

CHAPTER 273.

[Published March 29, 1873.]

AN ACT to amend section one of chapter one hundred and forty-seven of the private and local laws of 1871, entitled "an act for the preservation of fish in the waters of Pike lake, Washington county."

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

Amended.

SECTION 1. Section one of chapter one hundred and forty seven of the private and local laws of 1871, is hereby amended by striking out the words, "first day of December," where they occur in the second line of said section, and inserting in lieu thereof the words, "fifteenth day of November," and also by striking out the words, "first day of May," where they occur in said section, and inserting in lieu thereof the words, "fifteenth day of May."

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

Approved March 19, 1873.

CHAPTER 274.

[Published March 27, 1873.]

AN ACT to amend chapter sixty-seven of the general laws of 1858, entitled "of cemetery associations and town cemeteries."

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

May extend
limits of ceme-
tery grounds.

SECTION 1. Whenever it shall be deemed necessary by any cemetery associations organized under any law or charter granted by the legislature of this state to extend the limits of the grounds used by such association for burial purposes, it shall be lawful for the board of directors or trustees of any such association to acquire the title to the lands necessary for such purposes, in the manner hereinafter provided.

Shall apply to
circuit judge
for appointment
of appraisers.

SECTION 2. The board of directors or trustees of any such association shall apply to a judge of the circuit court of the circuit in which the lands owned by them

are situated, describing the lands desired to be taken for cemetery purposes, and requesting the appointment of three disinterested freeholders of the county as commissioners to appraise the value of the lands so described, who shall be sworn to the faithful discharge of the duties imposed upon them as such appraisers.

SECTION 3. The commissioners shall give notice to all persons who claim any interest in the lands which they are required to appraise, by publication thereof once in each week in a newspaper printed in the county in which the lands are situated, for four successive weeks, stating therein a description of the premises to be appraised, and the time when and place where they will meet to make such appraisal, and if any of such owners or persons interested in the premises are known and are residents of the county, a like notice shall be served upon them personally by delivery of a copy thereof or by leaving the same at the place of their residence, with some person of suitable age and discretion, at least ten days before the day appointed for such appraisal.

Appraisers shall give notice of time of appraisal.

SECTION 4. At the time and place appointed for such appraisal, the said commissioners shall hear the proof and allegations of the parties, and may, if necessary, examine the premises, and within ten days thereafter shall make a report in writing, describing particularly the premises, and the price at which they have appraised the same, in which report a majority of said commissioners shall concur. A copy of such report shall be filed in the clerk's office of the circuit court of the county in which the premises are situated, and any person feeling himself aggrieved thereby may, within sixty days after the filing thereof, appeal to the circuit court of such county.

Shall hear proofs, examine premises and make report.

Copy to be filed in clerk's office.

Owner may appeal.

SECTION 5. Such appeal shall be tried by the court, and if the court shall find that the proceedings of the commissioners have not been in conformity with the provisions of this act or that their decision is unjust or unreasonable, the same shall be revised, otherwise it shall be affirmed. In revising such decision, the court shall appoint three commissioners, who shall proceed as above provided to another hearing and determination: *provided*, that any party interested may require that the amount of compensation to be paid by such association as aforesaid shall be determined by a jury.

How appeal to be tried.

May give another hearing.

SECTION 6. The judge may, from time to time, appoint new commissioners to fill vacancies which may occur from any cause, and may allow such fees to be paid by the association as he may deem reasonable,

Judge may appoint new commissioners.

and all costs on appeal shall be as the court may order.

Association to deposit amount of award or judgment with clerk of court.

SECTION 7. At the expiration of the time allowed for appeal, as provided in this act, or within ten days thereafter, in case none shall be taken, or on the final determination thereof in case an appeal shall be taken from the decision of the commissioners, the association shall deposit with the clerk of the court the full amount awarded, and all costs allowed by the court, said sum of money to be distributed and paid to the parties interested therein under the order of the court; and upon such deposit being made, the title to the lands described in the report of the commissioners shall absolutely vest in the association, and shall be forever devoted exclusively to the burial of the dead: *provided*, that no lands upon which there shall be valuable improvements, or which are in the actual occupation of the owner thereof as a homestead, or as part of an improved farm, nor any lands exceeding in quantity twenty-five acres, shall be taken for the use of any cemetery association, in pursuance of the provisions of this act: *provided*, that this act shall only apply to Brown county.

When deposited, the title shall vest in association.

Approved March 19, 1873.

CHAPTER 275.

AN ACT to authorize Louis E. Torinus to build and maintain a dam across Moose river, in the county of Douglas.

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

May erect and maintain dam.

SECTION 1. Louis E. Torinus, his heirs and assigns are hereby authorized to erect and maintain a dam across Moose river, in the county of Douglas, at any point upon section thirty-five (35), of township forty-five (45) north, of range thirteen (13) west, for and during the term of fifteen years from the time this act shall take effect.

Shall be constructed for sluicing logs.

SECTION 2. The said dam shall be properly constructed to sluice, and shall at all times be kept in suitable condition for sluicing logs, lumber or timber, over or through the same, and a sufficient head of water shall be raised and kept up by means of said dam for that purpose whenever required.