

Repeal of ch.
304, laws 1887.

SECTION 6. Chapter 304, of the laws of 1887, is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.
Approved April 9, 1889.

[No. 82, S.]

[Published April 11, 1889.]

CHAPTER 340.

AN ACT defining the duty of the secretary of state and the state treasurer in the disbursement of money received from sale of lands therein named.

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

Swamp lands,
proceeds of
sales of.

WHEREAS, By an 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," all the swamp and overflowed lands in the state of Wisconsin, then not disposed of by the United States were given to the state for the purpose, as stated in said act, of using the proceeds of sale of such lands to reclaim the same from their swampy condition and their liability to overflow; and

WHEREAS, Congress, by an act prior to the one referred to above, had issued military bounty land warrants to the United States soldiers who participated in the Mexican war, thereby granting the power to the holders of such warrants to locate upon any public lands, thereby conflicting with the act aforesaid; and

WHEREAS, Congress, by an act approved March 2, 1855, entitled, "an act for the relief of purchasers and locaters of swamp and overflowed lands," recognized and corrected the conflict arising from the two acts referred to, by giving the state other government lands to indemnify it for the loss of the swamp and overflowed lands located upon by the holders of said land warrants, from the year 1850 to 1857, thereby showing that the intention

of the grantors was that the state, and through it the particular localities, should be entitled to all such swamp and overflowed lands, or the indemnity therefor; and

WHEREAS, Chapter 537, of the laws of Wisconsin for the year 1865, entitled, "an act to dispose of the swamp and overflowed lands and the proceeds therefrom," which places one-half of the proceeds to the credit of the drainage fund and one-half to the credit of the normal school fund was enacted eight years after the expiration of the time when the indemnity was earned and therefore should not apply to these lands; and

WHEREAS, The act of congress of 1850 explicitly directs that the money derived from the sale of all swamp and overflowed lands shall be used to reclaim the same, as far as necessary, and the agricultural interests of the state is in urgent need of and demands its just dues; therefore

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

SECTION 1. The proceeds of sale of the lands conveyed to the state of Wisconsin, by the United States, pursuant to an act of congress approved March 2, A. D. 1855, entitled, "an act for the relief of purchasers and locators of swamp and overflowed land," as indemnity for swamp and overflowed lands located upon by warrant or scrip from A. D. 1850 to A. D. 1857, shall be paid one-half into the drainage fund of each county entitled thereto, in proportion to the number of acres of swamp and overflowed lands located upon by such warrants or scrip, and the balance of such proceeds shall be paid into the normal school fund.

Proceeds of sales of certain swamp lands under act of congress March 2, 1855, to be paid into drainage and normal school fund.

SECTION 2. The secretary of state shall issue his warrant or warrants for the amount due each county, from time to time, upon the state treasurer, who shall pay to such counties the sum of money therein stated.

Secretary of state to issue warrant.

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

Approved April 9, 1889.