

[Published March 12, 1877.]

CHAPTER 122.

AN ACT relating to the bringing of actions against the city of Fond du Lac, and to amend section 42 of chapter 102 of the laws of 1876, entitled "An act to amend chapter 59, private and local laws of 1868, entitled 'an act to incorporate the city of Fond du Lac.'"

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

SECTION 1. Section 42 of chapter 102, of the laws of 1876, is hereby amended so that said section shall read as follows: "Section 42. It shall be the duty of the said judge to swear the persons appointed as commissioners to discharge their duties faithfully and to the best of their ability, and when so sworn to issue to them, under his hand and seal of office, a warrant or order directing them to impartially apportion and assess the compensation awarded to be paid by the report of the jury, confirmed by the county court of Fond du Lac county, specifying the date of such confirmation, which report and order of confirmation shall be attached to the said warrant or order, together with the costs and expenses of the proposed improvement, stating the amount of the costs and expenses, and including all certified to the judge, by the city clerk, and including the commissioners' fees upon the lots, parts of lots, subdivisions, and premises by them deemed benefitted by the proposed improvements, in proportion as they deem the same to be benefitted, and to make return of their doings, under said warrant, into the county court of Fond du Lac county, on some day therein to be named, not more than five days from the date of said warrant or order; but in case the commissioners are required to assess benefits for the cost and expenses of the improvement, in addition to the amount awarded as compensation, the warrant shall be returnable at such time as the judge shall fix, not more than thirty days from its date."

Amended.

Duty of judge.

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

Approved March 3, 1877.