

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

3 War, a newspaper published in Clinton, Iowa, and DeWitt Observer,
4 a newspaper published in DeWitt, Iowa, without expense to the state.

Senate File No. 396. Approved April 25, 1931.

I hereby certify that the foregoing act was published in the DeWitt Observer April 30, 1931, and in Merry War May 1, 1931.

G. C. GREENWALT, *Secretary of State.*

CHAPTER 254

OMAHA, COUNCIL BLUFFS & SUBURBAN RAILWAY

AN ACT consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across lands of the Iowa School for the Deaf under the provisions of chapter two hundred sixty-nine (269), acts of the thirty-third (33rd) general assembly; providing for the termination of the right-of-way therein granted and for the obligation of the railway company to remove its property from the state lands, restore them to original condition and surrender possession thereof to the state.

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

1 SECTION 1. That the consent of the state is hereby granted to the
2 Omaha, Council Bluffs & Suburban Railway Company, its successors
3 and assigns, to permanently discontinue the operation of the street
4 railway lines constructed, maintained and operated from the city of
5 Council Bluffs, Iowa, to, upon and across certain lands of the Iowa
6 school for the deaf located near said city of Council Bluffs under the
7 provisions of chapter two hundred sixty-nine (269), acts of the thirty-
8 third (33rd) general assembly, upon the filing with the executive
9 council of the state of Iowa, by the said Omaha, Council Bluffs &
10 Suburban Railway Company, its successors and assigns, a written
11 acceptance of the provisions hereof containing the obligations and
12 agreements hereinafter provided for.

1 SEC. 2. Within thirty (30) days from the date of the approval of
2 this act, the Omaha, Council Bluffs & Suburban Railway Company, its
3 successors and assigns, shall file with the executive council of the state
4 of Iowa an agreement in writing, binding the said Omaha, Council
5 Bluffs & Suburban Railway Company, its successors and assigns, to
6 within ninety (90) days from the date of the approval of this act,
7 remove all tracks, physical property, poles, wires, ties, rails, sheds,
8 culverts and all property pertaining to its street railway lines from
9 the lands of the state and surrender the possession of said lands in
10 substantially their original condition. Upon the filing of said accept-
11 ance and agreement with the executive council all right and authority
12 of the Omaha, Council Bluffs & Suburban Railway Company, its suc-
13 cessors and assigns, to further use the right-of-way granted under
14 the provisions of chapter two hundred sixty-nine (269), acts of the
15 thirty-third (33rd) general assembly, as aforesaid, shall terminate.

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Carson