

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

WHEREAS, The real estate of Francis Oriez, including the land last above described, was partitioned by the district court of Jefferson county, Iowa, and the said land was, by George L. Dana, Frank Light, and James Speer, referees appointed by said court, conveyed to W. F. Werner by referees' deed on the 4th day of March, 1908, and

WHEREAS, It appears that the certificate of purchase issued by the school fund commissioners of Jefferson county, Iowa, to Joel J. Bradshaw for 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, was an error and the description should have been part of lot No. one (1) in section sixteen (16) in township No. seventy-one (71) north of range No. nine (9) west of the 5th P. M., Jefferson county, Iowa, described by metes and bounds as follows: Commencing at the southeast corner of the northeast quarter of the northeast quarter of said section sixteen (16) running thence west along the south line of said northeast quarter of the northeast quarter of said section to the southwest corner of the same; thence north twelve (12) rods, thence east on a line parallel with the south line of said northeast quarter of the northeast quarter of said section to the point where the said line intersects the east line of the said northeast quarter of the northeast quarter of said section; thence south to the point of beginning, containing six (6) acres, and,

WHEREAS, Francis Oriez was in peaceable adverse possession by virtue of the above deed to said land, last above described, from December 27, 1852, until his death, and his legal representatives from his death until said conveyance under partition, and

WHEREAS, The legal representatives of Francis Oriez, deceased, have partitioned said land, last above described, and the said referees have conveyed said land by referees' deed to W. F. Werner, who is now the owner of said real estate, and,

WHEREAS, By reason of the mistake the title to said part of lot one (1) in section sixteen (16) in township number seventy-one (71) north of range number nine (9) west of the 5th P. M., Jefferson county, Iowa, described by metes and bounds as follows: Commencing at the southeast corner of the northeast quarter of the northeast quarter of said section sixteen (16) running thence west along the south line of said northeast quarter of the northeast quarter of said section to the southwest corner of the same; thence north twelve (12) rods; thence east on a line parallel with the south line of said northeast quarter of the northeast quarter of said section to the point where the said line intersects the east line of the said northeast quarter of the northeast quarter of said section; thence south to the place of beginning, containing six (6) acres.

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

SECTION 1. **Patent.** That the governor of the state of Iowa and the secretary of state are hereby authorized and directed to issue to the said W. F. Werner a patent, in the usual form, to part of lot one (1) in section number sixteen (16) in township number seventy-one (71) north of range number nine (9) west of the 5th P. M., Jefferson county, Iowa, described by metes and bounds as follows: Commencing at the southeast corner of the northeast quarter of the northeast quarter of said section sixteen (16) running thence west along the south line of said northeast quarter of the northeast quarter of said section to the southwest corner of the same; thence north twelve (12) rods; thence east on a line parallel with the south line of said northeast quarter of the northeast quarter of said section to the point where the said

line intersects the east line of the said northeast quarter of the northeast quarter of said section; thence south to the point of beginning, containing six (6) acres; and deliver the same to the said W. F. Werner.

Approved March 19, A. D. 1909.

CHAPTER 271.

CONVEYANCE OF CERTAIN LAND TO O. J. FELTON.

S. F. 98.

AN ACT authorizing the governor of the state of Iowa to issue patent attested by the secretary of state to certain land to and in favor of O. J. Felton, being the property situated in Linn county, Iowa, described as follows, to-wit: The south-west quarter (s. w. $\frac{1}{4}$) of the north-west quarter (n. w. $\frac{1}{4}$) and the south-east quarter (s. e. $\frac{1}{4}$) of the south-west quarter (s. w. $\frac{1}{4}$) of section sixteen (16), township eighty-five (85) north, range five (5) west of the 5th P. M.

WHEREAS, The south-west quarter (s.w. $\frac{1}{4}$) of the north-west quarter (n.w. $\frac{1}{4}$) and the south-east quarter (s.e. $\frac{1}{4}$) of the south-west quarter (s.w. $\frac{1}{4}$) of section sixteen, township eighty-five (85) north, range five (5), west of the 5th P. M., was of date August 7th, 1850, by an act of congress conveyed to the state of Iowa for state school purposes, and:

WHEREAS, The state of Iowa has never parted with title to the said premises or any part thereof but the legal title is now and at all times was since August 7th, 1850, vested in the state of Iowa, and:

WHEREAS, The said premises was of date November 30th, 1863, by the treasurer of Linn county, Iowa, by tax title deed conveyed to R. P. Kingman, and:

WHEREAS, Of date October 3rd, 1864, the treasurer of Linn county, Iowa, by tax title deed conveyed the same land in subsequent conveyance to R. P. Kingman, and:

WHEREAS, Of date October 19th, 1869, the treasurer of Linn county, Iowa, by tax title deed conveyed the same land in subsequent conveyance to R. P. Kingman, and:

WHEREAS, The usual and assessed taxes were at times paid upon said premises, before the tax sales herein referred to, and:

WHEREAS, Of date February 4th, 1882, R. P. Kingman and wife conveyed the south-west quarter (s.w. $\frac{1}{4}$) of the north-west quarter (n.w. $\frac{1}{4}$) of said section sixteen (16), township eighty-five (85), range five (5), west of the 5th P. M., to William Shoemaker by quit claim deed, and:

WHEREAS, Of date April 5th, 1882, William Shoemaker and wife by special warranty deed conveyed the said south-west quarter (s.w. $\frac{1}{4}$) of the north-west quarter (n.w. $\frac{1}{4}$) of said section sixteen to Thomas Kula, and:

WHEREAS, Of date December 22nd, 1864, R. P. Kingman and wife by warranty deed conveyed the south-east quarter (s.e. $\frac{1}{4}$) of the south-west quarter (s.w. $\frac{1}{4}$) of said section sixteen, township eighty-five, range five west of the 5th P. M., to E. A. Warner, and:

WHEREAS, Of date December 16th, 1872, by warranty deed, E. A. Warner and wife conveyed the said south-east quarter (s.e. $\frac{1}{4}$) of the south-west quarter (s.w. $\frac{1}{4}$) of said section sixteen to Mathew M. Cline, and:

WHEREAS, Of date June 16th, 1879, by quit claim deed Elizabeth Isbel, widow, and Calina M. Isbel, heirs at law of the late Norman W. Isbel, deceased, conveyed the south-east quarter (s.e. $\frac{1}{4}$) of the south-west quarter (s.w. $\frac{1}{4}$) of said section sixteen to E. A. Warner, and: