

SEC. 4. *And be it enacted*, That whenever any owner of such property refuses or declines to act under the preceding section, or is unknown or inaccessible to said commissioners, or incompetent to contract, said commissioners may proceed as directed in the preceding section, after giving public notice of their intention, by advertisement in some newspaper published in Kent county for three successive weeks before commencing such opening, widening or extension, except that the county commissioners shall appoint one of the parties to estimate and award said damages and advantages in the place of the owner of the property, and from such award appeals may be taken as provided for in the preceding section.

Refuse or decline.

SEC. 5. *And be it enacted*, That if any such extension, opening or widening of any street be through or over any cemetery or grave-yard, that before said commissioners proceed to open, widen or extend such street, they shall give notice by advertisement in some newspaper printed in Kent county, once in each of three successive weeks, warning all persons interested in that portion of said grave-yard or cemetery, through or over which said street is to run, to remove the tombstones and remains of all persons buried in that portion of said yard, and upon the failure or refusal of the friends or relatives of such deceased persons to remove them, the said commissioners shall have said remains removed to some suitable place, and to record a full account of all such removals on their minutes of proceedings, and after such removal, they shall proceed as mentioned in the preceding sections.

Give notice by advertisement

SEC. 6. *And be it enacted*, That this act shall take effect from the date of its passage.

Effective.

Approved March 30, 1882.