

thereof certified as aforesaid shall be equivalent to the justification required of sureties by law.

2. *No bond, undertaking, or instrument executed by any surety company authorized to do business in this state at such time, shall be held invalid or ineffective because of the omission of such certificate or a certified copy thereof; provided, however, that the court in which, or the officer with whom, any such bond, undertaking, or instrument shall be filed, or any person who might claim the benefit thereof, may require the person filing such bond, undertaking, or instrument to file such certificate, or a certified copy thereof, in such court, or with such officer, upon giving eight days notice in writing to the person filing such bond, instrument, or undertaking, and if such person shall fail to file such certificate or a certified copy thereof within such period, such bond, instrument, or undertaking shall be valid, but shall be of no effect for the purposes of the person so filing the same, unless such person shall before the expiration of such time file such other and further bond, undertaking, or instrument as originally required.*

SECTION 2. Any and all acts or parts of acts conflicting or inconsistent with the provisions of this act are hereby repealed.

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

Approved May 25, 1911.

No. 392, S.]

[Published May 27, 1911.

CHAPTER 191.

AN ACT to amend section 1797—12e of the statutes, relating to railroad highway crossings, and the ordering of alterations thereto by the railroad commission.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1797—12e of the statutes is amended to read: Section 1797—12e. 1. Whenever a petition is lodged with the commission by the common council of any city, the village board of any village, the town board of any town, within or bordering upon which a highway or street crosses, or is crossed by a railroad, or within or bordering upon which a highway or street is proposed to be laid out across a railroad, or whenever such petition is so lodged by any railroad company whose track crosses or is about to cross, or is crossed, or about to be crossed by a street or highway, to the effect that public safety requires an alteration in such crossing, its ap-

proaches, the method of crossing, the location of the highway or crossing, the closing of a highway crossing, and the substitution of another therefor, not at a grade, or the removal of obstructions to the view at such crossing, or requires the determination of the mode and manner of making such new crossing, and praying that the same may be ordered, it shall be the duty of the commission to give notice to the proper party or parties in interest other than the petitioner, of the filing of such petition, and to proceed to investigate the same and to order a hearing thereon in the manner provided for hearings in section 1797—12, and after such hearing the commission shall determine what alteration in such crossing, approaches, mode of crossing, location of highway crossing, closing of highway crossing, and the substitution of another therefor not at grade, or removal of obstructions to sight at crossing, if any, shall be made, and by whom made, and in case of new crossings the mode and manner of making them.

2. The commission shall fix the proportion of the cost and expense of such alteration, removals, and new crossings, including the damages to any person whose land is taken, and the special damages which the owner of any land adjoining the public street or highway shall sustain by reason of such change in the grade of such street or highway, or by reason of the removal of obstructions to view at such crossings, to be paid by the railroad company or companies, and the municipality or municipalities in interest, * * *. In fixing such proportion the commission may order the amount of such cost and expense and damages so apportioned to be paid by the parties against which the apportionment shall be made.

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

Approved May 25, 1911.

No. 432, S.]

[Published May 27, 1911.

CHAPTER 192.

AN ACT to create subsection 16 of section 670 of the statutes, relating to the powers of county supervisors.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is added to section 670 of the statutes a new subsection to read: (Section 670.) 16. a. To furnish upon the petition of any five reputable freeholders of any