

No. 12, S.]

[Published May 29, 1907.]

CHAPTER 143.

AN ACT to create sections 207 to 210, inclusive, statutes of 1898, relating to the sale of public lands.

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

SECTION 1. There are added to the statutes of 1898, four new sections to read:

* * * * *

SECTION 2. Nothing in this act shall be construed as in any manner affecting the provisions of section 3 of chapter 264 of the laws of 1905.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 28, 1907.

No. 477, S.]

[Published May 29, 1907.]

CHAPTER 144

AN ACT to amend chapter 63 of the private and local laws of 1870, entitled "An act to incorporate the 'Congregation Emanu-El' of the city of Milwaukee."

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

Maximum value of buildings. SECTION 3. Section 3. of chapter 63 of private and local laws of 1870 is amended to read as follows: Section 3. The said corporation shall have and use a common seal and may alter the same at pleasure and shall have power and authority to acquire, purchase, possess and be seized of and enjoy property real or personal, and to erect

funded to them all expenses actually and necessarily incurred in the discharge of their official duties while so absent.

(Ch. 500, 1907.)

Notaries public: bond by surety company; approval.

SECTION 174. Every notary public, before he enters upon the duties of his office, shall take and subscribe the constitutional oath and give a bond to the governor in the sum of five hundred dollars, with surety to be approved by the county judge or clerk of the circuit court of his county *or when executed by a surety company may be approved by the secretary of state*, conditioned for the faithful discharge of the duties of his office. He shall also provide an engraved official seal, which shall make a distinct and legible impression on paper, giving his name, office and county, and shall deposit an impression of the same, together with his said oath and bond and a statement of his postoffice address, in the office of the secretary of state and pay into the treasury the sum of two dollars; and thereupon his commission shall issue, and the secretary of state shall deliver to such notary a certificate, of his appointment, stating the date when his commission will expire, which together with his autograph and an impression of his official seal, shall be filed in the office of the clerk of the circuit court of the county where he resides. Not less than thirty nor more than sixty days before the expiration of his commission the secretary of state shall notify by mail every notary public of the time when his commission will expire:

(Ch. 435, 1907.)

Public auction before private entry; withholding from sale; appraisal. Section 207. All public lands not heretofore offered for sale shall, from time to time, in the discretion of said commissioners, be offered for sale at public auction as hereinafter provided; and no such lands, except mortgaged lands bid in by the state, shall be subject to private entry until they shall have first been offered for sale at public auction. All such sales shall be made at such times and public places as said commissioner shall designate; and they shall, previously to any such sale, cause a notice thereof, specifying the time and place of such sale, to be published once in each week for six successive weeks in one newspaper printed in the county where such lands are situated; but if there be no such newspaper, then in the newspaper printed nearest to the place where

such lands are situated. Said commissioners may, at any time when in their judgment the public interest can be best subserved thereby, withdraw any public lands from sale and withhold from sale all or such portions thereof as in their opinion it may not be advantageous to sell, and for so long a time as in their opinion will be most beneficial to the funds to be derived from such sale; provided that when reoffered the lands so withdrawn shall first be offered at public sale in the manner prescribed by law. The appraisal of the public lands heretofore provided for by law is hereby fixed as the minimum price of said lands, provided, that the commissioners of public lands may, by order in their discretion, whenever said lands or any part thereof shall have become enhanced in value, or for other cause, fix an increased price upon such lands. No such change in price shall affect any bona fide application for the purchase of lands filed immediately prior to such change.

(Ch. 143, 1907.)

Hours and order of sale; minimum price. SECTION 208. At the time and place specified in such notice said commissioners shall commence the sale of such lands as are then to be sold by them, and shall continue the sale from day to day (Sundays excepted) between nine o'clock in the forenoon and the setting of the sun, so long as shall be necessary. The order of such sale at auction shall be to begin at the lowest number of the sections, townships and ranges in each county and proceed regularly to the highest, until all then to be sold are offered for sale. Each lot or tract of such lands then to be sold shall, except as provided in the preceding section, be offered separately at the minimum price as fixed by law, and shall be cried long enough to enable any one to bid who desires; and if the minimum price or more be bid, such lot or tract shall be struck off to the highest bidder; but if such price be not bid the same shall be set down unsold.

(Ch. 143, 1907.)

Sales for cash. SECTION 209. Sales of all public lands shall be made for cash only, to be paid at time of sale.

(Ch. 143, 1907.)

Forfeit for failure to pay; maximum, 160 acres; affidavit of purchaser. SECTION 210. Every purchaser of any lot or tract at any sale as aforesaid shall pay the amount

of the purchase money required by the terms of sale to be paid in hand immediately after having bid off the same; and if he shall refuse or neglect to so pay the lot or tract so bid off by him shall again be offered for sale; and the purchaser shall, for such refusal or neglect to pay, forfeit twenty-five dollars for each lot or tract so bid off by him, which the commissioners shall, in the name of the state, cause to be immediately sued for and collected, and when collected paid into the school fund.

No more than one hundred and sixty acres shall be sold to any one person. Every person having bid in any such lands at a public sale or making application for the purchase thereof at private sale shall, before such sale is made, make and file with the commissioners of public lands, or their agent making such sale, the following affidavit:

State of Wisconsin, _____ County,—ss.

..... being duly sworn, on oath says that he is a resident of the county of and state of; that he is desirous of purchasing (description of lands) situated in the county of and state of Wisconsin; that the public lands of this state, sold by it since the fifteenth day of October, A. D. 1903, now owned by the affiant, together with the lands hereinbefore described, do not exceed one hundred and sixty acres; that he has no agreement or understanding and is under no contract, express or implied with any person, copartnership or corporation, for any sale, transfer or conveyance of said lands, now or at any future time, bona fide mortgages for raising some part of the purchase price excepted; and that he has not been engaged or instrumental, directly or indirectly, in inducing any person or persons to remain away from or to refrain from bidding at the last public sale at which said lands have been or are being offered.

.....

Subscribed and sworn to before me this day of A. D. 19....

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(Ch. 143, 1907.)

Immigration board: membership. SECTION 237h. The secretary of state, the commissioner of labor and industrial statistics, and the chief clerk of the state land office shall constitute a state board of immigration to serve without com-