

SEC. 76. **Seventy-fifth District.** Wright county shall be the seventy-fifth district and entitled to one representative, (18,227).

SEC. 77. **Seventy-sixth District.** Pocahontas county shall be the seventy-sixth district and entitled to one representative, (15,339).

SEC. 78. **Seventy-seventh District.** Buena Vista county shall be the seventy-seventh district and entitled to one representative, (16,975).

SEC. 79. **Seventy-eighth District.** Plymouth county shall be the seventy-eighth district and entitled to one representative, (22,209).

SEC. 80. **Seventy-ninth District.** Sioux county shall be the seventy-ninth district and entitled to one representative, (23,337).

SEC. 81. **Eightieth District.** O'Brien county shall be the eightieth district and entitled to one representative, (16,985).

SEC. 82. **Eighty-first District.** Lyon county and Osceola county shall be the eighty-first district and entitled to one representative, (21,890).

SEC. 83. **Eighty-second District.** Clay county and Palo Alto county shall be the eighty-second district and entitled to one representative, (27,755).

SEC. 84. **Eighty-third District.** Kossuth county shall be the eighty-third district and entitled to one representative, (22,720).

SEC. 85. **Eighty-fourth District.** Cerro Gordo county shall be the eighty-fourth district and entitled to one representative, (20,672).

SEC. 86. **Eighty-fifth District.** Floyd county shall be the eighty-fifth district and entitled to one representative, (17,754).

SEC. 87. **Eighty-sixth District.** Chickasaw county shall be the eighty-sixth district and entitled to one representative, (17,037).

SEC. 88. **Eighty-seventh District.** Allamakee county shall be the eighty-seventh district and entitled to one representative, (18,711).

SEC. 89. **Eighty-eighth District.** Winneshiek county shall be the eighty-eighth district and entitled to one representative, (23,731).

SEC. 90. **Eighty-ninth District.** Howard county shall be the eighty-ninth district and entitled to one representative, (14,512).

SEC. 91. **Ninetieth District.** Mitchell county shall be the ninetieth district and entitled to one representative, (14,916).

SEC. 92. **Ninety-first District.** Winnebago county and Worth county shall be the ninety-first district and entitled to one representative, (23,612).

SEC. 93. **Ninety-second District.** Hancock county and Humboldt county shall be the ninety-second district and entitled to one representative, (26,419).

SEC. 94. **Ninety-third District.** Dickinson county and Emmet county shall be the ninety-third district and entitled to one representative, (17,931).

Approved April 13, A. D. 1904.

CHAPTER 185.

SALE OF ABANDONED RIVER CHANNELS, SAND BARS OR ISLANDS—BOUNDARY COMMISSION.

H. F. 312.

AN ACT to enable the state of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the state, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states.

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

SECTION 1. Abandoned river channels, sand bars or islands—sale authorized. That all land between high water mark and the center of the former channel of any navigable stream, where such channel has been

abandoned, so that it is no longer capable of use, and is not likely to again be used, for the purposes of navigation, and all land within such abandoned river channels, and all bars or islands in the channels of navigable streams, not heretofore surveyed or platted by the United States or by the state of Iowa, and all within the jurisdiction of the state of Iowa, shall be sold and disposed of as hereinafter provided.

SEC. 2. Written application—deposit. Any person desiring to purchase any such land shall be required to file written application therefor with the secretary of state, which application shall be accompanied with a deposit of not less than fifty cents per acre for the land so desired to be purchased, and which deposit, in the aggregate, shall in no event be less than twenty-five dollars (\$25.00), the total amount of the deposit to be fixed by the secretary of state, which sum, or so much thereof as may be necessary, shall be applied in the payment of the necessary expense of survey of such land, and appraisement of the value thereof, as hereinafter provided.

SEC. 3. Survey. Upon receiving such application and deposit, it shall be the duty of the secretary of state to order a complete survey of such land to be made by the county surveyor of the county wherein the land is situated, and in case of the refusal or inability of such county surveyor to make such survey then the secretary of state shall appoint some other competent surveyor to make such survey. When such survey is made a full report thereof, with field notes, shall be filed with the land commissioner, and recorded in a book prepared and kept for that purpose, in the office of the secretary of state, which report and field notes shall constitute the official survey of such land.

SEC. 4. Appraisement. Upon the filing of such report, with the accompanying field notes, the secretary of state shall thereupon appoint a commission of three disinterested freeholders of the county wherein the land is situated, to view the land and make appraisement of the value thereof, which appraisement shall be returned and filed with the land commissioner in the office of the secretary of state. Notice of such appraisement shall thereupon be given to such applicant, and upon payment of the balance required, as fixed by the appraised value, such person shall be entitled to a deed or patent therefor.

SEC. 5. Fees. The surveyor making such survey shall be entitled to receive the sum of five dollars per day for his services as such surveyor, and such additional amount as may be agreed upon and necessary for the expenses of chainmen and other attendants; and the commissioners, for their services in making such appraisement, shall each be entitled to receive the sum of three dollars per day, for the actual time employed.

SEC. 6. Sale—how effected. None of such land shall be sold for less than the appraised value thereof, except as hereinafter provided. If the person filing the original application shall be unwilling to pay the amount per acre, as fixed by the appraisers, he shall be permitted to deposit whatever amount he is willing to pay, in addition to his original deposit, for such land so desired to be purchased by him, and, if at the expiration of ninety days no other person has appeared and deposited and offered to pay a larger amount, he shall be entitled to a deed or patent for the land for the total amount deposited by him; but if before the expiration of such ninety days there shall be other applicants and bidders for said land, and the said original applicant shall still be unwilling to increase his total deposit to the amount of the appraisement, or to an amount beyond that of the highest bidder, then the person making the highest bid and depositing the amount therefor, shall be entitled to a deed or patent for such land, and the money deposited by the original applicant shall be refunded. If the said original applicant shall increase his total deposit to the amount of the appraisement, within said period of ninety days, such original applicant shall thereupon be entitled to a deed or patent for such land.

