

[No. 145, S.]

[Published March 27, 1880.]

CHAPTER 261.

AN ACT in relation to the swamp lands in the counties of Marathon, Clark, Shawano, in the county of Oconto south of the south line of township thirty-one, and in the county of Chippewa south of the south line of township thirty-four.

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

Boundaries
within which
lands are ceded
by state.

SECTION 1. All the swamp lands to which the state has title, by virtue of patents issued to it, dated prior to January 1, 1880, hitherto set apart as drainage lands, situated in the counties of Marathon, Clark and Shawano, and in the county of Oconto south of the south line of township thirty-one, and in the county of Chippewa south of the south line of township thirty-four, except such lands as may be required for the construction of reservoirs, upon the head waters of the St. Croix, Chippewa and Wisconsin rivers, to be constructed hereafter under any act of congress as shown by the report of Charles J. Allen, engineer in charge, to the war department of the United States, dated January 15, 1880, and which swamp lands were acquired under the provisions of the act of congress, approved September 28, 1850, entitled "an act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits," and the acts of congress, in addition thereto or amendatory thereof, now remaining unsold, patented to the state prior to January 1, 1880, are hereby granted and disposed of to said counties, hereby granting and disposing of to each of said counties all the said lands that lie therein respectively, with power to each of said counties to sell, dispose of and convey said lands, or any part thereof, to any railroad corporation whose railroad is proposed to be constructed within either of said counties, from the city of Chippewa Falls, through said counties, upon such terms and for such prices as to either of said counties shall seem meet, and to apply the proceeds of all such lands, whether from sale or direct appropriation in kind, exclusively to the purpose of reclaiming said lands by means of levees and drains, as mentioned in said act of congress. The commissioners of the public lands are hereby authorized and required to make, execute, acknowledge and deliver all patents necessary to vest in each of said counties all of the said swamp lands hereby granted and disposed of to them respectively; but this act shall not authorize the conveyance or disposal of any lands hitherto set apart for normal schools, or for

Duty of commissioner of public lands.

the income of the normal school fund. Either of said counties may dispose of and convey such lands to any such railroad corporation upon its construction and equipment of a railroad through said county, and not before; and may contract to so convey said lands upon such construction and equipment being made: *provided further*, that no lands shall be granted or disposed of by virtue of this act, patented to the state after January 1, 1880. But no portion of this bill shall be construed so as to apply to any part of Langlade county.

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

Approved March 15, 1880.

[No. 46, S.]

[Published March 29, 1880.]

CHAPTER 262.

AN ACT relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section two thousand four hundred and eighty-three of the revised statutes of 1878.

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

SECTION 1. The sums mentioned in section two thousand four hundred and eighty-three of the revised statutes of 1878, as payable to the county treasurer for the use of the county on settlement of estates shall be paid as well when the executor, being residuary legatee, gives bonds for the payment of all debts and legacies under the provisions of section three thousand eight hundred and twenty-one of the same statutes and returns no inventory, as when an inventory is returned, and such payment shall be made before the approval of any such bond; and where, in such case, no inventory is returned, the county judge shall ascertain the amount of the estate at the time of or before the approval of the bond tendered by any such executor being residuary legatee. The amount of the estate shall in such cases be ascertained by the county judge from an examination under oath of such residuary legatee, and such other evidence as the county judge may deem proper, which testimony and examination shall all be in and reduced to writing, and filed in court with the record of the case. And an inventory shall be made and filed, in all cases, unless the executor gives the bond provided for in section three thousand and seven hundred and ninety-five of the revised

The giving of bond and returning inventory, or the reverse, not to affect payment required to county treasurer.