

the service of the notice of appeal, the city shall file with the clerk of the circuit court its answer or demurrer to the claim, or its objection thereto.

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

Approved March 21, 1889.

[No. 381, A.]

[Published March 27, 1889.]

CHAPTER 131.

AN ACT to amend subdivision 26, of section 1, of sub-chapter 6, of chapter 30, of the laws of 1877, entitled, "An act to incorporate the city of Darlington."

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

SECTION 1. Subdivision 26, of section 1, of sub-chapter 6, of chapter 30, of the laws of 1877, entitled, "An act to incorporate the city of Darlington," is hereby amended so as to read as follows: 26th. To make, open, keep in repair, grade, improve, lay out, alter, widen, vacate or discontinue streets, avenues, lanes, alleys, sewers, bridges and sidewalks, to keep them free from incumbrances, and to protect them from injury in said city; and whenever twenty or more freeholders of said city shall make and file with the clerk of said city a petition in writing signed by them, addressed to the mayor and common council, praying or asking that any street, avenue, lane or alley, or any part of any street, avenue, lane or alley in said city be vacated, the clerk shall make out and sign a notice reciting the fact of the making and filing of such petition, and stating in such notice a time and place when and where the common council will meet and consider such petition; which time so stated in such notice shall not be less than ten days nor more than twenty days after the date of the filing of such petition. A copy of such notice shall be published at least one week before such meet-

Amend subdivision 26, sec. 1, sub-ch. 6, ch. 30, laws of 1877, relating to repair of streets and sidewalks.

ing of the council in one or more newspapers published in said city. It shall be the duty of the clerk to notify the mayor and members of the common council of the time and place of such meeting, and it shall be the duty of such mayor and members of the common council and said clerk to attend at such meeting; but if for any reason a quorum shall not attend at such meeting, then said petition shall come on for consideration at the then next regular meeting of the common council at which a quorum shall be present. At any meeting of the common council when any such petition shall be under consideration, any person in favor of or opposed to the granting of the prayer of the petition may appear and be heard, and any such meeting may be adjourned from time to time; and if at any time to which any such meeting shall be adjourned a quorum shall not attend, then such petition shall come on for consideration at the next regular meeting of the common council thereafter at which a quorum shall be present. Upon proof being made to the satisfaction of the common council that the notice hereinbefore mentioned has been published as required herein, such common council may, by ordinance or resolution, vacate and discontinue or refuse to vacate or discontinue, the street, avenue, lane or alley asked by the petition to be vacated, or any part thereof.

SECTION 15. This act shall take effect and be in force from and after its passage and publication.
Approved March 21, 1889.