

CHAPTER 132.

SWAMP LANDS AND RAILROADS.

AN ACT to authorize the counties to use the swamp lands to aid in the construction for Railroads and Seminary Buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be competent and lawful for the counties owning swamp and overflowed lands, to devote the same or the proceeds thereof, either in whole or in part to the erection of public buildings for the purpose of education, the building of bridges, roads and highways, for building institutions of learning or for making Railroads through the county or counties to whom such lands belong: *provided*; That before any of said land or the proceeds thereof shall be so devoted to any of the purposes aforesaid the question whether the same shall be so done shall be submitted at some general or special election to the people of the county.

Swamp lands diverted to R. R.'s &c.

Submitted to the people.

Officer may make conveyance.

SEC. 2. The proper officer or officers of any county may contract with any person or company for the transfer and conveyance of said swamp or overflowed lands, or the proceeds thereof or otherwise appropriate the same to such person or company or to their use, for the purpose of aiding or carrying out any of the objects mentioned in the first section of this act, which said contract shall be reduced to writing and signed by the respective parties or their lawful authorized agents.

Notice of submitting the question to the people.

SEC. 3. Before such contract shall be of any force or validity the same shall be published for four weeks immediately preceding some general or special election in some newspaper published in the county and if there be none published therein, then three copies of the same shall be posted in three of the most public places in each township in the county for the length of time aforesaid together with a proclamation of the proper officer and directing how and where the vote thereon shall be taken, and returns made and canvassed and in what manner or form the people shall vote thereon and if it shall appear that a majority of the people in any county voting thereon are in favor of the

contract or proposition submitted to them, then and in that case such contract or proposition shall be binding upon the parties thereto, but if a majority of the people voting on such proposition are against the same then it shall be null and void; *Provided*, That no sale, contract or other disposition of said swamp or overflowed lands shall be valid, unless the person or company to whom the same are sold, contracted or otherwise disposed of to, shall take the same subject to all the provisions of the acts of Congress of September the 28th, 1850, and shall expressly release the State of Iowa and the county in which the lands are situate, from all liability for reclaiming said land.

Contract made binding.

Company assumes the liability of county.

SEC. 4. It is further provided that this act shall be so construed as not to interfere with any pre-emption claim under the act of 1855, Chapter 156; *Provided*, said claimant was an actual and bona fide settler upon such land as provided in section nine of said act and has not assigned his said pre-emption.

Pre-emptions secured

SEC. 5. Nothing in this act shall be so construed as to authorize or allow the people of any county or officer thereof in any manner to contract or otherwise dispose of the swamp or overflowed lands belonging to any county attached thereto for election, judicial or other purposes.

Lands exempted.

Approved March 22d, 1858.

CHAPTER 133.

JURORS DRAWN.

AN ACT to amend Chapter ninety-six of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1633 of the Code be, and the same is hereby amended, so as to read as follows: Two jury lists, one consisting of seventy-five persons, to serve as Grand Jurors, and one consisting of one hun-

Two lists made annually.