

to the said mayor, or such member of the common council, in the same manner that such notices are given to any other stockholder.

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

Approved June 10, 1919.

No. 421, A.]

[Published June 13, 1919.

CHAPTER 343.

AN ACT to amend sections 1263, 1267, 1300 and 1337 of the statutes, relating to highways.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 1263, 1267, 1300 and 1337 of the statutes are amended to read: Section 1263. No public highway shall be laid out through or upon any orchard or garden or any building or fixture used for the purpose of trade or manufacture, when the damage caused thereby to such orchard, garden, building or fixture, exclusive of the damage to the land, shall exceed * * * *three hundred* dollars. Or through or upon any building, fixture, yard or inclosure used for educational or charitable purposes or through or upon any other building or fixture where the value of said building or fixture exceeds * * * *three hundred* dollars. Or through or upon the yard or inclosure necessary to the use or enjoyment thereof, without the consent of the owner, or through any cemetery without the consent of the trustees or other officers having the control or management thereof.

Section 1267. On application made to supervisors for laying out, widening, altering or discontinuing any highway they shall make out a notice fixing therein a time and place at which they will meet and decide upon such application. The applicants shall, at least five days previous to such time, cause such notice to be given to all the occupants of the lands through which such highway may pass; and in case such application shall be for the discontinuance of the whole or any portion of the highway such notice shall be given to the occupants of all the lands abutting or touching on such highway the whole or any part of which is sought to be discontinued, which notice shall be served personally or by copy left with or at the usual place of abode of such occupant of such lands, and such notice shall also be posted up in three public places in said town at least ten days before the time of such meeting of the supervisors. *If any such lands are unoccupied, such notice shall be published*

in a newspaper published or having a general circulation in such town at least ten days before the time of such meeting. Every such notice shall specify as near as practicable the highway proposed to be laid out, widened, altered or discontinued and the several tracts of land through which the same may pass, and in case the application is for the discontinuance of all or of a part of any highway such notice shall contain a description of the lands abutting upon such highway which will be benefited, injured or damaged by the discontinuance of such highway or any part thereof.

Section 1300. The county board of supervisors in their respective counties are authorized to lay out highways * * * in their county, and to widen, alter or discontinue state roads and any highway or part thereof laid out by such board (but not to discontinue any state road or part thereof unless such road is wholly within their county), upon the petition of not less than * * * *ten* resident freeholders of * * * each town in which such highway or any part thereof shall be proposed to be laid out, or from each town in which the part of such road or highway proposed to be widened, altered or discontinued shall be. All the powers herein mentioned may be exercised by a committee of not less than three members of the board duly appointed for that purpose. The county board may, in any case, adopt as a part of any such highway any highway or part thereof previously laid by town supervisors. And whenever the supervisors of adjoining towns in different counties cannot agree in laying out a continuous highway extending from one town to the other and the supervisors of one town shall lay out a road up to the line of such adjoining town, the county board of the county in which such latter town lies may, upon like petition, lay out such road in continuation as the public interests may require.

Section 1337. No person shall be required to remove any fence under the above provisions * * * *when the land enclosed or partly enclosed by such fence is in annual crop (emblemment)*, unless the same shall have been made within three months next before the making of the order for the removal thereof. The provisions of this section shall not apply to cities and incorporated villages.

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

Approved June 10, 1919.