

CHAPTER 196.

RELIEF OF GRANTEES OF JOEL T. AVERY.

H. F. 238.

AN ACT empowering the governor to execute a quit claim deed to right and title claim and interest of the state of Iowa on lot four (4) of section seven and south part of lot three (3) of section seven (7) township seventy (70) north of range eleven (11) west of the fifth (5th) principal meridian.

WHEREAS, the United States of America by act of congress, approved August 8, 1846, entitled an act granting certain lands to the territory of Iowa to aid in the improvement and navigation of the Des Moines river in said territory, has granted to the state of Iowa one equal moiety in alternate sections of the public lands remaining unsold and not otherwise disposed of, encumbered or appropriated, in a strip five miles in width on each side of said river;

AND WHEREAS, Section seven (7) of township seventy (70) north of range eleven (11) west in Van Buren county, Iowa, was and is included in said grant;

AND WHEREAS, Joel T. Avery of the county of Van Buren and the state of Iowa did, on the 15th day of October, 1847, purchase of the board of public works at their office in Fairfield, Iowa, under the provisions of an act creating a board of public works and providing for the improvement of the Des Moines river, approved February 24, 1847, and of an act entitled an act providing for the reorganization of the board of public works, and repealing so much of the several acts relating thereto as conflicts with the provisions of this act, approved January 15, 1849, the north half (N $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) of section seven (7); and fractional lots three (3) and four (4) of section seven (7); all in township seventy (70) north of range eleven (11) west of the 5th P. M., and the southwest one-quarter (SW $\frac{1}{4}$) of the southwest one-quarter (SW $\frac{1}{4}$) of section five (5), township seventy (70), range eleven (11), containing in all 239.62 acres; and did make payment to the said board of public works and the state of Iowa for said lands in full;

AND WHEREAS, the governor of the state of Iowa, in pursuance of the act aforesaid, and in consideration of the acts and premises, did on the 1st day of March, A. D. 1851, attempt to execute a conveyance of said lands to said Joel T. Avery;

AND WHEREAS, it now appears that said conveyance contained an erroneous description, and that by reason thereof the south part of lots three (3) of said section, containing twenty-two and seventy hundredths (22.70) acres; and the south part of lot four (4) of said section, containing sixteen and ninety-two hundredths (16.92) acres, was not in fact conveyed at all by said conveyance, although intended to be conveyed therein;

AND WHEREAS, the said Joel T. Avery never had or received any title to said south part of lots three and four of said section, from the state of Iowa, although entitled to the same;

AND WHEREAS, the present owners of said land have no title to the same by reason of the error in the description in the conveyance from the state of Iowa to the said Joel T. Avery aforesaid;

AND WHEREAS, it now appears that Etta Baldwin is the present owner of said lot four (4) of said section; and that May Hinkle is the present owner of the south part of lot three (3) of said section, as described above: Therefore,

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

SECTION 1. **Quit claim deed.** That the governor of the state be, and he is hereby empowered, authorized and directed to execute to Etta Baldwin of Van Buren county, Iowa, a quit claim deed, conveying, quit claiming, and granting unto the said Etta Baldwin, all the right, title, claim and interest of the state of Iowa, in and to lot four (4) of section seven (7), township seventy (70), north of range eleven (11) west of the 5th P. M.

SEC. 2. **Same.** That the governor of the state be, and he is hereby empowered, authorized, and directed to execute to May Hinkle of Van Buren county, Iowa, a quit claim deed, conveying, quit claiming and granting to the said May Hinkle all the right, title, claim and interest of the state of Iowa, in and to the south part of lot three (3) of section seven (7), township seventy (70), north of range eleven (11) west, and described as follows, to wit: Commencing at a stake at the southwest corner of the northeast quarter of section seven (7), and running thence east eighty (80) rods to a stake in the division line between lots three (3) and four (4) of said section; thence south on said division line to the Des Moines river; thence west along the north bank of said river to the division line between lots two (2) and three (3) of said section (7); and thence north on said division line to the place of beginning and containing twenty-two and seventy hundredths (22.70) acres.

SEC. 3. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published in Des Moines, and in the State Line Democrat, a newspaper published at Keosauqua, Iowa, without expense to the state.

Approved February 29, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader, March 1, 1904, and the State Line Democrat, March 9, 1904.

W. B. MARTIN,
Secretary of State.

CHAPTER 197.

ISSUANCE OF QUIT CLAIM DEEDS FOR CERTAIN LOTS IN CEDAR FALLS, IOWA.

H. F. 424.

AN ACT empowering the governor to execute quit claim deeds to all right, title and interest of the state of Iowa in and to lot No. six (6) of block No. eight (8); lot No. eight (8) of block No. fourteen (14); lot No. six (6) of block No. fifteen (15); and lot No. two (2) of block No. thirty-five (35); all in railroad addition to Cedar Falls, Iowa.

WHEREAS one John C. Cooley and wife executed a school fund mortgage to Black Hawk county, Iowa, March 26th, 1859, upon the following described real estate, viz:

Lot No. six (6) in block No. eight (8); lot No. eight (8) in block No. fourteen (14); lot No. six (6) in block No. fifteen (15); lot No. two (2) in block No. thirty-five (35); all in Railroad Addition to Cedar Falls, Iowa, securing the sum of one hundred twenty-five dollars (\$125), and,

WHEREAS said mortgage was foreclosed and said premises were sold on the 26th day of April, 1865, and a sheriff's deed was duly executed on said date to the state of Iowa, conveying the premises aforesaid, and

WHEREAS said premises were sold by the treasurer of Black Hawk county for the taxes of 1858, 1859, 1860, 1861, 1862, and 1863, and a tax deed issued by said treasurer dated May 5th, 1868, and later said premises were again sold for the taxes of 1891 and 1892 and a tax deed issued by said treasurer dated September 6th, 1897, and

WHEREAS one C. A. Rownd is the present occupant and purchaser under said tax sales of lot No. six (6) in said block No. eight (8); and one John Merner is the occupant and owner as aforesaid of lot No. eight (8) in said block No. fourteen (14); and one Frank B. Bailey is the occupant and owner of lot No. six (6) in said block No. fifteen (15); and one Lydia A. Howe is the occupant and owner of lot No. two (2) in said block No. thirty-five (35); all residing in said city of Cedar Falls, Iowa, and