

No. 1052, A.]

[Published May 5, 1913.

**CHAPTER 180.**

AN ACT to create section 1441m of the statutes, relating to cemeteries.

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

SECTION 1. There is added to the statutes a new section to read: Section 1441m. When any cemetery association shall, for any reason, have abandoned or failed or neglected to manage or care for the cemetery grounds owned by it, for a period of five or more years, and such association has not been reorganized in the meantime, the town in which such cemetery is located shall become vested with the control of such cemetery property and shall manage and care for the same as a town cemetery.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 3, 1913.

No. 221, A.]

[Published May 8, 1913.

**CHAPTER 181.**

AN ACT to amend section 3, chapter 23, laws of 1895, as amended by section 3, chapter 225, laws of 1897, relating to the western municipal district of the county of Waukesha.

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

SECTION 1. Section 3 of chapter 23, laws of 1895, as amended by section 3 of chapter 225, laws of 1897, is amended to read: (Laws of 1895, chapter 23) Section 3. The municipal court for the western municipal district of Waukesha county, shall be a court of record, and have a clerk and a seal, with suitable device to be procured under the direction of the judge thereof, at the expense of the county of Waukesha. It has and may exercise powers and jurisdiction concurrent and equal with the circuit court of Waukesha county, in all cases of bastardy, crime and misdemeanor, arising in said western municipal district of said county, except murder. Said municipal court in addition to the powers vested therein as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace of said county in the said municipal district, in bastardy cases, criminal actions and proceedings, and jurisdiction of all prosecutions for breach of any ordinance of any city or village, now, or which may hereafter be incorporated in said territory; and also all the powers and jurisdiction of a justice of the peace of said county in civil

cases and proceedings arising within said municipal district, and also power to hear and determine any such cases, although the title to land may come in question therein. The general provisions of law relative to civil, criminal and bastardy cases before justices of the peace, shall apply to said court, so far as applicable. Appeals from judgments rendered in said court in civil actions, shall be taken to the county court of Waukesha county in the same manner as appeals from judgments of justices of the peace in civil actions. No justice of the peace, police justice or court commissioner within said western municipal district, on or after the first Monday of May, A. D. 1897, except when called in to sit as judge of said court, as hereinafter provided, shall exercise any jurisdiction in cases of bastardy, crimes or misdemeanors, or breaches of any village or city ordinance arising within the limits of said county, and all such jurisdiction within the limits of said western municipal district, is vested in said municipal court; *except that the police justice of any village now, or which may hereafter be incorporated, in said territory, or if there be no police justice therein then any justice of the peace of said village, shall have concurrent jurisdiction with said municipal court in all breaches of any ordinance or by-law of said village, and all the general provisions of law as to the arrest, trial and punishment of offenders shall govern so far as applicable in all such actions and proceedings before said police justices or justices of the peace. Whenever any police justice or justice of the peace before whom any such action or proceeding is pending shall be legally disqualified from any cause to try the same, said action or proceeding shall be sent for trial to any justice of the peace of said village or to the said municipal court.* The said municipal court has also jurisdiction of all cases brought for breach of any recognizance given in said court, but no judgment in any such action shall constitute a lien upon real estate until a transcript thereof is duly docketed in the office of the clerk of the circuit court of said county, in like manner as judgments of circuit courts in civil actions are required to be docketed; and when so docketed shall have the same lien upon real estate in said county as judgments of the circuit court so docketed. The judgments of the municipal court in bastardy and criminal cases tried before it, may be examined and reviewed by the supreme court in the same manner as a judgment of the circuit court. To carry out its jurisdiction, the said municipal court shall have all the powers of circuit courts, and the municipal judge shall have the same powers in all matters pertaining to the jurisdiction of said municipal court as circuit judges.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 7, 1913.

No. 1042, A.]

[Published May 8, 1913.

## CHAPTER 182.

AN ACT to create section 6a of the act of the territory of Wisconsin entitled, "An act to incorporate the Nashotah House," approved February 4th, 1847, relating to Nashotah House cemetery.

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

SECTION 1. There is added to the charter of Nashotah House, created by an act of the territory of Wisconsin, entitled "An act to incorporate the Nashotah House," approved February 4, 1847, a new section to read: Section 6a. 1. The trustees of Nashotah House and their successors shall hereafter have, possess and exercise the power to maintain a private cemetery upon the tract of land situated in Waukesha county, Wisconsin, heretofore dedicated by Nashotah House as a burial ground and now used as such, together with any future enlargement thereof, and said tract of land together with any future enlargement thereof shall be held and occupied by the trustees of the Nashotah House under this act.

2. The said tract of land shall not be liable for the claims of any creditors of said Nashotah House, nor shall it be sold at any time by the trustees of said Nashotah House.

3. The trustees of said Nashotah House shall have power to grant such burial rights, as to them may seem best, to such persons as they shall deem proper and upon such terms and conditions as shall be prescribed by said trustees; and they may cause a survey of said tract to be made and a chart or map to be made from such survey, on which chart or map may be indicated the various lots in said cemetery by number and also the exterior boundaries of said cemetery, which said chart or map may be recorded in the office of the register of deeds in and for the county of Waukesha, at any time after its completion.

4. Any sums of money which have heretofore been given or devised to Nashotah House, for the maintenance or improvement of said cemetery, or of any lot therein, or which may be hereafter so given, devised or bequeathed, shall be held and used by said trustees solely for the purpose designated in such gift, devise or bequest.

SECTION 2. The intent and object of this act is to authorize