

SECTION 2. All the provisions of chapter 54, of the revised statutes, and of all acts or parts of acts amendatory thereof, respecting the opening and construction of drains, shall be made and are hereby made applicable, to the establishment and construction of levees (as well as drains) as contemplated in the preceding section of this act; excepting only their difference of form. And it is hereby provided that the word drain, in said acts, shall be construed to mean levee, instead of drain, for the purposes of this act.

Chapter 54, R. S., to apply.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 2, 1887.

[No. 645, A.]

[Published April 30, 1887.]

CHAPTER 315.

AN ACT to provide for the enlargement of cemeteries in certain cases, and to amend section 1454, of the revised statutes, in relation to cemeteries.

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

SECTION 1. Whenever any cemetery grounds now established within the limits of the recorded plat of any village in this state shall be within one hundred feet of the outer limits of such recorded plat, the said cemetery grounds may be enlarged, by extending the same to the outer boundary of such recorded plat, upon obtaining the consent of the authorities of such village therefor.

Enlargement of cemetery grounds.

SECTION 2. Whenever it shall become necessary to enlarge any public cemetery grounds, by adding thereto the lands adjoining the same, and the owner or owners of the adjoining lands refuse to sell the same to the proper authorities or demand an exorbitant price therefor, then in such case an application may be made in writing to the county judge of the county in which said cemetery grounds are situate, by twelve or more

Lands adjoining grounds, how obtained when necessary.

resident freeholders of the town, city or village in which said cemetery is located, setting forth that the owner or owners of the lands adjoining will not sell the same or that he or they ask an exorbitant price therefor, stating the price, whereupon the said county judge shall appoint three commissioners, residents and freeholders of the county, but not of the town, city or village where said cemetery is located, to appraise the value of the lands deemed necessary to be added to said cemetery, but the damages assessed by said commissioners shall in no case exceed the price stated in the application. Said commissioners, after giving ten days' notice to all parties interested, shall meet at said cemetery and decide upon the value of said lands. The commissioners shall file their report in writing, with the county judge, within ten days after the appraisement, and upon payment into the court by the proper authorities, of the amount of the damages so appraised by the commissioners to be by him paid to the owner or owners, of said land, the land so appraised and condemned shall become a part of the said cemetery grounds. Either party may appeal from the determination of the commissioners, in the same manner as provided for in section 1276, of the revised statutes, providing for appeals from the determination of town boards in the laying out and altering highways. The commissioners employed under the provisions of this act shall receive for their compensation two dollars per day for each day actually employed, and six cents per mile for each mile actually and necessarily traveled in the performance of their duties, to be paid by the town, city or village in which such cemetery is located.

Repeal.

SECTION 3. Section 1454, of the revised statutes, so far as the same conflicts with this act, is hereby repealed.

SECTION 4. This act shall be in force from and after its passage and publication.

Approved April 2, 1887.