



Chap. 41.

AN ACT concerning the terms of office of Judges of the several courts of this State.

Published, March 30, 1854.

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

§ 1. The term of office of county judges, circuit judges and justices of the supreme court, shall be for such time as at present prescribed by law, and shall commence on the first Monday of each year, next after the election of such officer, unless otherwise specially provided. When terms shall commence.

§ 2. This act shall take effect from and after the passage and publication thereof.

Approved, March 23, 1854.

Chap. 42.

AN ACT to amend chapter 119 of the Revised Statutes of this State.

Published, March 28, 1854.

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

§ 1. Section thirty-three of chapter one hundred and nineteen of the revised statutes, is hereby so amended as to read as follows: The defendant, whenever he shall be entitled to return of the property replevied, instead of taking judgment for such return, as in said chapter provided, may take judgment for the value of his interest in the property replevied, in which case the value of such Act amended.

interest shall be assessed by the jury on the trial, or by a writ of enquiry, as the case may require.

§ 2. Section thirty-five of the chapter aforesaid, is hereby amended and the same shall be as follows:

When more than one party is interested in property replevined.

Whenever upon the trial of any action of replevin, it shall appear that one party has any interest in, or a lien or claim upon the property in question, or a part thereof to a part of its value only, and that the title or right of the property, subject to such interest, lien or claim shall be in the other party, then and in such case, the verdict and judgment shall be according to the rights of the parties, respectively.

§ 3. Section thirty-six of said chapter is hereby amended, and the same shall be as follows:

Jury in certain cases.

Whenever in an action of replevin, there shall be no trial upon an issue of fact, but it shall be suggested to the court, that one party has an interest in or a lien or claim upon the property in question, or a part thereof, to a part of its value only, and that the title or right of the property, subject to such interest, lien, or claim, shall be in the other party, then and in such case, the court shall empanel and swear a jury to inquire into the facts so suggested; and if the jury shall find the facts thus suggested in whole or in part only, their verdict shall be rendered accordingly, and judgment shall be rendered according to the rights of the parties respectively, as found by such jury.

Sections repealed.

§ 4. Sections thirty-five and thirty-six of chapter one hundred and nineteen of the revised statutes, and any and every law of this state, repugnant to or inconsistent with the provisions of this act, are hereby repealed.

§ 5. This act shall be printed by the state printer immediately after the passage thereof, and when so published shall take effect and be in full force.

.Approved, March 23, 1854.