

Notice to be given.

or owners of any addition to any city or town not within the municipal jurisdiction of any such city or town, shall be desirous of altering or vacating the same, or any part thereof, in addition to the notice prescribed in section 13, they shall also give two weeks previous notice in writing to such town or city, of the time and place at which such application shall be made to the court, and upon producing satisfactory evidence to the court that such notices have been given, the court shall proceed to hear and determine such petition, and may alter or vacate such addition or any part thereof, and by decree direct that the title to such portions so such addition as may be vacated, be vested in the owner or owners of the lots or lands abutting on, or adjoining the portions so vacated, to each, from the line of his or their lot of land to the center of the portion so vacated, in such proportions as may be determined by the court; and that the decree so made, together with a plat if the same shall have been altered, shall be recorded in the office of the register of deeds for the proper county, in the same manner as is provided in the said chapter for recording plats.

Decree to be recorded.

Approved, April 2, 1853.

Chap. 81.

An Act to amend Chapter eighty-four, of the Revised Statutes.

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

Suits to foreclose mortgage.

SECTION 1. In all suits in chancery brought to compel a specific performance of the contract, or foreclose any mortgage made by any person or persons who have died, and his, her, or their heirs, or any of them, are unknown to the complainant or complainants, it shall be lawful for him, her, or them, to proceed against such unknown heirs, as against absent defendants, and he, she, or they, may be made defendant or defendants to the bill by the name or description of "The unknown heirs of deceased," filling the blank with the name or names of the deceased person or persons, whose heirs may be proceeded against, and by such name or description, notice shall be given by publication, and any decree made against such unknown heirs, shall be as valid and binding as if his, her, or their respective names had been inserted in the bill and proceeding.



SEC. 2. In suits against non-resident infant defendants, ^{Notice by publication.} notice may be given to them by publication, as in case of suits against other non-resident defendants, and after due publication, and proof of such notice, the court may appoint a guardian ad litem, for such infant or infants.

Approved, April 2, 1853.

An Act relating the discharge of Joint Debtors.

Chap. 82.

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

SECTION 1. In all cases where any defendant shall receive ^{When defendant discharged.} his discharge in writing, from any person competent or authorized to execute the same, from the operation of any judgment rendered against him and one or more defendants, in any court of record of this state, on presenting the same to the clerk of the court, in which such judgment is docketed, it shall be the duty of the clerk to file the same in his office, with the papers in the case, and to enter or transcribe the same at length in the appearance docket with the other recorded proceedings in the case; and shall also enter the discharge in the margin of the judgment docket, in substance as follows: This judgment discharged, as to (here insert the name of the party discharged): Dated Such discharge shall specify whether any part of the judgment and what amount thereof, is satisfied by such defendant in consideration of his discharge, and only the balance of the judgment so remaining unsatisfied, shall thereafter be collected in any execution which has been or shall be issued on such judgment.

SEC. 2. When a judgment shall be discharged as provided in the first section, the same shall from thence cease to operate as a lien upon the real estate of the defendant thus discharged, shall forever be inoperative against him, his goods and chattles, lands and tenements; and in case execution shall issue upon such judgment, it shall be the duty of the clerk of the court before delivering the same to the proper officer, to endorse thereupon, the entry made in the margin of the judgment record as provided in the first section. ^{Clerk to make record.}

Approved, April 2, 1853.