

*a member, shall be reduced by the amount paid such member or beneficiary under any law of the United States providing a pension or compensation for such disability or death but United States government insurance benefits for which the member has paid premiums shall not be considered to be a pension or compensation.*

SECTION 10. CONSTITUTIONALITY. If any section or part of any section of this act is declared to be unconstitutional, the remainder of this act shall not thereby be invalidated. All provisions of the law inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

SECTION 11. This act shall take effect upon passage and publication, except that the date on which the changes in "Employes' Retirement System" as contained in this act shall become effective in any such city shall be the first Monday following the date on which the common council or other governing body of any such city shall by resolution, adopted by a majority vote, approve and adopt the provisions of this act.

Approved June 25, 1941.

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No. 411, S.]

[Published June 28, 1941.

#### CHAPTER 309.

AN ACT to amend 306.02 of the statutes, relating to appeals from judgments rendered by justices of the peace.

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

Section 306.02 of the statutes is amended to read:

306.02 The appellant or some person authorized by him must, *in all actions in which the adverse party shall have appeared*, within 20 days after receiving written notice that judgment has been rendered, make and present to the justice before whom the action was tried, or his successor in office, or any other justice then lawfully having custody of the docket containing such judgment, a notice of appeal, together with an affidavit that the appeal is made in good faith and not for the purpose of delay; and the appellant must, at the time of presenting such notice and affidavit to the justice, pay him his fees in the action, together with \$1 for his return and \$1 for state tax

and \$2 for clerk's fees for the clerk of the court appealed to.  
\* \* \* In no case shall an appeal be taken after the expiration of 2 years after the entry of the judgment.

Approved June 25, 1941.

No. 435, S.]

[Published June 28, 1941.

### CHAPTER 310.

AN ACT to appropriate a sum therein named to John Svoma to compensate him for damages done his property as a result of the dynamiting of an ice jam by the direction of the state highway commission.

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

There is appropriated from the general fund to John Svoma, Cadott, Wisconsin, \$662.09, to compensate him for damages done to a grist mill and personal property therein, due to the dynamiting, by the direction of the state highway commission, of an ice jam in the Yellow river upon a bank of which river is located such mill; the dynamiting being done to protect the Yellow River Bridge on state trunk highway No. 27. Acceptance of this appropriation shall operate as a full and complete release to the state or Chippewa county, or both, of any claim arising out of said damages. The amount herein appropriated shall be charged to and deducted from the allotment to Chippewa county under subsection (4) of section 20.49 of the statutes. The state highway commission in its certification of the amounts due the several counties under said subsection (4) shall deduct \$662.09 from the allotment otherwise due to Chippewa county.

Approved June 25, 1941.