

## CHAPTER 161.

[Published March 20, 1869.]

AN ACT to grant preemption rights upon odd numbered sections within certain railroad limits in the counties of Pierce, St Croix, Polk, Burnett, Barron, Douglas, Ashland and La Pointe.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Any resident of the state of Wisconsin, Who may pre-empt lands. being a married man or head of a family, or single man over the age of twenty-one years, and who is a citizen of the United States or who may have declared his intentions to become such, conformably to the laws of the United States, who may have resided upon or may have had *bona fide* improvements to the value of one hundred dollars on the first day of March, 1869, upon any of the odd numbered sections heretofore granted to the state of Wisconsin by the several acts of congress to aid in the construction of railroads therein, from Madison and Columbus, via Portage City to Lake St. Croix or river between townships twenty-five and thirty-one, and thence to the west end of Lake Superior and Bayfield, prior to the completion of each consecutive line of railroad on either or any of said lines of railroad, in either or any of the counties of Pierce, St. Croix, Polk, Burnett, Barron, Ashland, Douglas and Bayfield, shall have the right to purchase any quantity of said lands not exceeding one hundred and sixty acres or fractional quarter section, according to the government survey of public lands, at the minimum price of two dollars and fifty cents per acre, whenever the railroad company or companies shall have constructed twenty miles of railroad, so as to include such lands in any or either of said counties by proving his or her occupancy of any improvements upon such land, in the manner hereinafter provided: *provided*, that said land so claimed by preemption right, shall be selected in a compact form in legal subdivisions, according to the government survey; *and provided, further*, that no person claiming the right to occupy any of said lands

under the provisions of this chapter, shall be allowed to take away from said lands more timber than is necessary for the use of said lands, and that every person claiming the right of preemption to any of said lands in pursuance of the provisions of this chapter shall forfeit such right of preemption if he or she shall fail to prove his or her claim, and pay for the lands so claimed within twenty days before the time of the completion of each consecutive twenty miles of either or any of said lines of railroad in any of the above mentioned counties.

How prove  
right of pre-  
emption.

SECTION 2. At any time within twenty days before the completion of each and every consecutive twenty miles of railroad as above specified, any person or persons wishing to avail themselves of the right of preemption secured by this chapter, shall prove up their rights to such preemption before the commissioners of school and university lands, by the affidavit of two or more disinterested witnesses, together with his or her own affidavit, setting forth that he or she had at the time of filing their declaratory statement for the premises therein described, made an actual settlement and improvement thereon, and that he or she (as the case may be) is not the owner of one hundred and sixty acres of land, and shall pay the sum of \$2.50 per acre to the state treasurer of the state of Wisconsin, for the use and benefit of the railroad company constructing such railroad in or through either or any of said above named counties; and in case of non-compliance with the terms thereof, shall forfeit all right of preemption, and the said lands so claimed shall vest in and be disposed of by the railroad company constructing such railroad, according to law.

Patent to be is-  
sued to pre-  
emptor.

SECTION 3. In all cases where the person or persons claiming the benefit of this act to any of the lands above mentioned, and proves his or her right thereto under the provisions of this act, the patent shall be issued directly to him or her, and the moneys arising from all such entries made under the provisions of this chapter, shall be paid into the state treasury of the state of Wisconsin, and upon the proper certificate of the construction of said railroad, the said moneys shall be paid over to such railroad company by the state treasurer as shall be entitled to the same.

SECTION 4. Any person desiring to avail himself or herself of the benefits of this act is required to file a declaratory statement, as is now required by law of persons claiming the right of preemption to university lands, with the secretary of state of the state of Wisconsin, on or before the first day of June, one thousand eight hundred and sixty nine, who may have been residing upon any of the above described lands on the first day of March, 1869.

Shall file declaratory statement.

SECTION 5. The provisions of this act shall only apply to the counties of Pierce, St. Croix, Polk, Burnett, Barron, Douglas, Ashland and Bayfield.

To what counties apply.

SECTION 6. The commissioners of school and university lands shall be entitled to receive the sum of one dollar and fifty cents for every declaratory statement filed under the provisions of this chapter, and the pre-emptor shall pay the sum of two per cent. on all moneys paid into the treasury, in addition to the price required to be paid for the land.

Fees of commissioners.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved March 11, 1869.

## CHAPTER 162.

[Published March 23, 1869.]

AN ACT to annex certain territory in the county of Dallas to the county of Burnett.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :*

SECTION 1. All of the following described territory situated within the county of Dallas is hereby detached from the said county of Dallas and annexed to the county of Burnett, to-wit: All of towns number thirty-seven, of ranges numbers ten, eleven, twelve, thirteen and fourteen west.

Detached and annexed.

SECTION 2. This act shall take effect and be in force from and after its publication.

Approved March 11, 1869.