

moneys shall be under the control of the common council, and shall not be paid out, except as the common council shall direct, on orders signed by the mayor or acting mayor, countersigned by the secretary of the fire department.

Amendment.

SECTION 2. Chapter ten, of chapter eighty-nine, of the laws of 1877, is hereby amended as follows: By inserting in the ninth line of section one of said chapter of said act, after the word "owner," the words "or occupants"; also by striking the word "payable" from the eighteenth line of the tenth section of said chapter, of said act, and inserting and substituting in place thereof the words "shall be paid."

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

Approved March 3, 1879.

[No. 319, A.]

[Published March 5, 1879.]

CHAPTER 158.

AN ACT to repeal section two hundred and seventy-seven of the revised statutes, and to provide for the redemption of forfeited mortgaged lands and the refunding of surplus money thereon.

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

Repealed.

SECTION 1. Section two hundred and seventy-seven of the revised statutes is hereby repealed.

Mortgaged land sales.

SECTION 2. In all cases of the sale of lands mortgaged to the state, made at public auction to satisfy such mortgage, or at private sale if made within ninety days after the same was purchased by the state, which at the time of such sale were actually occupied, such lands may be redeemed by the owner or owners thereof, at any time before the thirty-first day of May next following the day of such sale, upon the presentation to the commissioners of satisfactory proof of the occupancy and ownership thereof, which proof shall be filed and preserved in the office of the commissioners, and by the payment to the state treasurer of the total amount due the state at the time of such sale, and interest thereon to the date of such payment, and ten per centum of the amount for which the land was sold, as damages. Upon such redemption, the commissioners shall, by their order duly recorded, cancel any certificate of sale which may have been issued thereon,

and the state treasurer shall deliver to the person so redeeming, a receipt specifying the amount so paid, which receipt shall be countersigned by the secretary of state, and shall revive and restore the original mortgage. On the surrender of such certificate of sale, the sum so paid for redemption shall be paid over to the owner of such certificate.

SECTION 3. Whenever any mortgaged premises shall have been forfeited to the state and sold for a greater sum than the total amount due the state for principal, interest, costs, charges and damages, the surplus shall be paid to the mortgagor, his heirs or assigns. When sales exceed amount due.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 3, 1879.

[No. 314, A.]

[Published March 5, 1879.]

CHAPTER 159.

AN ACT to lay out and establish a state road from the city of Chippewa Falls, in the county of Chippewa, to the village of Colby, in the county of Clark.

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

SECTION 1. Joseph Gibson and Joseph Sterling, of Clark county, and Phil. Clover, of Chippewa county, are hereby appointed commissioners to lay out and establish a state road from the city of Chippewa Falls, in the county of Chippewa, to the village of Colby, in the county of Clark. Commissioners.

SECTION 2. The said commissioners shall make or cause to be made by some competent surveyor, a plain and legible copy of the map and field notes of the survey of the said road as by them located, and file one copy of the same with the town clerks of the towns of Lafayette, Chippewa Falls, Edson, Thorp, Hixon and Colby, and one copy of the said map and field notes with the county clerk of the counties of Chippewa and Clark. Maps and field notes.

SECTION 3. The commissioners shall receive three dollars per day for the time actually employed and necessarily spent by them in laying out and establishing said state road, which shall be in full for all services rendered by them; and they are hereby authorized, in their discretion, to employ some competent survey- Per diem of commissioners.