

No. 817, A.]

[Published May 23, 1907.]

**CHAPTER 128.**

AN ACT to amend sections 578, as amended, and 579a, statutes of 1898, and to create sections 579m and 579n, statutes of 1898, relating to education of the deaf and dumb.

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

SECTION 1. Section 578, statutes of 1898, as amended by chapter 86, laws of 1903, is amended to read:

\* \* \* \* \*

SECTION 2. Section 579a, as created by chapter 422, laws of 1901, is amended to read:

\* \* \* \* \*

There are added to the statutes of 1898, two new sections to read: (Section 579m and 579n).

\* \* \* \* \*

Approved May 22, 1907.

(In effect July 1, 1907.)

No. 27, S.]

[Published May, 23, 1907.]

**CHAPTER 129.**

AN ACT to amend section 1275, statutes of 1898, relating to the laying out of a highway to land excluded therefrom.

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

SECTION 1. Section 1275 of the statutes of 1898 is amended to read as follows:

\* \* \* \* \*

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

Approved May, 23, 1907.

town clerk who shall neglect to comply with the terms of this act shall be guilty of a misdemeanor.

(Ch. 292, 1907.)

**Owner's right of way to land other than by water.**

SECTION 1275. 1. When any person shall present to the supervisors of any town an affidavit satisfying them that he is the owner of real estate (describing the same) within said town, and that the same is shut out from all public highways, *other than a water way*, by being surrounded on all sides by real estate belonging to other persons, *or by such real estate and by water*, that he is unable to purchase from any of said persons the right of way over or through the same to a public highway, or that it can not be purchased except at an exorbitant price, stating the lowest price for which the same can be purchased by him, the said supervisors shall appoint a time and place for hearing said matter, which hearing shall be \* \* \* after ten days and within thirty days of the receipt of said affidavit. \* \* \*

2. The supervisors shall cause notice of the time and place of \* \* \* such hearing to be given by posting notices thereof in three of the most public places in said town at least ten days before the time fixed therefor, and \* \* \* shall give at least five days' previous notice of such time and place to all of the occupants of the lands through which such highway may pass, which notice shall be served personally or by leaving a copy thereof at the usual place of abode of each occupant of such lands.

3. The supervisors shall then in their discretion proceed to lay out a public highway of not more than three nor less than two rods in width to such real estate, and shall assess the damages to the owner or owners of the real estate over or through which the same shall be laid and the advantages to the applicant.

4. But the damages assessed by the supervisors shall in no case exceed the price stated in the affidavit of the applicant: upon laying out such highway they shall make and sign an order describing the same and file the same with the town clerk together with their award of damages, which order shall be recorded by said clerk: provided, that the amount assessed as advantages to the applicant shall be paid to the town treasurer before the order laying out such highway shall be filed.

(Ch. 129, 1907.)