SEC. 7. Application of occupant to have priority. Any person who has in fact lived upon any such land and occupied the same, as a home for himself and family, continuously for a period of three or more years immediately prior to the time of the passage of this act, and such occupation has been in good faith for the purpose of procuring title thereto, whenever by law such title could be vested in him by purchase from the proper authority, shall be allowed ninety days from the date this act takes effect within which to file application as a proposed purchaser of such land. When any such application is filed, accompanied with the required deposit, it shall have priority over any or all other applications filed for such land and shall be treated as the first application therefor.

SEC. 8. Deed or patent. When, upon full compliance with the provisions of this act, any person shall become entitled to a deed or patent for any such land, a deed or patent shall thereupon be executed and delivered to such person by the Governor, on behalf of the state, duly attested with the seal of the state attached thereto, which deed shall, in addition to the usual formalities, also recite the name of the party making the first application to purchase such land, the amount of his deposit, the appraisement, the name of the party making final payment, and entitled to a deed therefor, whether as original applicant, by assignment, or as the highest bidder, and also that such deed is given for the purpose of conveying such title and interest in the land as the state may at the time own and possess, and has the right to convey. A record of such conveyance shall be made and kept by the land commissioner in the office of the secretary of state.

SEC. 9. Previous survey. Whenever any such land shall be found to have been previously surveyed under or by virtue of any order of a court of record, and the record of such survey has been duly made and preserved, then and in that event, in the discretion of the secretary of state, a duly certified transcript of such record, together with the field notes accompanying the same, if obtainable, may be filed with the land commissioner in the office of the secretary of state, and when so filed shall obviate the necessity for any further survey of such land except when such survey becomes necessary for the purpose of execution of conveyances thereof, and the record of such transcript, when filed, shall constitute the official survey of such land.

SEC. 10. Boundary commission. If, in any proceeding contemplated by the provisions of this act, it shall become necessary to determine the boundary line between the state of Iowa and either of the states adjoining, the matter shall then be at once referred to the executive council, who shall thereupon proceed to confer with the proper authority of such adjoining state, and if the co-operation of the proper authority of such adjoining state shall be obtained, then the executive council shall appoint a commission of three disinterested, competent persons, who shall, in conjunction with the parties acting for such adjoining state, have authority to ascertain and locate the true boundary line between the state of Iowa and such adjoining state, so far as the particular land under consideration at the time, is concerned. The lines so ascertained and located shall constitute the true and permanent boundary line between the state of Iowa and such other state to the extent such line shall be so ascertained and located.

SEC. 11. Commission—how constituted—compensation. The members of such commission shall be selected with reference to their fitness for the duties required, and at least one of them shall be a competent surveyor, and civil engineer. They shall receive for their services such amount as the executive council may deem reasonable, to be paid out of the proceeds of the sale of land so surveyed.

SEC. 12. Purchase money refunded—when. If at any time within ten years from the date of any deed or patent, issued under the provisions of this act, the grantee therein, or his successors, administrators or assigns,

shall cause to be filed with the secretary of state a duly certified transcript of a final decree of a court of record showing that the conveyance by the state passed no title whatever to the land therein described, because title thereto had previously, for any reason, been vested in others, then the money so paid for such conveyance shall be refunded by the state to the person or persons entitled thereto.

SEC. 13. Purchase moneys turned into state treasury. All moneys received for the sale or conveyance of any land under the provisions of this act, after the payment of the necessary expenses of survey and appraisement thereof, shall be paid into the state treasury.

SEC. 14. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 11, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 13, 1904.

W. B. MARTIN,
Secretary of State.

CHAPTER 186.

MEANDERED LAKES AND LAKE BEDS.

H. F. 277.

AN ACT relating to the meandered lake beds in the state, and authorizing the executive council to survey, and sell the same.

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

SECTION 1. Survey and sale authorized. The executive council of the state is hereby authorized and empowered to survey the meandered lakes and lake beds within this state, and sell the same as hereinafter provided, and to determine what lakes shall be maintained as the property of the state and what meandered lake beds belonging to the state may be drained, improved, demised or sold.

SEC. 2. Signed statements—survey—report. Upon the presentation to the executive council of a statement signed by not less than fifty (50) freeholders, twenty of whom shall be actual residents of the township or townships in which said lake or lake beds are situated, of any county that any meandered lake or lake bed in such county is detrimental to the public health or the general welfare of the citizens of the county, and that it is unwise to maintain such meandered lake or lake bed as a permanent body of water, and that the interest of the state will be subserved by draining and improving such lake bed, the governor shall, within thirty (30) days after the receipt of such statement, appoint a competent engineer who shall at once examine the situation and condition of such lake or lake bed, make a survey and plat thereof, and ascertain whether its location is such that it can be drained and improved, and make a full report to the executive council of the area and depth of water in the lake and of its general physical condition, which report shall be accompanied by his plat, field notes and profile of his survey.

SEC. 3. Hearing—commissioner—notice. Upon receipt of the report of the engineer, the executive council shall determine whether such lake or lake bed shall be maintained and preserved as the property of the state, or whether the same shall be drained, improved and the land included within the meander lines thereof sold in the manner hereinafter specified; and to