

shall nevertheless be valid if, within sixty days after the final award, such excess be provided for by private donation or otherwise; but in case such excess be not so provided for then said proceedings shall, upon motion, be dismissed with costs."

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

Approved May 21, 1903.

No. 374, S.]

[Published May 27, 1903.

CHAPTER 405.

AN ACT for the adjustment of claims of the state and of the Chicago, St. Paul, Minneapolis & Omaha Railway Company for certain lands granted by the United States.

Preamble. Whereas, it is claimed by the state of Wisconsin that certain lands heretofore conveyed by the United States to The State, and by The State to the Chicago, St. Paul, Minneapolis & Omaha Railway company, or its predecessors in interest, some or all of which have been by that company sold and the consideration therefor received by it, were swamp lands, and that The State is therefore entitled to said lands, or the proceeds of the sales thereof; and

Preamble. Whereas, it is claimed by the railway company that certain lands heretofore conveyed by the United States to The State in aid of the building of the lines of the road of said company have not been conveyed by The State to it, and that it is legally entitled to a deed thereof as record evidence of its title; and

Preamble. Whereas, it is for the interest of The State, the citizens of The State and of said railway company that such question should be speedily adjusted. Therefore,

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

Duty and authority of commissioners of public lands to convey and receive conveyances of swamp lands. SECTION 1. The commissioners of the public lands are hereby directed to examine and determine what swamp lands if any have been conveyed by the state to said railway company or its predecessors in interest and also what swamp lands if any the said company has conveyed to others, and they are hereby empowered (if in their judgment it is for the best interests of the state) to take and receive from said railway company the consideration price paid to said company upon the sale of said lands by it, and pay the same into the state treasury and to make conveyances of said lands to the respective grantees of the railway company confirming their respective titles thereto. Said commissioners are further authorized to receive from said railway company, conveyances running to the state of such of said swamp lands as have not been disposed of by the railway company, the same to be treated as other swamp lands belonging to the state. Said commissioners are further authorized to examine and determine what lands properly belonging to the said railway company within the term of its land grant are still held by the state under a grant or grants of the United States to said state, and they or the governor are hereby authorized to convey to said railway company all such lands in consideration of the aforesaid conveyances to be made by the railway company to the state and the aforesaid payment of moneys received by it for lands by it sold and disposed of. Provided always that nothing herein contained shall be construed as a waiver of any right or claim of the state against the United States under the act of congress entitled, "An act to enable the state of Arkansas and the other states to reclaim the swamp lands within their limits." Approved September 28, 1850.

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

Approved May 21, 1903.