

CHAPTER 101.

ESCHEAT.

AN ACT to quiet titles to certain purchasers and occupants of land in Webster County.

WHEREAS, by order of the County Court of Webster County, certain lands as the property of the estate of Francis W. Allen deceased, were sold for the purpose of paying claims allowed by said Court against said estate, and

WHEREAS, a large portion of the same has now passed into the hands of bona fide purchasers of the same for a valuable consideration, many of whom have made permanent improvements and houses thereon, and

WHEREAS, the State has instituted suit against all of such purchasers, and occupying the same for the purpose of recovering the same as an escheat to the State, and

WHEREAS, said suit is now pending in the District Court of Webster County, now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the State hereby relinquish to the purchasers and the occupants of the west half of the south-west quarter, and the west half of the north-west quarter of Section No. twenty (20,) and the north-west quarter of the north-west quarter of Section No. seventeen (17,) in township No. eighty-nine (89,) north of range No. twenty-eight, west of the 5th Principal Meridian, all of her interest in and to the same; *Provided*, that nothing herein shall be so construed as to affect in any manner the rights of the original purchasers under such Administrator's sale, and, *Provided, further*, That all the costs shall be paid by the said defendants in proportion to the amount of their several interests, to be apportioned by the Clerk of the District Court of said County of Webster.

SEC. 2. It shall be the duty of the Attorney General to cause the said suit to abate as to all persons to whom the preceding Section is applicable.

SEC. 3. This Act shall take effect and be in force immediately from and after its publication in the Iowa State Register and the Des Moines Times, anything in the laws of the State to the contrary notwithstanding,

provided that such publication be without expense to the State.

This bill having remained with the Governor three days (Sunday excepted,) the General Assembly being in session, has become a law this 4th day of April, 1862.

ELIJAH SELLS, Secretary of State.

I hereby certify that the foregoing Act was published in the Des Moines Times, April 12, 1862, and in the Iowa State Register, April 9th, 1862.

ELIJAH SELLS, Secretary of State.

CHAPTER 102.

ESTRAYS.

AN ACT to provide for the taking up of Estray animals.

**Taking up
stray animals.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That no person shall take up any unbroken animal as a stray, between the first day of May and the first day of November, unless the same be found within his lawful enclosure; nor shall any person take up any stray unless he be a house-holder.

**Manner of
taking up
stray.** SEC. 2. If any horse, mule, neat cattle, sheep or hogs, liable to be taken up, come upon any person's premises, any other person may notify him of the fact, and if he fail to take up such stray for more than five days after such notice, any other person being a householder in the same township, may take up such stray and proceed with it, as if taken upon his own premises; *Provided,* That he shall produce to the Justice of the Peace proof of the service of such notice, and all persons taking up stray animals shall state to the Justice, under oath, where such stray was taken up.

**Estray notice
—how made.** SEC. 3. Any person taking up an estray shall, within five days thereafter, post up written notices in three of the most public places in the township, containing a full description of such animal, and unless such stray shall have been previously reclaimed by the owner, he shall within ten days go before a Justice of the Peace in the township in which such stray was taken up, or in case there is no Justice in the township, he shall go before the next nearest Justice in the County, and make oath as to where said stray was taken up, and that the

Oath.