

15 proof of publication of notice of the application for at least two weeks  
16 in some newspaper of general circulation in the city or town.

1     **SEC. 13. Contesting.** Any person may at any time within six  
2 months from the date of its filing for record, commence an action in  
3 equity against the persons employing the surveyor, setting up his  
4 cause of complaint and asking that such record be cancelled. If it  
5 appears on the trial that the city, town or village or addition was  
6 originally laid out and platted; that the original proprietor had sold  
7 any or all of the lots thereof, or that he intended to dedicate to the  
8 public the streets, alleys, or public squares therein; that the plat  
9 thereof has never been recorded, but is lost, or that the plat was in-  
10 definitely located or materially defective; that the proprietor is dead  
11 or his place of residence unknown; and that the resurvey and plat  
12 for record is a substantially accurate survey and plat of the original  
13 plat of such city, town, village or addition, then the action shall be  
14 dismissed at the cost of the complainants, otherwise the court shall  
15 set aside said plat and cancel the same of record at the cost of the  
16 defendant.

1     **SEC. 14. Publication.** This act being deemed of immediate impor-  
2 tance shall take effect and be in force from and after its publication  
3 in the Des Moines News and the Plain Talk, newspapers published  
4 in the city of Des Moines, Iowa, without expense to the state. If not  
5 so published then this act shall take effect as provided by the con-  
6 stitution.

Approved February 15, A. D. 1924.

## CHAPTER 79

### STATE TO SELL PROPERTY

H. F. 315

AN ACT to authorize the executive council to sell certain property of the state.

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

1     **SECTION 1. Executive council to act.** That the executive council  
2 is hereby authorized to sell lot three (3) of the official plat of block  
3 one (1) of H. Lyon's addition and lots seventeen (17) and eighteen  
4 (18) block L of Griffith's addition number two (No. 2) East Des  
5 Moines, Iowa, the same being a part of the lots acquired by the state  
6 in connection with capitol extension.

1     **SEC. 2.** Upon the sale of said real estate described in section one (1),  
2 the proper officers of the state are hereby authorized and directed to  
3 execute proper conveyances therefor, and that the proceeds of said  
4 sale be paid into the general funds of the state.

1     **SEC. 3. Appraisers.** Before the executive council shall sell said  
2 lots it shall make application to the chief justice of the supreme court  
3 of the state of Iowa for the appointment of appraisers thereof. The  
4 chief justice shall appoint three disinterested persons as such ap-

5 praisers and the appraisement shall be returned to the executive  
6 council.

1 SEC. 4. **Not less than appraised value.** The executive council shall  
2 not sell said lots at less than the appraised value thereof. The ap-  
3 praisers shall qualify and be compensated as by law provided for  
4 appraisers in condemnation proceedings.

Approved April 19, A. D. 1924

## CHAPTER 80

CARL TASCHNER

H F 327

AN ACT to authorize the issuance of a patent to certain lands in Clayton county Iowa

WHEREAS, on the fifteenth day of November, eighteen hundred ninety-four (1894), the board of supervisors of Clayton county, state of Iowa, by resolution duly and legally adopted, sold to Christian Taschner lots one (1), two (2) and three (3), in the southwest quarter (SW- $\frac{1}{4}$ ) of section twenty-four (24), and lot five (5) in section twenty-five (25), township ninety-one (91), north, range one (1), west of the fifth P. M., in Clayton county, Iowa, and,

WHEREAS, Carl Taschner, the immediate grantee of said Christian Taschner, has acquired lands by warranty deed from the said Christian Taschner, and the said Carl Taschner and his grantor have been in the open, notorious, adverse and unequivocal possession thereof ever since the year eighteen hundred ninety-four (1894) and,

WHEREAS, said lots are islands subject to overflow in the Mississippi river, and were understood and believed by the county of Clayton to be a part of the swamp lands granted to said county by the state of Iowa, and

WHEREAS, there appears to be a cloud upon the title of the said Carl Taschner by reason of some alleged lack of authority of said board of supervisors to convey said land, now, therefore,

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

1 SECTION 1. **Convey by patent.** That the governor and secretary  
2 of state shall in the name of the state of Iowa and under its seal,  
3 convey by patent to the said Carl Taschner, the following described  
4 real estate situated in Clayton county, Iowa, to-wit: Lots one (1),  
5 two (2) and three (3), in the southwest quarter (SW- $\frac{1}{4}$ ) of section  
6 twenty-four (24), and lot five (5) in section twenty-five (25), town-  
7 ship ninety-one (91), north, range one (1), west of the fifth P. M., in  
8 Clayton county, Iowa; and thereby transfer to the said Carl Taschner  
9 any and all interest which the state of Iowa may have in and to said  
10 described real estate, said patent to issue without expense to the  
11 state of Iowa.

Approved April 26, A. D. 1924.