swamp Lands and Scrip in certain Counties. FEBRUARY 9.

WHEREAS, The counties of Allamakee, Fayette, Chickasaw, and Washington have heretofore sold and conveyed all lands patented to said counties as indemnity for swamp lands, or the scrip entitling said counties to such indemnity lands; and, Preamble.