

one (1) of this act, shall cause to be levied and collected, in the next succeeding tax levy of said city, a sum sufficient to pay the damages allowed and certified to by the commissioners so appointed, and the further sum of three dollars per day to each of said commissioners, for time actually and necessarily employed in the discharge of such duty.

How appeals made.

SECTION 3. The same proceeding shall be followed in appeals from the decision of the commissioners named in section one (1) of this act, as are followed in cases of appeal from supervisors in laying out, altering or discontinuing highways upon town lines.

Definition of "commissioners."

SECTION 4. For the purpose of construing and giving force and effect to the provisions of this act, the word "commissioners" shall convey the same meaning as the word "supervisors," in all cases where the same shall refer to their powers and duties in laying out, altering or discontinuing highways.

SECTION 5. This act shall be in force from and after its passage and publication.

Approved March 3, 1877.

[Published March 10, 1877.]

CHAPTER 118.

AN ACT to provide for the payment of the actual indebtedness of the late town of Eaton, in Monroe county.

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

Claims against town to be filed with county clerk.

SECTION 1. Any person having or holding any town order issued by the (late) town of Eaton or its officers, in Monroe county, or having or holding any valid claim against said town, the amount whereof is, or has been, ascertained by the action of any town board of supervisors of said town, the evidence whereof is in writing, signed or made by any town clerk or supervisor of said town, may file the same with the county clerk of Monroe county on or before the first day of November, A. D. 1877.

Duty of county clerk.

SECTION 2. The said county clerk shall enter in a book, to be kept in his office, the amount of any such order or claim, its kind or nature, the date of filing and the name of the owner thereof, and shall ascertain the total amount of such claims of all kinds so filed, and

shall apportion the same to the town of New Lyme and to the town of Lincoln, according to the assessed valuation of the taxable property in the territory; being township nineteen (19) north, range three (3) west (being the town of New Lyme and township nineteen (19) north, range two (2) west), being a part of the town of Lincoln, in said Monroe county, as returned by the town board of equalization of each said towns for the year A. D. 1877. And the said county clerk shall certify, under his hand and official seal, to the said towns of New Lyme and Lincoln respectively, at the time of certifying the county and other taxes to such towns, and in the same manner the amount of said claims so filed and the amount thereof so apportioned to said towns and territory as aforesaid.

SECTION 3. Upon the receipt of such certificate from the county clerk, the town clerk of the town of New Lyme shall proceed to assess the amount named in such certificate upon the taxable property of said town, placing the same upon the town assessment roll and tax roll for the year 1877, in a separate column, and the same proceedings shall be had thereon, and the same shall be collected in like manner as other town taxes.

Duty of town clerk of town of New Lyme.

SECTION 4. Upon the receipt of such certificate from the county clerk, the town clerk of the town of Lincoln shall proceed to assess the amount named in such certificate upon the taxable property of that part of the said town of Lincoln, being township nineteen (19) north, range two (2) west, placing the same upon the town assessment roll and tax roll for the year 1877, in a separate column, and the same proceedings shall be had thereon, and the same shall be collected and returned in like manner as other town taxes.

Duty of town clerk of town of Lincoln.

SECTION 5. The treasurers of the said towns of New Lyme and Lincoln shall pay over to the county treasurer of Monroe county, on or before the first day of March, A. D. 1878, all moneys by them, or either of them collected of the tax assessed as herein provided, taking from said county treasurer his receipt therefor.

Duty of town treasurers.

SECTION 6. In case the amount collected and paid over by said town treasurers as provided in section 5 of this act, shall be insufficient to satisfy and pay the said claims so filed with the county clerk, the amount received by the county treasurer shall be apportioned by him and paid to said claimants, pro rata, and the said county clerk shall at the time of certifying to the several towns the amount of county and other taxes for the

Claimants to be paid pro rata.

Amount unpaid
to be assessed
and collected.

year 1878, apportioned to the towns and territory here-
inbefore specified the amount yet remaining unpaid of
said claims, and apportion to the said towns of New
Lyme and Lincoln the amount thereof unpaid by
them respectively, and add the same to the amount of
the county tax for said towns for said year 1878, and
the amount so apportioned shall be assessed, levied
and collected and paid over by the said towns of New
Lyme and Lincoln respectively to the county treasurer
of said county, as other county taxes for said year, and
the balance of said claims so filed and remaining un-
paid shall thereupon be paid by said county treasurer.

County clerk to
publish notice.

SECTION 7. The said county clerk shall cause to be
published in each of the newspapers published in said
county for six weeks prior to July 1st, 1877, a notice
containing the substance of section one (1) of this act,
and any and all orders, claims, accounts or demands
against said (late) town of Eaton not filed with the
county clerk of Monroe county on or prior to the first
day of November, A. D. 1877, as herein provided,
shall be void, and no action or proceeding shall be
maintained against said (late) town of Eaton, or the
territory formerly composing said town or against any
inhabitant thereof, upon any such claim, order, ac-
count or demand, not filed with said clerk as afore-
said.

Liability of
officers for neg-
lect of duty.

SECTION 8. Any person or officer of whom or by
whom any act is required to be done or performed by
the provisions of this act, who shall fail or neglect to
do or perform such act as is herein required, shall be
personally liable to the owner of any of the aforesaid
claims of any kind filed as hereinbefore provided for
the full amount of such claim with interest from No-
vember 1st, 1877, to be recovered in an action by such
claimant against such person or officer.

SECTION 9. This act shall take effect from and after
its passage and publication.

Approved March 8, 1877.