

No. 8, S.]

[Published June 20, 1941.]

CHAPTER 237.

AN ACT to create 88.42 of the statutes, relating to draining land for agricultural or sanitary purposes.

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

SECTION 1. Section 88.42 of the statutes is created to read:

88.42 TOWN DRAINS. (1) Whenever any owner of agricultural lands in any town desires to install drainage upon agricultural land not exceeding 20 acres in area owned by him, he may present a petition to the town supervisors of such town setting forth that: (a) he desires to install drainage upon agricultural lands owned by him, (b) because of the contour of the land there is no suitable outlet on lands owned by him, (c) such proposed drain will promote the general welfare and health of the community, (d) it is impractical for such owner to drain his land without crossing the land of others, and (e) it is desired that a drain be laid out to a suitable natural outlet specifying the course of the drain and location of the proposed outlet and ownership of lands through which such proposed drain would be laid.

(2) After receiving the petition the supervisors of such town shall promptly fix a time and place for hearing thereon. Thereafter all the provisions of section 89.50 relating to giving notice of time and place of hearing, making orders, laying out drains, assessing benefits and costs of construction and awards of damages and giving notice thereof by drainage district commissioners and the taking of appeals from such orders, shall, so far as applicable, apply to petitions made to and orders and assessments made by town supervisors for installing drains under this section.

(3) No person authorized to install drainage under this section into or through the lands of another shall enter upon such another's lands without the consent of the owner thereof, during any time when there is any growing crop thereon and no order issued under this section shall authorize nor be construed as authorizing such entry.

(4) Nothing in this section shall be held to apply to the installation or construction of a drain across the right of way

of any railroad company, proceedings for the construction of which shall be as provided for in section 88.39.

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

Approved June 18, 1941.

No. 29, S.]

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CHAPTER 238.

AN ACT to create 21.70 of the statutes, relating to re-employment in civil employment after completion of military service.

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

SECTION 1. Section 21.70 of the statutes is created to read:

21.70 RE-EMPLOYMENT IN CIVIL EMPLOYMENT AFTER COMPLETION OF MILITARY SERVICE. (1) Any person inducted or ordered into active service in the land or naval forces of the United States pursuant to the selective training and service act of 1940 or the national guard and reserve officers mobilization act of 1940, and any acts amendatory thereof or supplementary thereto, and any person whose services are requested by the federal government for national defense work as a civilian during a period officially proclaimed to be a national emergency or a limited national emergency, who, in order to perform such training or service, has left or leaves a position, other than a temporary position, in the employ of the state of Wisconsin or any political subdivision thereof, or in the employ of any private or other employer, shall be restored to such position or to a position of like seniority, status, pay, and salary advancement; provided that (a) he presents a certificate or other evidence that he has satisfactorily completed his period of training or service, (b) he is still qualified to perform the duties of such position, (c) he makes application for re-employment within 40 days after he is relieved from such training or services, and (d) the employer's circumstances have not so changed as to make it impossible or unreasonable to so restore such person.

(2) The service of any person who is restored to a position in accordance with subsection (1) hereof shall be deemed not to