

[*Published March 23, 1859.*]

CHAPTER 141.

AN ACT to amend section twenty-eight, of chapter fifteen, of revised statutes, entitled "Of towns and town officers, &c."

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

Amendment. SECTION 1. Section twenty-eight of said chapter fifteen is hereby amended by inserting after the words "voted for," in the second line of said section, the following words, to wit: "except for a judicial office other than justice of the peace."

Take effect. SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 17, 1859.

[*Published March 31, 1859.*]

CHAPTER 142.

AN ACT to provide for changing the venue of actions pending in the county court.

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

Actions, removed for cause. SECTION 1. Whenever a change of venue is allowed in any action pending in a county court, on account of interest or prejudice on the part of the judge, or because the judge has been of counsel for, or is related to one of the parties, the action shall be removed to the circuit court for the same county, or the county to which the same is attached for judicial purposes, unless it shall be made to appear that one of the objections in this section mentioned exists in respect to the judge of the said circuit court, in which case the action shall be removed to the county court of an adjoining county, if any such there be, having jurisdiction thereof, otherwise the same shall be removed to the circuit court for some county in an adjoining circuit.

To what court removed. SEC. 2. In all cases of a change of venue in actions pending in a county court, not provided for by section one of this act, the action shall be removed to a county court of an adjoining county, if any there be, having

jurisdiction thereof, or to the circuit court for an adjoining county, in the discretion of the judge.

SEC. 3. Whenever the venue of any action shall be changed in pursuance of this act, the clerk of the court removing said action shall forthwith transmit the papers relating thereto, to the clerk of the court to which said action shall be removed, and said last mentioned court shall proceed to trial, give judgment and issue execution, in the same manner as if said action had been originally brought therein. Duty of clerk

SEC. 4. All acts and parts of acts contravening the provisions of this act are hereby repealed. Repealed.

SEC. 5. This act shall take effect and be in force from and after its passage and publication. Take effect.

Approved March 17, 1859.

[Published March 31, 1859.]

CHAPTER 143.

AN ACT to prevent the sale of unripe cranberries.

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

SECTION 1. Any person or persons who shall, at any time between the first day of June and the twentieth day of September in any year, offer for sale, or in any other manner attempt to dispose of, or have in his or her possession, with the intent to sell or dispose of, any unripe cranberries, in any county in this state, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding fifty dollars nor less than five dollars, with costs of suit, provided that native Indians shall not be liable to the penalties prescribed by this act. Prohibition. Penalty.

SEC. 2. Possession of unripe cranberries during the time the selling or disposing of them is prohibited, as provided in section one of this act, shall be deemed *prima facie* evidence of the fact of the person or persons having the same in his or her possession, of having such berries in possession with intent to sell or dispose of the same, contrary to the provisions of the preceding section. What shall be evidence.

SEC. 3. Any person who shall be convicted of the offence as provided in section one of this act, shall stand committed to the county jail of the proper county, until