

## Chap. 67.

*AN ACT to provide for the appraisal of school lands in the counties of La Pointe and Douglass, and granting pre-emption rights thereon.*

Published, April 14, 1854.

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

**Governor to appoint appraisers.** § 1. It shall be the duty of the Governor, in his discretion, to appoint three suitable persons in each of the counties of La Pointe and Douglass, to appraise the school lands in said counties, as hereinafter provided.

**Notice of appointment.** § 2. It shall be the duty of the secretary of state, within ten days after the appointment of the appraisers mentioned in the first section of this act, to issue a notice of such appointment in writing, under the seal of the state, to the persons so elected. Said notice may be delivered in person to the person to whom it may be directed, or forwarded by mail to the post office nearest his residence, and in case any or either of the appraisers so selected neglect to notify the Governor of his having qualified, according to law, within thirty days after notice of his appointment, the governor shall proceed to make new appointment to fill such vacancy or vacancies and continue so to do until the number is full.

**Appraisers to take an oath.** § 3. The appraisers appointed under the foregoing section, shall before entering upon the duties of their office take and subscribe the oath or affirmation to be administered by some proper officer, to support the constitution of the United States and of this State, and to faithfully and honestly discharge the duties devolving upon them, as such appraisers according to the best of their ability, which said oath or affirmation shall be attached to their report, to be returned as hereinafter provided.

**Shall personally inspect the lands.** § 4. It shall be the duty of the appraisers, or a majority of them, upon receiving notice as provided in this act and after having taken the oath provided for in the third section of this act, to proceed to make a personal inspec-

tion of all school lands situated in the county for which they were appointed, embraced in section sixteen in each township already surveyed, and in such townships as may hereafter be surveyed, during the year A. D., 1854, and to appraise the same in lots of the smallest sub-division, of sections, according to the United States survey, and laws relating to the sale of the public lands, stating the value per acre of each and every such lot at a fair valuation, without any reference to improvements thereon; they shall also return a particular description of all improvements made by any claimants upon any such, if any, with a full and fair estimate of the value of such improvements with the name or names of the person or persons claiming the same.

§ 5. After having inspected each and every sixteenth section mentioned in the foregoing section of this act situated in the county in which said appraisers were appointed, and within one year after their appointment, it shall be the duty of the said appraisers to make a full, distinct, and correct report to the office of the secretary of state, of all the lands within their respective counties, describing them by lots, with the value per acre as estimated by them, of each lot, also an estimate of the improvements on each, as before provided.

Report to be  
made to Secretary  
of State.

§ 6. The said appraisers shall be allowed for the services herein required of them, at the rate of two dollars and fifty cents per day for the time they may necessarily be engaged in the discharge of their duties as such appraisers, to be determined by their oaths; and a sum sufficient to pay the same is hereby appropriated out of the school fund to be paid by the state treasurer, upon the certificate of the secretary of state, stating the amount so due for such services, but no certificate shall be granted, until the appraisers shall have performed all the provisions of this act.

Compensation.

§ 7. After the lands shall have been so appraised and the appraisal duly reported to the office of the secretary of state, the same may be offered for sale, and the sale conducted according to the provisions of the revised statutes, or as may be hereinafter provided; but in all cases of pre-emptions under this act, the pre-emptor shall have the right to purchase, according to the provisions of this act.

Pre-emption  
rights.

§ 8. There is hereby secured to every person who at the time of the appraisal of any of the lands referred to

**Pre-emptors.**

in this act, shall be in the actual occupancy of any part thereof, either by residing thereon or by having improvements or works thereon, and used for agricultural or manufacturing purposes, the pre-emption right to purchase an amount of land not exceeding one hundred and sixty acres, embracing the improvements thereon to be selected by the claimants, in legal sub-divisions at the appraised value.

**Duties of pre-emptors.**

§ 9. Every person claiming any pre-emption right to any of the lands referred to in this act shall, within sixty days after the appraisal thereof, file in the office of the secretary of State, a notice stating the amount of land claimed, the lot or sub division thereof, and the time when his or her occupancy commenced, and whether said land is used for agricultural or manufacturing purposes. The truth of the matter set forth in the notice shall be attested to by two witnesses, and sworn to by the claimant.

**Further duties.**

§ 10. At any time before said lands are sold, any person or persons having complied with section nine of this act, and wishing to avail themselves of the provisions of section eight of this act, shall prove up their right to such pre-emption before the proper officers, by the affidavits of two or more disinterested witnesses, setting forth, in addition to the matter required to be set forth in the notice required by section nine of this act, that the claimant had, since the appraisal of such lands, been in the continued occupancy thereof, and was in occupancy thereof, at the time of making such proof, and shall at the time of sale comply with the same conditions and obligations imposed by law upon other purchasers of school lands, and in case of non-compliance with the terms hereof, shall forfeit all right of pre-emption.

§ 11. No lands mentioned in this act shall be appraised or sold at a less sum than one dollar twenty-five cents per acre.

Approved, March 31, 1854.