

No. 705, A.]

[Published July 3, 1917.

CHAPTER 551

AN ACT to amend section 605 and subsection 6 of section 607 of the statutes, relating to condemnation of lands for state purposes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 605 and subsection 6 of section 607 are amended to read: Section 605. Whenever in the opinion of the state board of control, the board of regents of the state university or the board of regents of normal schools, either of the institutions of the state under their charge shall require any lands for its use, *or whenever in the opinion of the governor and the adjutant general additional land is needed adjacent to the Wisconsin state military reservation at Camp Douglas for the encampment and training of the Wisconsin national guard*, and * * * *any such board or the governor and the adjutant general* shall be unable to agree with the owner upon the amount of compensation to be paid therefor, or when, by reason of the legal incapacity or absence of any such owner or other sufficient cause, no such agreement or purchase can be made without delay, the judge of the circuit court of the county in which such lands or any part thereof are situated may, upon application in writing of any such board, *or of the governor and the adjutant general*, containing a description of the lands so required, appoint three disinterested persons, residents of such county, commissioners to appraise said lands. Ten days' notice of such application, containing a description of the lands required, shall be personally served upon the owner or given by publication for three successive weeks in a newspaper published in said county. Upon such application and upon a like notice of motion therefor such judge may make an injunctive order restraining the owner or any other person from cutting or injuring any of the timber growing on the land required, or committing any other waste thereon during the pendency of said proceedings, if it be made to appear that the destruction of such timber or other waste will seriously impair the value of such land for the uses for which it is required. A violation of such order shall be punishable in the same manner as the violation of an order made by a circuit judge at chambers.

(Section 607) 6. In case the board, *or the governor and adjutant general*, so instituting condemnation proceedings shall not deem it for the best interest of the institution for which said real estate is desired, *or for the Wisconsin national guard*, to

take the same at the price fixed by said commissioners, or by a jury upon appeal from the award of said commissioners, said board, or the governor and adjutant general, may within thirty days after the filing of the award of said commissioners, or within thirty days after assessment of damages by said jury, discontinue such proceedings upon such terms as to the court shall seem equitable and just.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 30, 1917.

No. 378, S.]

[Published July 3, 1917.

CHAPTER 552

AN ACT to amend subdivision (2) of section 2271 and section 2984a of the statutes, relating to definition and descent of homesteads.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subdivision (2) of section 2271 and section 2984a of the statutes are amended to read: (Section 2271) (2) If he shall leave a widow and issue, to his widow during her widowhood, and upon her marriage or her death to his heirs according to the next preceding section, *provided, that the limitation as to value of the homestead in section 2983 of the statutes shall not apply between a widow and the heirs of her husband, during her widowhood.*

Section 2984a. Wherever the word homestead is used in the statutes or in any law of this state, it shall be defined to be the estate or interest in land as defined and set forth in section 2983, *except as provided in subdivision (2) of section 2271 of the statutes.*

SECTION 2. This act shall take effect upon passage and publication.

Approved June 30, 1917.