

both parties appear at the execution of such commission, no notice or proof of notice shall be required. The commissioner named in the direct interrogatories shall have the charge of returning such commission after the same is executed.

Commission  
may be created.

SECTION 3. The party desiring to take the evidence of such witness or party, may cause a commission to be issued out of the proper court, after cross interrogatories have been served, or the time to serve same has elapsed wherein shall be named and designated a commissioner or commissioners, the person or persons so named in such direct and cross interrogatories, and such direct and cross-interrogatories shall be attached to such commission, and the same shall be executed according to law, and the rules and practice of the court.

con.

SECTION 4. Each party shall pay the fees of the commissioner by him named, and his lawful fees shall be taxed like other disbursements in the action.

SECTION 5. This act shall take effect and be in full force from and after its passage and publication.

Approved March 10, 1874.

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## CHAPTER 197.

[Published March 23, 1874.]

AN ACT to amend section eight of chapter three hundred and eighty-seven of private and local laws of 1870, entitled "an act to amend chapter 268 of the general laws of 1865, entitled 'an act to codify' consolidate and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof," approved March 31, 1865.

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

SECTION 1. Section eight of the chapter of which this is amendatory shall be amended so as to read as follows: Section two of the chapter of which this is amendatory is hereby amended so as to read as follows:

Taxes, for what  
purposes levied

SECTION 2. The common council shall annually levy upon the taxable property of said city, to defray the current expenses of said city, as follows: For the support of the poor, a tax not exceeding one thousand dollars; for ward purposes, a tax not exceeding one-half of one per cent. upon all the taxable property of such ward, and for all other purposes except for principal

and interest on city bonds, which have been or may hereafter be issued, a tax not exceeding twelve thousand dollars upon all the taxable property of said city; *Amount.*  
*provided*, that nothing herein contained shall be construed as to lessen or interfere with any ward or city tax elsewhere authorized to be levied and collected by the provisions of this act, when such tax has been duly authorized by a vote of the people of a ward or the city; *and provided, further*, that this section shall not be construed as to conflict with any general law of this state, authorizing the levy and collection of taxes.

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

Approved March 10, 1874.

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## CHAPTER 198.

[*Published March 28, 1874.*]

AN ACT to authorize the laying out of a state road from the village of Ashland via Penoka Gap to the Montreal river, the boundary line between this state and the state of Michigan.

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

SECTION 1. S. S. Vaughn, Chas. H. Pratt and Antoine Perinier, are hereby appointed commissioners to lay out and establish a state road commencing in the village of Ashland, in Ashland county, and running in a southeasterly direction to Penoka Gap, and from thence east to the Montreal river, in town forty-four or forty-five, range two or three east to the boundary line of the state of Michigan. *Commissioners line of road, etc.*

SECTION 2. Any two of said commissioners may proceed to lay out and establish said road, and upon the performance of said service, shall receive compensation therefor, to be paid out of the county treasury of the county of Ashland. Whenever the county board shall have audited the accounts presented by said commissioners, which they are hereby directed to do, whenever proper evidence is presented to the said board that such road has been properly surveyed and laid out as contemplated by section one of this act: *Compensation of commissioners, how paid.*  
*provided*, that said commissioners shall not charge a per diem to exceed three dollars and fifty cents per day for such services: *and provided further*, that com-