

[63] CHAPTER 32.

DESMOINES RIVER IMPROVEMENT.

AN ACT to amend "an act to secure the more vigorous prosecution of the Des Moines River Improvement" and amendatory and supplemental to all others acts now in force in relation thereto. Approved February 5th, 1851.

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

SECTION 1. **Lands—may be sold—limitation—object.** That the commissioner and register of the Des Moines River Improvement be, and they are hereby authorized and empowered to sell, and dispose of all and any lands which have been, or hereafter may be granted by congress for the improvement of the Des Moines river, in such manner as they may deem most expedient for the early completion, and vigorous prosecution of said improvement; provided, that said land shall not be sold for a less sum than one dollar and twenty-five cents per acre, or a less amount than one million, three hundred thousand dollars in the aggregate, and provided further, that the proceeds of said sales shall, after paying the present indebtedness and liability of said improvement, be devoted to its completion to the greatest extent practicable.

SEC. 2. **Wholesale or retail—tolls and water rents—proviso.** That said commissioner and register are hereby authorized and empowered, if deemed by them necessary for the best interest of the improvement, to transfer, or convey in fee simple, or by other title to any individual or individuals, company or companies, any portion or all of said lands, procure fund for the object above specified, upon in order to such terms and with such rights and privileges to the contractor, or contractors, as they may deem necessary, subject to the limitations herein contained; and they are also authorized and empowered to transfer, lease, or convey unto any such company, or companies, individual or individuals, the right to the tolls, and water rents arising from said improvement for such length of time, not exceeding twenty five years, and upon such terms as in their judgment will most certainly secure a speedy prosecution of said improvement, so as not to interfere with existing rights. Provided, that no [64] privileges shall be granted said company, or individuals which will prevent the construction of other works of internal improvement to, or through the Des Moines River Valley.

SEC. 3. **Trustees.** And they are also authorized and empowered, if deemed by them advisable or necessary to the attainment of that object to place said lands in the hands of trustees, not exceeding three in number, to be by them and the person with whom they may contract, agreed upon for the purpose of the raising means to pay off the present indebtedness and liabilities, and secure the prosecution of said work.

SEC. 4. **Contracts.** For the purpose of selling said lands, leasing said water rents, conveying the right to said tolls, or placing said lands in the hands of such trustees, except as herein otherwise provided, said commissioner and register are hereby given full power to make and enter into such agreement, or agreements, contract or contracts as may by them be deemed necessary, such contracts or agreements only being valid when signed by the commissioner and countersigned by the register, and approved by the governor.

SEC. 5. **Pre-emption—conditions.** Any of said lands which may be claimed by bona fide settlers at the time of taking effect of this act, may be purchased by such settlers at any time before the first day of December

next, under such rules and regulations as may be established by said commissioner and register, in lots not exceeding one hundred and sixty acres each; and any contract made as herein contemplated, shall reserve to said settler the right to purchase as aforesaid at the rate of one dollar and twenty-five cents per acre: provided, however, that where such bona fide settlement is now made on lands which are not now surveyed, said settlers shall have the right to purchase their said land under the regulations aforesaid at any time within one year after said lands are surveyed, at the rate per acre above named.

SEC. 6. Records. Contracts made as herein contemplated, shall be executed, filed and recorded as provided in section seventeen of the act to which this is amendatory.

SEC. 7. Take effect. This act to take effect from and after its publication in the Iowa Capital Reporter and Iowa Republican.

Approved, January 19th, 1853.

[65] I certify that the foregoing act was published in the Capital Reporter, Feb. 2d, and Iowa Republican Feb. 9th, 1853.

GEO. W. McCLEARY,
Sec'y of State.

CHAPTER 33.

BOUNDARIES.

AN ACT to define the boundaries of Dallas county.

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

SECTION 1. Boundaries. That the following shall be the boundaries of Dallas county, to-wit: Beginning at the northwest corner of township eighty-one north of range twenty-five west, running thence west on the line dividing townships eighty-one and eighty-two, to the northwest corner of township eighty-one north of range twenty-nine west, thence south on the range line dividing ranges twenty-nine and thirty to the southwest corner of township seventy-eight north of range twenty-nine west, thence east on the line dividing townships seventy-seven and seventy-eight, to the southwest corner of township seventy-eight north of range twenty-five west, thence north on the range line dividing ranges twenty-five and twenty-six, to the place of beginning.

Approved, January 19th, 1853.

CHAPTER 34.

JUSTICE OF THE PEACE.

AN ACT for an additional justice of the peace in Washington township, in Warren county.

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

SECTION 1. Additional justice. That the electors in Washington township, in Warren county, be authorized to elect, on the first Monday of [66] April next, an additional justice of the peace, who shall hold his office in the town of Indianola.