

A BILL

FOR AN ACT TO QUIET THE TITLE TO THE NORTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION ELEVEN (11) TOWNSHIP SEVENTY-FOUR (74) NORTH, OF RANGE SEVENTEEN (17) WEST OF THE FIFTH PRINCIPAL MERIDIAN, MAHASKA COUNTY, IOWA, AND TO AUTHORIZE THE ISSUANCE OF PATENT COVERING THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION ELEVEN (11) TOWNSHIP SEVENTY-FOUR (74) NORTH OF RANGE SEVENTEEN (17) WEST OF THE FIFTH PRINCIPAL MERIDIAN, MAHASKA COUNTY, IOWA.

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

7 WHEREAS, The north half of the northwest quarter and the southwest quarter of the north-
8 west quarter of section eleven (11) township seventy-four (74) north, of range seventeen (17)
9 west of the fifth principal meridian, Mahaska county, Iowa, were included in said grant, and,

10 WHEREAS, Martin Baine, of the State of Iowa, did on the 16th day of March, 1850, purchase
11 from the Board of Public Works at Ottumwa, Iowa, the southwest quarter of the northwest
12 quarter of section eleven (11) township seventy-four (74) north, of range seventeen (17) west,
13 and did make payments in full to the State for said land, and,

14 WHEREAS, The Governor of the State of Iowa in pursuance of the act aforesaid and the
15 acts of the General Assembly of Iowa, did issue a patent numbered 1570 conveying the land
16 described in the preceding clause to the said Martin Baine under date of January 1, 1851, and,

17 WHEREAS, It now appears the Governor of the State of Iowa did issue a patent numbered
18 2817, under date of February 16, 1853, to one Jesse Williams, conveying the west half of the
19 northwest quarter of section eleven (11) township seventy-four (74) north or range seventeen
20 (17) west of the fifth principal meridian, the said Jesse Williams having bought from the
21 Board of Public Works at Ottumwa, Iowa, on the 16th day of March 1852, eighty acres of land
22 and having paid in full therefor, and,

23 WHEREAS, It appears that the said patent numbered 2817, issued to Jesse Williams, con-

24 tained an erroneous description in that it covered land which had already been conveyed to
25 Martin Baine in patent numbered 1570, under date of January 1, 1851; and,

26 WHEREAS, It appears that the said Martin Baine immediately took possession of said land
27 conveyed to him in patent numbered 1570, and that the said Martin Baine and his grantees
28 have been in continuous, open, notorious and adverse possession of the said land, the south-
29 west quarter of the northwest quarter of section eleven (11) township seventy-four (74) north
30 of range seventeen (17) west, during all the time since January 1, 1851; and,

31 WHEREAS, It appears that the said Jesse Williams never took possession of said south
32 west quarter of the northwest quarter of section eleven (11) township seventy-four (74) north,
33 of range seventeen (17) west, and never attempted to take possession of the land and never
34 made any claim thereto; and,

35 WHEREAS, It appears that the patent numbered 2817, issued to Jesse Williams, was not
36 intended to cover the southwest quarter of the northwest quarter of said section, township
37 and range, but was intended to cover the north half of the northwest quarter of the said
38 section, township and range; Therefore.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That the patent numbered 2817, issued to Jesse Williams under date of February
2 16, 1853, and conveying the west half of the north west quarter of section eleven (11) town-
3 ship seventy-four (74) north, of range seventeen (17) west of the fifth principal meridian,
4 Mahaska county, Iowa, is hereby revoked and cancelled, and that title to the north half of the
5 northwest quarter of section eleven (11) township seventy-four (74) north, of range seventeen
6 (17) west of the fifth principal meridian, Mahaska county, Iowa, does hereby pass from the
7 State of Iowa to F. J. Page, successor in interest to, and the present holder of legal title to said
8 land through mean conveyances from the said Jesse Williams.

Sec. 2. That the Governor of the State of Iowa and the Secretary of State are hereby
2 authorized and directed to execute a writ of revocation and cancellation of the said patent
3 numbered 2817, issued to the said Jesse Williams, and are also authorized and directed to
4 issue to the said F. J. Page a patent for the north half of the north west quarter of section
5 eleven (11) township seventy-four (74) north, of range seventeen (17) west of the fifth principal
6 meridian Mahaska county, Iowa, and to deliver the same to the said F. J. Page, to be recorded
7 in said county of Mahaska.

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force
2 from and after its publication in the Register and Leader, a newspaper published in Des
3 Moines, Iowa, and in the Oskaloosa Times, a newspaper published in Oskaloosa, Iowa.