

amount of compensation to be made to each of such owners therefor; and in fixing the amount of such compensation, said commissioners shall not make any allowance or deduction from the value of the real estate taken on account of any real or supposed benefits which the parties in interest may derive from the construction of the proposed railroad or the construction of the proposed improvements connected with such road for which such real estate may be taken; but special benefits to the real estate adjoining the lands so taken shall be allowed in deduction of any damage sustained by the owner to such adjoining real estate. A majority of the commissioners, all being present, shall be competent to determine all matters before them. The commissioners shall within twenty days after viewing any of the lands so taken, make and file in the office of the clerk of the circuit court of such county, a report of their proceedings concerning such lands, setting forth the award made for each tract or parcel thereof or separate estate therein to the owner or owners thereof. The commissioners shall be entitled to such compensation as the court may direct, which shall be paid by the railroad company. (This act shall apply to the proceedings of commissioners heretofore appointed, but who have not yet proceeded to view lands proposed to be taken.)

Commissioners  
to make and file  
report.

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

Approved March 7, 1877.

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[Published March 21, 1877.]

## CHAPTER 206.

AN ACT to amend section 5 of chapter 14 of the Revised Statutes, entitled "Of resignations, vacancies and removals, and of supplying vacancies."

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

Amended.

Authority of  
circuit judge to  
remove clerks  
of court for in-  
competency or  
official miscon-  
duct.

SECTION 1. Section 5 of chapter 14 of the revised statutes is hereby amended so as to read as follows: Section 5. The judge of the circuit court of any circuit in this state, shall have authority in term time or in vacation, to remove any clerk of the circuit court in any county within his circuit, when in the opinion of

such judge he is incompetent to execute properly the duties of his office, or when on charges and evidence such judge shall be satisfied that he has been guilty of official misconduct, or habitual and willful neglect of duty, if in the opinion of such judge such misconduct or neglect shall be sufficient cause for removal; and the judge of any circuit court in this state shall also have the power and authority to remove any town officer of any town within his circuit, whenever in the opinion of such judge, upon proper proof that such town officer shall have been guilty of willful and corrupt official misconduct, and willful neglect of duty; *provided*, that no officer mentioned in this section shall be so removed unless charges thereof shall have been preferred by a tax payer and elector of this state to such judge, and notice of the hearing and a copy of the charges delivered to the officer so charged, and a full opportunity given him to be heard in his defense.

Authority of same to remove town officers..

SECTION 2. In case of removal of any officer as provided in section one of this act, it shall be the duty of the judge to fill the vacancy so occasioned by such removal, by the appointment of some competent person to discharge the duties of such office, who shall hold the office until his successor is elected and qualified according to law.

How vacancies to be filled.

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

Approved March 7, 1877.

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[Published March 9, 1877.]

## CHAPTER 207.

AN ACT to appropriate to the State Hospital for the Insane a sum of money therein named, for the payment of current expenses, for permanent improvements, and for miscellaneous purposes.

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

SECTION 1. There is hereby appropriated to the State Hospital for the Insane, out of any money in the general fund not otherwise appropriated, the sum of ninety-four thousand two hundred and seventy-three dollars, for the following purposes: For the payment of current expenses from October 1st, A. D. 1876, to Jan-

Appropriation.