

4 and in the Lyon County Reporter, a newspaper published at Rock
5 Rapids, Iowa.

Approved April 28, 1955.

I hereby certify that the foregoing Act, Senate File 446, was published in The Inwood Herald, Inwood, Iowa, May 5, 1955, and in the Lyon County Reporter, Rock Rapids, Iowa, May 12, 1955.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 282

LAND PATENT

H. F. 32

AN ACT to authorize and direct the issuance of a patent conveying the West half ($W\frac{1}{2}$) of the Southwest quarter ($SW\frac{1}{4}$) of section sixteen (16), Township seventy (70) North, Range nineteen (19) West of the Fifth principal meridian, Appanoose County, Iowa, to T. C. Young, Fay Wright and Hallie Vanderverter, assigns of Dempsey Stanley.

WHEREAS, T. C. Young, Fay Wright and Hallie Vanderverter own by inheritance from their father, George T. Young, late of Appanoose County, Iowa the following land (together with other real estate not here in question): The west half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of section sixteen (16), township seventy (70) north, range nineteen (19) west of the fifth principal meridian, Appanoose County, Iowa; and

WHEREAS, in the preparation of an abstract of title to said land it has been discovered that there is no patent of record in Appanoose County, Iowa, records from the United States or the state of Iowa to said tract to the predecessors in title of said present owners; and

WHEREAS, it does appear from the records of Appanoose County, Iowa, that a certificate of entry was issued to said tract by the United States to one Dempsey Stanley for \$100.00 on August 31, 1850; that said Dempsey Stanley, or Standley, conveyed said tract, with other real estate, by warranty deed to David Young for the consideration of \$4,500.00, said deed being dated June 13, 1859, and recorded June 13, 1859, in book D, page 341; that the said David Young died about the month of March, 1867; that George T. Young, the father of the present owners, was a son of David Young, and acquired said tract by purchase from his brothers and sisters after the death of the said David Young; that George T. Young died on or about March 22, 1940, leaving a last will and testament, which was admitted to probate in the District Court of Appanoose County, Iowa, by the terms of which said land was devised to his three children T. C. Young, Fay Wright, and Hallie Vanderverter, subject to a life estate in their mother, Carrie Young; that the said Carrie Young died a widow and intestate on or about November 9th, 1951; that said David Young and said George T. and Carrie Young, and said T. C. Young, Fay Wright and Hallie Vanderverter have been in open, continuous, visible, notorious, peaceable and adverse possession of said land under claim of right and color of title since June 13, 1859, and have made valuable improvements thereon, and have continuously farmed said land and claimed it as their own since that said date, and to the exclusion of all others, and no claims adverse to their claim of ownership have been made by anyone since said date; and

WHEREAS, it further appears from the records of Appanoose County, Iowa that the whole of section sixteen (16), township seventy (70) north, range nineteen (19) west of the fifth principal meridian, Appanoose County, Iowa, was patented by the United States of America to the State of Iowa by a patent dated August 26, 1937, filed March 7, 1950, and recorded in Land Deed Records, Book 93, Page 24, in the county recorder's office in Appanoose County, Iowa, but the state of Iowa has no record of ever having issued a patent to the tract in question, although it had issued patents to some parts of said section many years before the issuance of the patent to the state of Iowa above referred to; and

WHEREAS, the records in the county auditor's office of Appanoose County, Iowa, pertaining to the sale of lands in the sixteenth section, or lands selected in lieu thereof, for the benefit of the school funds, prior to 1890, have been destroyed, it is impossible to determine therefrom whether a consideration was paid to said school fund for said tract, or for a tract selected in lieu thereof, but it does appear that the said David Young purchased said land for a fair consideration in 1859, and it would be unjust and inequitable to require further payment now, and said present owners are entitled to said land free from any claims of the state of Iowa; now therefore,

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. That the governor and secretary of state of the state
- 2 of Iowa be and they are hereby authorized and directed to execute and
- 3 deliver to T. C. Young, Fay Wright and Hallie Vanderverter, assigns
- 4 of Dempsey Stanley, a patent conveying the real estate hereinafter
- 5 described: The west half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$)
- 6 of section sixteen (16), township seventy (70) north, range nineteen
- 7 (19) west of the fifth principal meridian, Appanoose County, Iowa.

Approved March 18, 1955.

CHAPTER 283

LAND PATENT

H. F. 549

AN ACT authorizing a patent to issue to the northeast quarter ($NE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of section sixteen (16), Township seventy (70) north, Range thirteen (13) west, containing forty (40) acres, Davis County, Iowa.

WHEREAS, it appears that on the 19th day of February, 1851, Isaac Swinney purchased of the School Fund Commissioner for the County of Davis the following described premises, to wit: Northeast quarter ($NE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of section sixteen (16), township seventy (70) North, range thirteen (13) West, containing forty (40) acres, Davis County, Iowa; and

WHEREAS, it appears that no patent for said land has ever been issued to the said Isaac Swinney or to any other person; and

WHEREAS, it appears that the purchase price has been fully paid and it appears that the state of Iowa claims no ownership in the foregoing-