

amended to read: (83.08) (2) If for any reason the needed lands cannot be acquired by contract *for a reasonable price*, the county highway committee shall acquire the same *either* by condemnation proceedings in the manner provided by chapter 32 of the statutes or by section 83.07, *or shall make and sign an award of damages to the land owner and, when approved by the state highway commission, shall file the same with the county clerk; and thereupon the amount so awarded shall be payable the same as when the land is acquired by contract; and the landowner may receive the same without prejudice to his right to claim and to contest for a greater sum. When such award shall have been made, approved and filed, the highway authorities and their contractors and employes may take possession of the premises and proceed with the contemplated highway improvement and construction. A copy of the award shall be promptly delivered or mailed to the owner if his address be known and if not known then to the occupant of the land. The landowner may at any time after the completion of such improvement or construction and in any event after nine months from the date that the highway authorities take possession of the land in question, proceed as provided in chapter 32 to have his damages appraised, or may apply to the county judge on five days' written notice to any member of the county committee, to appraise the owner's damages and thereafter the proceedings shall be as provided in section 83.07 and the provisions of said section shall apply.*

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

Approved June 17, 1929.

No. 398, A.]

[Published June 18, 1929.

CHAPTER 188.

AN ACT to repeal subsection (8) of section 318.01 and to create subsections (8) and (9) of section 318.01 of the statutes, relating to tombstones.

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

SECTION 1. Subsection (8) of section 318.01 of the statutes is repealed.

SECTION 2. Two new subsections are added to section 318.01 of the statutes to be numbered and to read:

(318.01) (8) **ALLOWANCE FOR CARE OF GRAVE.** In case there shall be no known heir or legatee or devisee residing in this state or in case there is no husband, widow or descendant, or no parent, brother or sister dependent upon the estate of the deceased, the court may order the executor or administrator to pay not to exceed one hundred dollars for perpetual care of the grave of the deceased as provided by subsection (9) of section 157.11.

(9) **ALLOWANCE FOR TOMBSTONE.** In case no provision is made in the will for a tombstone or monument or marker at the grave of the decedent, and none has been erected, the executor or administrator may expend a reasonable sum for a tombstone or monument or marker at the grave of his decedent. The expenditure shall be subject to the approval of the court and shall be classed as funeral expense.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 17, 1929.

No. 406, A.]

[Published June 18, 1929.

CHAPTER 189.

AN ACT to create subsection (1a) of section 29.27 of the statutes, relating to prohibited methods of fishing.

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

SECTION 1. A new subsection is added to section 29.27 of the statutes to read: (29.27) (1a) No person shall have in his possession or under his control on any of the inland waters or shores of inland waters of the state in the nighttime any spear that might be used for the purpose of taking, catching or killing fish.

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

Approved June 17, 1929.