

the county treasurer of such county, as provided by section 2939 of the statutes of 1898, which said amount is due to the said county of Jefferson from the state of Wisconsin, by reason of the said payment by mistake into the state treasury instead of to the county treasurer of said county.

Appropriating clause. SECTION 2. There is hereby appropriated the sum of sixty-three dollars out of any moneys in the state treasury not otherwise appropriated for above purpose.

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

Approved April 25, 1901.

No. 142, A.]

[Published April 27, 1901.

CHAPTER 213.

AN ACT to amend section 771 of the statutes of 1898, relating to certificates as evidence.

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

Certificate of county surveyor or deputies as evidence. SECTION 1. That section 771 of the statutes of 1898 is hereby amended by inserting after the word "certificate" in the first line of said section, the following words, to-wit: "and also the official record," and also by inserting after the word "deputies" in the second line of said section the following words, to-wit: "when duly signed by him or them in his or their official capacity," so that said section when so amended shall read as follows, to-wit: Section 771. The certificate and also the official record of the county surveyor when produced by the legal custodian thereof or any of his deputies, when duly signed by him or them in his or their official capacity, shall be admitted as evidence in any court within this state, but the same may be explained or rebutted by other evidence and if any surveyor or either of his deputies be interested in any tract of land a survey of which becomes necessary, such survey may be executed

by any competent person to be appointed by the court before whom such matter may be pending.

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

Approved April 25, 1901.

No. 206, A.]

[Published April 27, 1901

CHAPTER 214.

AN ACT relating to change of established grade of streets in cities of the first class.

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

Deduction of benefits in estimation of damages. SECTION 1. In every city of the first class, within this state, whether such city is organized under general or special charter, whenever the grade of any street of such city has been or shall hereafter be permanently established by ordinance, and such street actually graded to conform to such established grade, and the grade so established has been or may hereafter be changed or altered by such city, and whenever by any omission or error or other cause, the proceedings for such change of grade shall be determined to be without authority of law, illegal or unauthorized, the benefits accruing to any lot or parcel of land in consequence of the changed grade, shall be deducted in the estimation of damages.

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

Approved April 25, 1901.