

## CHAPTER 252

## PATENT TO LAND IN CLAYTON COUNTY

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

WHEREAS, on or about January 25, 1855, the drainage commissioner for the county of Clayton in the state of Iowa, as authorized by law, sold the following described real estate situated in the county of Clayton and the state of Iowa, described as follows, to wit:

east fractional northeast one-quarter ( $NE\frac{1}{4}$ ) of the southeast one-quarter ( $SE\frac{1}{4}$ ), three and thirty-six hundredths (3.36) acres;  
 east fractional southeast one-quarter ( $SE\frac{1}{4}$ ) of the northeast one-quarter ( $NE\frac{1}{4}$ ), seven and thirty-five hundredths (7.35) acres;  
 west fractional southeast one-quarter ( $SE\frac{1}{4}$ ) of the northeast one-quarter ( $NE\frac{1}{4}$ ), ten and seventy-seven hundredths (10.77) acres;  
 east fractional southwest one-quarter ( $SW\frac{1}{4}$ ) of the northeast one-quarter ( $NE\frac{1}{4}$ ), seven and eighty-seven hundredths (7.87) acres;  
 and west fractional southwest one-quarter ( $SW\frac{1}{4}$ ) of the northeast one-quarter ( $NE\frac{1}{4}$ ), eighty-one hundredths (.81) acres, all in section three (3), township ninety-one (91), range two (2) west, of the fifth (5th) principal meridian, Iowa; and

WHEREAS, on or about the said date deed was executed and delivered for the said lands as swamp lands by the county judge, as then authorized by law; and

WHEREAS, the said lots were not a part of the government survey of the lands surveyed by the government of the United States at the time of the admission of the state of Iowa to the Union, and therefore were not properly covered by said grant; and

WHEREAS, the said above described real estate was sold by Clayton county, Iowa, for taxes in the year 1919, and tax deed issued therefor on or about January 28, 1924, to one J. P. Eckart; and

WHEREAS, the said J. P. Eckart is now deceased, but his estate is now pending, and is not settled; and

WHEREAS, there appears to be a cloud upon the title of the said J. P. Eckart by reason of some alleged lack of authority on the part of the drainage commissioner and the county treasurer to convey said land by reason of the fact that no patent was ever issued by the government of the United States to the state of Iowa as swamp land, and therefore the said land was sold by the drainage commissioner, the county judge, and the county treasurer without authority; now, therefore,

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

1 SECTION 1. That the governor and the secretary of state shall, in  
 2 the name of the state of Iowa and under its seal, convey by patent  
 3 to the said J. P. Eckart estate the following described real estate  
 4 situated in the state of Iowa, and the county of Clayton, to wit:  
 5 east fractional northeast one-quarter ( $NE\frac{1}{4}$ ) of the southeast one-  
 6 quarter ( $SE\frac{1}{4}$ ), three and thirty-six hundredths (3.36) acres;  
 7 east fractional southeast one-quarter ( $SE\frac{1}{4}$ ) of the northeast one-  
 8 quarter ( $NE\frac{1}{4}$ ), seven and thirty-five hundredths (7.35) acres;  
 9 west fractional southeast one-quarter ( $SE\frac{1}{4}$ ) of the northeast one-  
 10 quarter ( $NE\frac{1}{4}$ ), ten and seventy-seven hundredths (10.77) acres;  
 11 east fractional southwest one-quarter ( $SW\frac{1}{4}$ ) of the northeast one-  
 12 quarter ( $NE\frac{1}{4}$ ), seven and eighty-seven hundredths (7.87) acres;

13 and west fractional southwest one-quarter (SW $\frac{1}{4}$ ) of the north-  
 14 east one-quarter (NE $\frac{1}{4}$ ), eighty-one hundredths (.81) acres, all in  
 15 section three (3), township ninety-one (91), range two (2) west, of  
 16 the fifth (5th) principal meridian, Iowa,  
 17 and thereby transfer to the said J. P. Eckart estate any and all  
 18 right, title and interest which the state of Iowa may have in or to  
 19 the said described real estate, said patent to issue without expense  
 20 to the state of Iowa.

House File No. 354. Approved April 8, 1931.

## CHAPTER 253

### PATENT TO LANDS IN CLINTON COUNTY

AN ACT to authorize the issuance of a patent to certain lands in Clinton county, Iowa.

WHEREAS, the United States of America, by act of congress dated March 3rd, 1845, granted to the state of Iowa, lots one (1) and two (2) in section sixteen (16), township eighty-two (82), north range seven (7), east of the fifth principal meridian, in Clinton county, Iowa, and said land was purchased from the government of the United States by Joseph B. Stewart on June 14th, 1858, which certificate of purchase was later duly cancelled by the proper government authorities, and,

WHEREAS, no patent has been issued by the state of Iowa, nor the government of the United States, covering said above described lands, to Joseph B. Stewart, nor to any person, firm, or corporation, and

WHEREAS, N. A. Gaarde is now the owner of said above described lands, and holds title thereto by perfect chain of title from said Joseph B. Stewart, and that he has been, together with his grantors, in possession of said lands since the 14th day of June, 1858, and has during all of said time, occupied said lands, paid the taxes on same, and made improvements thereon, and

WHEREAS, the state of Iowa, does not now and never has asserted title to said lands, but that the state of Iowa has failed to issue a patent to the said Joseph B. Stewart, or to any other person, and that the failure to issue a patent therefor, now creates an apparent defect in the title to said lands; now therefore,

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

1 SECTION 1. That the governor and secretary of the state shall, in  
 2 the name of the state of Iowa and under its seal, convey by patent to  
 3 the said N. A. Gaarde, the following described real-estate situated  
 4 in the county of Clinton, state of Iowa, to-wit:

5 Lots one (1) and two (2) in section sixteen (16), township eighty-  
 6 two (82) north, range seven (7), east of the fifth principal meridian,  
 7 and thereby transfer to the said N. A. Gaarde any and all right, title  
 8 and interest which the state of Iowa may have in or to the said  
 9 described real-estate, said patent to issue without expense to the state  
 10 of Iowa.

1 SEC. 2. That this act being deemed of immediate importance shall  
 2 be in full force and effect from and after its publication in Merry