

SECTION 1. Section 301.41 of the statutes is amended to read:
 301.41 ADJOURNMENT, RETURN FOR WHAT TIME; EFFECT OF, LEGAL HOLIDAY. Every adjournment shall be for such reasonable time, not exceeding in all ninety days, unless by consent of parties a longer time be agreed upon, from the day of the return of the process as will enable the party to procure such testimony or witness and shall be at the cost of the party applying therefor, unless otherwise ordered by the justice, and shall be paid by the party applying therefor; and the justice shall tax the fees of all witnesses who are in attendance for the adverse party, except as provided in subsection (2) of section 307.02. If any *process shall be returnable on or any* adjournment shall be made to a day which is or may be a legal holiday the cause shall stand adjourned until the next following secular day, when it shall be proceeded with as if the *return or* adjournment had been made to said day.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 19, 1931.

No. 180, S.]

[Published May 21, 1931.

CHAPTER 131.

AN ACT to amend paragraph (h) of subsection (6) of section 27.065 of the statutes, relating to county parks and parkways.
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Paragraph (h) of subsection (6) of Section 27.065 of the statutes is amended to read: (27.065) (6) (h) The county clerk shall publish a notice in the official newspaper at least twice, that said report is on file in his office and that the county board will, at a meeting to be held at the time stated in the notice, consider said report and hear all objections that may be made there-to, and determine what proportion of the cost of the improvement, if any, shall be paid by the county. At least * * * one week * * * shall intervene between the first publication of such notice and the said meeting. The county board may at such meeting confirm or correct such report or refer it back to the county highway commissioner or to its committee for further consideration.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 19, 1931.

No. 49, A.]

[Published May 21, 1931.

CHAPTER 132.

AN ACT to repeal and create subsections (1) and (2) of section 102.29 of the statutes, relating to third party liability under the workmen's compensation act.

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

SECTION 1. Subsections (1) and (2) of section 102.29 of the statutes are repealed.

SECTION 2. Two new subsections are added to section 102.29 of the statutes to be numbered and to read: (102.29) (1) (a) The making of a claim for compensation against an employer or compensation insurer for the injury or death of an employe shall not affect the right of the employe or his personal representative to make claim or maintain an action in tort against any other party for such injury or death, but the employer or his insurer shall be entitled to reasonable notice and opportunity to join in such action. If they or either of them join in such action, they shall be entitled to repayment of the amount paid by them as compensation as a first claim upon the net proceeds of such action (deducting the reasonable costs of collection) in excess of one-third of such net proceeds, which shall be paid to the employe in all cases.

(b) The commencement of an action by an employe or his dependents against a third party for damages by reason of an injury to which sections 102.03 to 102.35 are applicable, or the adjustment of any such claim, shall not affect the right of the injured employe or his dependents to recover compensation, but any amount recovered by the injured employe or his dependents from a third party shall be applied as follows: Reasonable costs of collection shall be deducted; then one-third of the remainder shall in every case belong to the injured employe or his dependents, as the case may be; the remainder or so much thereof as is necessary to discharge in equal amount the liability of the employer and the insurer for compensation shall be paid to such employer or insurer;