

No. 346, A.]

[Published June 1, 1955.

#### CHAPTER 157

AN ACT to amend 94.29 of the statutes, relating to an increase in fees for an appeal to circuit court from arbitration awarding damages caused by a cranberry culture dam, and will not appreciably increase state revenue.

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

94.29 of the statutes is amended to read:

94.29 APPEAL. If either party shall not be satisfied with the award he may, within 10 days after the delivery of the copy thereof to him, serve upon either of said arbitrators notice that he appeals from their award to the circuit court of the county in which the lands or any part thereof are situated and pay to such arbitrators the whole amount of their fees, \* \* \* \$5 for state tax *and \$8 clerk's fees*; and if the party required to pay such damages shall give notice of an appeal therefrom he shall file with his notice of appeal an undertaking, signed by 2 or more sureties, to be approved by at least 2 of said arbitrators, in double the amount of such award, conditioned to pay any judgment that may be rendered against him upon such appeal. Upon filing such notice of appeal and undertaking, when required, the arbitrators, or 2 of them, shall, within 10 days, make and sign a full statement of the proceedings had by them and of their award and file the same with the clerk of said court and pay \* \* \* \$5 state tax *and \$8 clerk's fees*; and thereupon the said clerk shall enter an action in which the claimant shall be plaintiff, which shall be deemed then at issue, and proceedings shall be had thereon in like manner as in other civil actions in such court. Unless the appellant shall obtain a more favorable judgment upon such appeal he shall pay costs; otherwise, the respondent.

Approved May 26, 1955.