

the place in the several towns in said county where the last town meetings were held, and shall be conducted, returned and canvassed in the same manner and within the same time as is required by the law regulating general elections. Said county judge shall hold his office until the first day of January, one thousand eight hundred and fifty-four, and the sheriff, clerk of the circuit court, and district attorney, until the first day of January, one thousand eight hundred and fifty-three, and until their successors are duly elected and qualified; and the terms of the county court shall be holden on the second Monday of January, the third Monday of April, the first Monday of July, and the fourth Monday of September, in each year.

SEC. 5. This act shall take effect and be in force from and after its passage.

J. McM. SHAFER,
Speaker of the Assembly.
TIMOTHY BURNS,

Lt. Governor and President of the Senate.

Approved, March 15, 1852.

LEONARD J. FARWELL.

[*Published March 29, 1852.*]

As Act to provide for the subdivision and appraisal of School Lands in counties therein named, and granting pre-emption rights thereon.

Chap 124

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

SECTION 1. On or before the first day of May next, it shall be the duty of the Governor of the state of Wisconsin to appoint three suitable persons in each of the counties of Sauk, Adams, Waushara, Waupacca, Portage, Marathon, Crawford, Bad Ax, LaCrosse, Chippewa, Outagamie, and all that part of Columbia county lying north and west of Fox River and St. Croix, and all that part of Marquette county west of Fox river, to appraise the school lands in said counties, as hereinafter provided.

Governor to appoint appraisers.

SEC. 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 selected. Said notice may be delivered in person to the person to whom it is 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 twenty days after notice of his appointment,

Notice of appointment.

the governor shall proceed to make a new appointment to fill such vacancy or vacancies, and continue so to do, until all the commissioners are full.

Appraisers to
take oath.

SEC. 3. The appraisers so appointed under the foregoing section of this act, shall, before entering upon the duties of their office, take and subscribe an oath or affirmation, to be administered by some proper officer, to support the constitution of the United States and of this state, and faithfully and honestly to 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.

To make inspec-
tion.

SEC. 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 inspection of all school lands situated in the county and parts of counties, for which they were appointed, embraced in section number sixteen, in each township, and to appraise the same in forty acre lots, stating the value per acre of each and every such lot, at a fair valuation, without any reference to improvement thereon; they shall also return a particular description of all improvements made by any claimants upon any such lands, 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.

To make report.

SEC. 5. After having inspected each and every parcel of land 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 forty acre divisions, with the value per acre, as estimated by them, of each subdivision, also an estimate of the improvements on each, as before provided.

Fee for services.

SEC. 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, the payment thereof to be made out of the school fund, 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.

SEC. 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 contracted 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 and premises herein provided.

Lands to be offered for sale.

SEC. 8. There is hereby secured to every person who, at the time of the appraisal of any of the lands referred to in this act, was 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 subdivisions, at the appraised value.

Pre-emptions.

SEC. 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 legal subdivision 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.

Pre-emptor to give notice.

SEC. 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 the 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.

To prove occupancy.

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

Minimum price.

J. McM. SHAFER,
Speaker of the Assembly.
TIMOTHY BURNS,

Lt. Governor and President of the Senate.

Approved, March 15, 1852.

LEONARD J. FARWELL.

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