

thence N 11 degrees east, 6.50 chains, to post fourteen (14) which is a point in the north and south section line between section twenty-five (25), township eighty-nine (89) north, range two (2) east, and section thirty (30), township eighty-nine (89) north, range three (3) east; this meander line representing the eastern boundary of the abandoned area herein described; this area containing in all 33 and  $\frac{1}{4}$  acres, more or less.

SEC. 2. **Patent.** The governor and the secretary of state of the state of Iowa are hereby authorized and directed to issue to said city of Dubuque a patent for the tract of land described in section one of this act and deliver the same to the mayor of the said city of Dubuque to be recorded in the recorder's office of Dubuque county.

Approved April 9, A. D. 1909.

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## CHAPTER 268.

### ABANDONED RIVER CHANNEL WITHIN CORPORATE LIMITS OF OTTUMWA, IOWA.

S. F. 25.

AN ACT repealing chapter two hundred forty (240) of the act of the thirty-second (32) general assembly relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the city of Ottumwa, Iowa.

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

SECTION 1. **Repeal.** That chapter two hundred forty (240) of the acts of the thirty-second (32) general assembly be repealed.

SEC. 2. **Pending litigation.** Nothing in this act shall be construed to affect pending litigation.

Approved February 2, 1909.

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## CHAPTER 269.

### RIGHT OF WAY OVER GROUNDS OF IOWA SCHOOL FOR THE DEAF.

S. F. 153.

AN ACT granting to the Omaha, Council Bluffs & Suburban Railway Company a right of way over and across the lands of the Iowa school for the deaf, located near Council Bluffs, Iowa.

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

SECTION 1. **Right of way granted.** A right of way is hereby granted to the Omaha, Council Bluffs & Suburban Railway Company over and across the lands of the Iowa school for the deaf, located near the city of Council Bluffs, Iowa, subject to the conditions of this act as hereinafter provided.

SEC. 2. **Terms and conditions.** No rights conferred by this act shall vest in said railway company until it shall have filed with the executive council a plat or diagram showing the location of said line across its premises and a description of said right of way and until it shall have secured from such executive council an approval of the location made by said railway company. After the approval of such location, the said executive council shall issue to said railway a certificate which shall be its authority to enter upon, construct, and operate a railway line upon said premises.

SEC. 3. **Same.** Said certificate shall not issue, however, until said railway company shall file with the executive council its agreement in writing binding the said railway company, its successors and assigns to construct, operate, and maintain a side track extending to the heating plant of the said Iowa school for the deaf as the same now is or may hereafter be located; such agreement shall also require said railway company, its successors and assigns to erect and maintain a station suitable in character, size, and design, at such place upon said right of way as said executive council may determine. The poles upon said right of way shall be of ornamental design and, in the event that said railway shall be extended beyond said grounds in any direction other than toward the city of Council Bluffs, the poles erected on the right of way through the state grounds shall be of iron or steel and painted so as to present a neat and ornamental appearance.

SEC. 4. **Easement.** The provisions of this act shall only operate to create an easement in said right of way and shall not convey a fee.

SEC. 5. **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 Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 25, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital March 27, A. D. 1909.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 270.

### RELIEF OF THE GRANTEES OF JOEL BRADSHAW.

S. F. 182.

AN ACT for the relief of the grantees of Joel Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

WHEREAS, In pursuance to a certificate of purchase issued by the school fund commissioners of Jefferson county, Iowa, to Joel J. Bradshaw, the state of Iowa issued a patent to the said Joel J. Bradshaw for the following described land, to-wit: part of lot No. one (1) twelve rods of the south end north and south and eighty rods east and west of the northeast quarter of the northeast quarter of the northeast quarter of section No. sixteen (16) in township No. seventy-one (71) north of range No. nine (9) west of the 5th P. M., in Jefferson county, Iowa, containing six (6) acres, and

WHEREAS, Joel J. Bradshaw, on the . . . . day of . . . . 1851, gave to Bluford Davis a warranty deed to six (6) acres off of the south side of the northeast quarter of the northeast quarter of section (16) in township seventy-one north of range No. nine (9) west, in Jefferson county, Iowa, and,

WHEREAS, Bluford Davis and wife, on October 8, 1851, gave to John Dennis a warranty deed, conveying six (6) acres off of the south side of the northeast quarter of the northeast quarter of section sixteen (16) in township seventy-one (71) north of range No. nine (9) west, in Jefferson county, Iowa, and

WHEREAS, John Dennis, on December 27, 1852, conveyed by warranty deed to Francis Oriez, six (6) acres off the south side of the northeast quarter of the northeast quarter of section sixteen (16) in township seventy-one north of range nine (9) west, in Jefferson county, Iowa, and,

WHEREAS, Francis Oriez died on the . . . . day of November, 1886, and