

§ 8. That in addition to the powers heretofore granted in the act to which this is amendatory, the city council shall be vested with all the powers granted and enumerated in chapter 69 of the code of Iowa in relation to school districts.

§ 9. That upon the petition of the resident owners of two-thirds of the improvement on any block of lots the council may, prohibit the further erection of wooden buildings thereon. Prohibition of wooden buildings

§ 10. That this act shall take effect from and after its publication in the Iowa Capital Reporter and Iowa Republican, said publication to be at the expense of said city, and anything in the act to which this is amendatory, which is inconsistent herewith be, and the same is hereby repealed. Take effect.  
Repeal.

APPROVED January 18th, 1855.

I certify that the foregoing Act was published in the Iowa Capital Reporter and the Iowa Republican the 31st day Jan. 1855.

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

## CHAPTER 117.

### SETTLERS ON RIVER LANDS.

AN ACT for the relief of the settlers on certain river lands.

*Whereas*, a large number of persons have contracted with the proper school officers to purchase lands as school lands, being part of the 500,000 grant, and have paid part of the purchase money down, and have entered upon the said land and made valuable improvements upon the same, Preamble.

*And, whereas*, the State of Iowa have located part of the grant for the improvement of the Des Moines river upon said lands thus purchased and settled upon; and, whereas, doubts have arisen as to the legality of said location: Therefore, Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Commissioner and Register of the "Des Moines River Improvement" be required to represent the facts stated in the foregoing preamble, to the Des Moines Representation to D. R. Co.

**Negotiation.** Navigation and Railroad Company, and enter into negotiation with said company for the sale of said lands described in said preamble, to the persons who have contracted with the several school fund commissioners for the same, at one dollar and twenty-five cents per acre.

**Contract.** § 2. That whenever the Commissioner and Register of the Des Moines River Improvement have consummated the contract with the Des Moines Navigation and Railroad Company, provided for in section first of this act, they shall give notice that said lands will be open for private entry, on a day therein specified, by three publications in the Iowa Star, at Fort Des Moines, or some other newspaper, and by sending by mail three copies of said notice, to the county Judge of Webster county, one of which shall be filed by said county Judge, and the other two posted up in conspicuous places in said county.

**Notice by publication.**

**Entry]** § 3. That on the day fixed in the notice required by section second, or any time within six months thereafter, any person having made a contract with the respective school fund commissioners for the purchase of land claimed to be within the limits of the grant for the improvement of the Des Moines river, shall be permitted to enter the same at one dollar and twenty-five cents per acre.

**Person holding contract.** § 4. That whenever any person shall produce to the Register of the Des Moines River Improvement, a contract, or a certified copy of a contract, or establish the fact by his own affidavit or other competent testimony, that he or she once had such contract, but the same is lost or beyond his or her control, and shall prove by his or her affidavit, or other competent testimony, or by the certificate of the school fund commissioner, that he or she, as the case may be, is the person who holds the beneficial interest in such contract, he or she, as the case may be, shall be permitted to enter the land described in said contract, at one dollar and twenty-five cents per acre.

**To enter.**

**Improvement.** § 5. That any person who has entered into a contract with the proper school fund commissioner to purchase any land embraced within the lands described in section third, and entered upon and improved the same, upon proving those

facts, by his or her own affidavit, or other competent testimony, to the Register of the Des Moines River Improvement, shall be permitted to enter the same at one dollar and twenty five cents per acre.

§ 6. That any person who may have settled upon and improved any land which has been selected as school land and which is claimed to be within the limits of the grant for the improvement of the Des Moines river, upon proving that fact, by his or her affidavit, or other competent testimony, to the Register of the Des Moines River Improvement, shall be permitted to enter the same at one dollar and twenty-five cents per acre; *Provided*, no one person shall be permitted to enter more than one hundred and sixty acres under the provisions of this section of this act.

§ 7. That whenever any conflict of claim or right shall arise between individuals to enter any land under the provisions of this Act, the same shall be tried before the Commissioner and Register of the Des Moines River Improvement, under the ordinary rules of evidence, whose decision thereon shall be final.

§ 8. That all moneys received for land sold under the provisions of this Act, shall be paid over to the proper officer of the Des Moines Navigation and Railroad Company.

§ 9. This Act shall take effect after its publication according to law.

APPROVED January 25th, 1855.

I certify that the foregoing act was published in the Iowa Capital Reporter February, 14th and in the Iowa Republican March 6, 1855, by order of the Governor.

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