

and sixty-eight, then in that case it shall be competent for the State of Iowa to reserve all rights to the lands hereby granted, then remaining uncertified to said company so failing to have the length of road completed in manner as aforefaid.

This grant subject to all provisions of other railroad grants.

SEC. 5. That this grant is subject to all the provisions of an act of the General Assembly of the State of Iowa, approved July fourteenth, eighteen hundred and fifty six, entitled an act to accept the grant and carry into execution the trust conferred upon the State of Iowa by an act of Congress entitled an act making a grant of lands to the State of Iowa in alternate sections to aid in the construction of railroads in said State approved May 15th 1856, so far as the same are applicable and not inconsistent with the foregoing provisions of this act.

Take effect.

SEC. 6. This act to take effect and be in force immediately after the publication thereof in the Iowa Weekly Citizen and Iowa State Journal, newspapers published at Des Moines, Iowa.

Approved March 22d, 1858.

I hereby certify that the foregoing act was published in the Iowa Weekly Citizen on the 7th day of April, 1858, and in the Iowa State Journal on the 3d day of April, 1858.

ELIJAH SELLS,

Secretary of State.

CHAPTER 100.

SWAMP LAND PRE-EMPTIONS.

AN ACT for the relief of Swamp Land Pre-emptors.

Pre-emption prior to 1857, not forfeited.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cases where any person had acquired a bona-fide pre-emption claim to any Swamp Land of this State, under the laws heretofore in force, and who was, in good faith residing on the same on the fifth day of September, 1857, such person shall not be held to have forfeited the same in consequence

of not having proved up such pre-emption in accordance with such law: *Provided*, he shall produce his evidence and prove up the same in accordance with the laws in force prior to the fifth day of September, 1857, and within six months from the day this act goes into force; and provided further that no certificate of pre-emption has been granted for the land so claimed to any other person.

Must prove up within six months.

SEC. 2. It shall be the duty of the County Judge when application is made for a pre-emption under this act, to hear and determine upon the same within thirty days from the date of the application, and shall notify the applicant at the time of his making his application, of the day upon which he will hear the testimony in the case. If the proof shall be deemed sufficient, the County Judge shall issue a certificate of pre-emption in favor of the claimant to lands claimed, or to such portion of them as he shall have sustained his claim for a pre-emption to.

Co. Judge hear and determine.

Insure certificate

SEC. 3. The several County Judges, in all cases where any person now holds, or may hereafter fairly acquire certificates of pre-emption to swamp lands in accordance with the laws heretofore in force, or in accordance with this act, shall be required to quit-claim the county interest to the persons holding said certificates of pre-emption, or the lawful assignees under the same, on payment or tender of payment of the said County Judge, the price per acre named in such certificate, at any time within six months from the passage of this act; or if said certificate is granted after the passage of this act, six months from the date thereof.

Co. judge quit-claims the interest of the county.

SEC. 4. This act to take effect and be in force from and after its publication in the Iowa Weekly Citizen and Iowa State Journal.

Take effect.

Approved March 22d, 1858.

Whereby certify that the foregoing Act was published in the Iowa Weekly Citizen on the 7th of April, 1858, and in the Iowa State Journal on the 8d of April, 1858.

ELIJAH SELLS,

Secretary of State.