Chap. 13.

Published, April 2, 1857.

AN ACT to provide for Town Cemeteries.

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

Town Boards authorized to purchase cemetery grounds.

§ 1. It shall be the duty of the town board of the several towns in this State, on the application of ten free holders of any such town, in writing, at any regular meeting of such board, may, provided they shall deem it necessary so to do, purchase in the name of the towns, suitable grounds, not exceeding twenty acres, for and to be used exclusively as a town cemetery ; which said grounds, or such portion thereof as may from time to time become necessary for that purpose, shall be surveyed, divided and platted into lots of such size, and with such avenues, alleys and walks as the town board shall direct, and a map of such survey shall be filed in the office of the town clerk ; and the ground so purchased, shall under and by the directions of the town board, be inclosed by a good and appropriate fence as soon as practicable.

Provision for selling lots.

§ 2. After such map shall have been filed in the office of the town clerk, as above provided, the town board may in the name of the town, sell and convey the lots as designated on such map, upon such terms and subject to such conditions as said board shall prescribe : *Provided,* That every conveyance of any such lot or lots shall be expressly for burial purposes and no other, and shall be executed in the name of the town, and signed by the chairman of supervisors and attested by the clerk of such town.

Disposal of proceeds of sale.

§ 3. The proceeds arising from the sale of said lots, shall by said board, be applied to the payment of any debts incurred by the town in the purchase, fencing and embellishing such grounds and the avenues leading thereto, and in defraying the necessary expense in the management and care of the same, and for no other purpose.

Lots shall be inalienable.

§ 4. After there shall have been an interment in any lot conveyed as above provided, such lot from the time of such first interment shall forever thereafter be inalienable, and shall on the death of the proprietor thereof,

descend to his heirs, but any one or more of such heirs, may release to any other of such heirs, his, her or their interest in such lot, which release shall be filed in the office of the town clerk.

§ 5. This act shall take effect from and after its passage.

Approved, February 23, 1857.

Chap. 14.

Published, April 21, 1857.

AN ACT to amend an act entitled "An Act to amend Chapter eighty-four of the Revised Statutes." Approved, April 2, 1853.

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

§ 1. That Chapter eighty-one of the Session laws of eighteen hundred and fifty-three, is hereby amended so as to read as follows, to wit: In all suits in Chancery brought to compel a specific performance of a contract, or foreclosure of any mortgage made by any person or persons who have died, either within or without this State, and the name or names of his, her or their heir or heirs, or any of them, whether resident of this State or not, are unknown to the complainant or complainants, it shall be lawful for him, her or them, to proceed against such unknown heir or heirs, as against absent defendants; and he, she or they may be made defendant or defendants to the bill of complaint in the cause by the name or description of "The unknown heir or heirs, or minor heir or heirs, (as the case may be,) of ―――― deceased," filling the blank with the name or names of the deceased person or persons, and with a further statement of his, her or their last place of abode when living, if known, whose heir or heirs may be proceeded against; and by such name or description notice shall be given by publication, as in case of suits against other non-resident defendants. And after due publication of such notice, and proof thereof, the Court shall in all cases of infant defendants appoint a guardian

Relative to foreclosure of Mortgage when person making it is dead, and heirs are unknown.