

No. 734, A.]

[Published July 14, 1949.

CHAPTER 453.

AN ACT to create 157.05 (3) of the statutes, relating to enlargement of lands for cemetery purposes owned by cemetery associations.

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

157.05 (3) of the statutes is created to read:

157.05 (3) When it is necessary to enlarge a cemetery owned by a cemetery or religious association, and adjoining lands cannot be acquired or can be acquired only at an exorbitant price, application may be made in writing to the county judge by 12 or more resident free holders of the municipality in which the cemetery is located describing the land and setting forth the facts and the price asked, whereupon the judge shall appoint 3 resident free holders of the county, but not of such municipality, to appraise the damages of each owner, not to exceed the price asked, but, except in cities or incorporated villages, no lands shall be taken within 20 rods of a residence owned by the occupant without his written consent. The appraisers shall hear all parties upon 10 days' notice and file report in writing with the judge within 10 days after determina-

tion. Upon payment into court of the amount appraised, the lands shall be taken. Either party may appeal as provided in section 32.11. The commissioners shall be paid by the party seeking to take the land \$3 for each day actually employed and 6 cents for each mile necessarily traveled.

Approved July 9, 1949.
