

the court, but so far as this reassessment of supplemental benefits is concerned such previously confirmed assessments for construction shall remain liens upon the same lands and easements and claims against the same corporations, in the same amounts as when first assessed and recorded.

Section 1379—30d. The provisions of sections 1379—11 to 1379—32b, except 1379—12, where applicable and not in conflict with the provisions of this act, shall apply to the proceedings by this act authorized.

Section 1379—30e. The provisions of this act, so far as applicable, shall apply to proceedings now pending or hereafter instituted under section 1379—10 of the statutes by way of supplemental report or amendment of the commissioners' report. But any reasonable notice of hearing on such amended or supplemental report by the court heretofore ordered, under said section 1379—10 of the statutes, in such pending proceedings shall be sufficient notice of such hearing.

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

Approved June 2, 1909.

No. 61, S.]

[Published June 4, 1909.

CHAPTER 271.

AN ACT to empower the railroad commission to authorize railway companies to refund to shippers excessive charges exacted for the transportation of property delivered at destination within a period of five years immediately preceding July 12, 1907.

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

SECTION 1. *Section 1797—12a. Within thirty days from and after the passage of this act, any person aggrieved may complain to the railroad commission of Wisconsin that the charge exacted for the transportation of any property between points in this state, which property was delivered at destination within the period of five years immediately preceding July 12, 1907, or for any service in connection therewith, or that any charge exacted for the storage of any property within such period, or that any car-service or demurrage charge exacted within such period is erroneous, unusual, or exorbitant; and thereupon the said commission shall have power to investigate

* Section number supplied by sec. 5, ch. 516, 1909.

such complaint, and to hear the same, and to decide upon the merits thereof in the manner provided by section 12, chapter 362, laws of 1905. [Section 1797—12.] If upon such hearing the commission shall decide that the rate or charge exacted is erroneous, unusual, or exorbitant, it shall find what in its judgment would have been a correct rate or charge for the service complained of, and if the rate or charge so found shall be less than the charge exacted, the carrier shall have the right to refund to the person paying such charge the amount so found to be erroneous, unusual or exorbitant. No carrier making a refund upon the order of the commission as herein provided shall be liable for any penalty or forfeiture or subject to any prosecution under the laws of this state on account of making such refund.

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

Approved June 2, 1909.

No. 299, S.]

[Published June 4, 1909.

CHAPTER 272.

AN ACT authorizing the state treasurer to discharge the balance of three hundred and eighty and $35/100$ dollars appearing on his books to be still unpaid in the account against First National Bank of Ladysmith, by crediting against the same, charges for attorneys' fees and disbursements in the matter of collecting the balance heretofore due from First National Bank of Ladysmith and unpaid.

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

SECTION 1. The treasurer of the state of Wisconsin is hereby authorized to discharge and cancel the balance, in the amount of three hundred and eighty and $35/100$ dollars and interest, appearing upon his books to be still owing and unpaid from First National Bank of Ladysmith, a state depository, by crediting and offsetting against the same, the charges of Timlin and Glicksman, and Glicksman and Gold, for attorneys' services rendered and disbursements made in behalf of the state of Wisconsin in the case of state of Wisconsin versus O. E. Pederson, et al., in the circuit court of Rusk county and the supreme court of this state.

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

Approved June 2, 1909.