

Sections 34 and 35, Township 78, Range 3, East of the 5th P. M., in Scott County, Iowa; and

WHEREAS, Said island was described in said act as being located in the north half of the southeast quarter of section 34 and the north half of the southwest quarter of section 35, all in township 78, range 3, east of the 5th P. M., in Scott County, Iowa; and, Erroneous description.

WHEREAS, The said description is erroneous in this; that the said island to which said act was intended to have reference is located in the south half of the northeast quarter of section 34 and the south half of the northwest quarter of section 35, all in township 78, range 3, east of the 5th P. M., in Scott County, Iowa; and, Wherein erroneous.

WHEREAS, The Executive Council, under and by virtue of the authority conferred by said act, has sold the said island to the city of Davenport, Iowa, for the sum of one thousand and five dollars (\$1005.); therefore, Sold for \$1005.

SEC. 2. Upon payment into the state treasury of the sum of one thousand and five dollars (\$1005.) by the city of Davenport, the Governor may execute and deliver to the said city of Davenport a patent conveying the right, title and interest of the State of Iowa in and to said island by the corrected description thereof. Patent to issue on payment therefor.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and the Davenport Tribune, a newspaper published in Davenport, Iowa. Publication.

Approved March 18, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Davenport Tribune* March 20, 1888.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 185.

### LEASE OF LOT TO GOVERNOR'S GUARD.

AN ACT to Authorize the Governor to Lease Lot Seven in Block S. F. 284. Thirty three in the City of Des Moines to the Governor's Guard, Designated in the Military Organization of the State as Company A, Third Regiment, Iowa National Guard.

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

SECTION 1. That the Governor be and he is hereby authorized, by and with the advice and consent of the Executive Council, to make on behalf of and in the name of the State of Iowa, a contract of lease of Lot number Seven (7) in Block number Lot No. 7, Block 23 Fort Des Moines leased.

Thirty-three (33) as designated on the original plat of the Town of Fort Des Moines, to the Military Company known as the "Governor's Guard" and designated in the Military organization of the State as Company A, Third Regiment Iowa National Guard, for a term not to exceed twenty five years and upon such terms and conditions as are specified in the next sections of this act, and such further conditions and covenants as the Executive Council may advise, and the parties to said contract may mutually agree on.

Lease executed in triplicate.

SEC. 2. Said contract of lease shall be executed in triplicate and must embrace amongst such other terms as the Executive Council may advise, the following covenants on the part of the Lessee, viz:

Conditions of lease.

First, that the said Lessee shall erect on the said lot, a good and substantial building, of such material, and according to such plan and specifications as the Executive Council shall in writing under the signature of the Governor approve of. Provided that no part of any appropriation made by the legislature to said lessee shall be used for any building or improvements upon said premises.

Uses of buildings.

Second, that said building shall be used, and occupied as an armory, drill hall, offices and reading rooms, by and for said Lessee only, and that the same shall never be used by said Lessee for any illegal or immoral purposes, and no rooms in or part of said building shall be sublet or temporarily rented or used by any person or organization other than the Lessee, without the consent of the Adjutant General of Iowa first had in writing, for such subletting.

State may take possession of building.

Third, In case of war, invasion, insurrection or riot which shall render necessary the calling into active service the military forces of the State, the Governor shall have the right in the name of the State to take possession of such building and premises, and retain the same during the continuance of such war, invasion, insurrection or riot and when suppressed, re-possession shall be given to said Lessee, the premises to be put in as good condition by the Lessor as when received by the state, ordinary wear and tear excepted. Further, that if for any reason the state should need said lot before the expiration of the lease herein provided for said lease may be terminated by the state paying for the improvements made by the Lessee. The value of which improvements to be determined by appraisers. The executive council to select one appraiser, and the Lessee to select one appraiser and the two so appointed shall select a third one.

Appraisers may be appointed.

Rental.

SEC. 3. A rental of one dollar per annum shall be reserved to the State as Lessor, and at the termination of said lease, the Lessee shall surrender possession of said lot, ground and buildings to the Governor for the use of the state, the lessee to receive such compensation for buildings and improvements, as the General Assembly may by law or resolution determine. But such lease may, at the option of the State as Lessor by the Exec-

Compensation for buildings.

utive Council, be renewed for periods not exceeding ten years for each renewal.

SEC. 4. The time when such buildings shall be commenced and the time within which the same shall be completed, shall be expressed in the lease, and any failure on the part of the Lessee to comply with any of the conditions named in this act or specified in said lease shall at the option of the Executive Council work a forfeiture of said lease, and entitle the Lessor, by the Governor, to oust the said Lessee and take possession of the premises aforesaid, but the Lessee shall be entitled to a full hearing before the Executive Council before any forfeiture is declared or enforced. Failure to comply with conditions.

SEC. 5. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved March 10th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 14, 1888.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 186.

GRANTING TITLE IN CERTAIN LANDS TO THE C. B. & Q. R. R. CO.

AN ACT Granting to the Chicago, Burlington and Quincy Railroad Company All the Title and Interest of the State of Iowa, in and to Certain Grounds on the Des Moines River in the City of Ottumwa, Wapello County, Iowa. H. F. 11.

WHEREAS, The Chicago, Burlington and Quincy Railroad Company is now engaged in constructing a large passenger depot building between Washington and Marion streets extended southerly toward the Des Moines River, in the said city of Ottumwa; and, Preamble.

WHEREAS, In order to secure the necessary approaches to said depot, and the necessary trackage facilities, the said railroad company recently purchased from Geo. W. Devin and others, heirs of Thomas Devin, and devisees of Elizabeth Devin, deceased, and procured a referee's deed for all the right, title, and interest claimed by them in the following described real estate in the said city of Ottumwa, to-wit: Bounded on the north by the south line of the right of way of the Keokuk and Fort Des Moines Railroad Company, leased to the Chicago, Rock Island and Pacific Railway Company as the same may be made to appear; and, on the west, by the east line of Washington street extended from Main Street in a southerly direction toward the Des