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of a perch, thence north forty degrees thirty minutes east, three perches and twelve one-hundredths of a perch, thence north eighty-eight degrees forty-five minutes east, four perches and two-tenths of a perch, thence south six degrees fifteen minutes west, eleven perches, and sixty-four one hundredths of a perch, to the place of beginning of which John Day of Howard District, is now seized with the assent of the said John Day, and his wife expressed in writing be, and the same is hereby consecrated and set apart for the use and purposes of a grave yard.

CHAP. 43.

SEC. 2. *And be it enacted,* That the said John Day, his heirs, executors or administrators, shall have the aforementioned land and premises laid off and divided into suitable lots, and a plat thereof numbering and describing each and every lot, which said plat and description shall be recorded in the clerks office of Howard District court.

Divided into lots.

SEC. 3. *And be it enacted,* That after the filing and recording said plat and [and] description in said office with the said assent of the said John Day, and wife, a certificate of transfer under the hand and seal of the said John Day, his heirs, executors or administrators, for any lot or lots therein mentioned, containing a description of the same and the number or numbers thereof shall be sufficient evidence of title to such lot or lots, in any court of law or equity in this State.

Filing plat.

Certificate of transfer under hand and seal.

Evidence of title.

SEC. 4. *And be it enacted,* That any person who shall willfully destroy, mutilate, deface, injure or remove any tomb, monument, grave stone or other structure, placed in the grave yard aforesaid, or any fence or railing or other work, for the protection or ornament of the same, or shall willfully destroy, cut, break or remove any tree, shrub or plant within the limits thereof, or shall shoot or discharge any gun or fire arms therein, shall be deemed guilty of a misdemeanor and shall upon a conviction thereof before any justice of the peace of Howard District, be punished by a fine at the discretion of the justice according to the aggravation of the offence of not less than five nor more than twenty dollars.

Persons willfully destroy, mutilate, &c.

Guilty of misdemeanor.

Fine.

SEC. 5. *And be it enacted,* That every lot conveyed by certificate of transfer as aforesaid, in said grave yard shall be held by the proprietors for the purpose of sepulture alone, and for none other as real estate, and shall not be subject to attachment or execution.

Not subject to attachment or execution.