

[No. 178, S.]

[Published March 23, 1881.]

CHAPTER 138.

AN ACT to amend section seven hundred and fifty-two, of revised statutes of 1878, relating to district attorney.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

Amendment.

SECTION 1. Section seven hundred and fifty-two of chapter thirty-seven of the revised statute, is hereby amended by inserting after the word "battery," in the second line of the second subdivision, the words, "or for the use of language intended or naturally tending to provoke an assault or breach of the peace," so that the subdivision as amended shall read as follows: Section 752. To prosecute all criminal actions except for common assault and battery, or for the use of language intended or naturally tending to provoke an assault or breach of the peace, before any magistrate in his county other than those exercising the police jurisdiction of incorporated cities and villages, in cases arising under the charter or ordinances thereof, when requested by such magistrate; and upon like request to conduct all criminal examinations which may be had before such magistrate, and prosecute or defend all civil actions before such magistrates in which the county is interested or a party.

Duties of district attorneys.

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

Approved March 21, 1881.

[No. 210, S.]

[Published March 24, 1891.]

CHAPTER 139.

AN ACT relating to limitations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

Validity of change must be tested within three years.

SECTION 1. Every action or proceeding to test the validity of a change of any county seat, must be commenced within three years after the date of the publication of the governor's proclamation of such change; and every defense founded upon the invalidity of any such change must be interposed within three years after the date of the aforesaid publication, and the time of commencement of the action or proceeding to which any such defense is made, shall be deemed the time when such defense is interposed: provided, that in the

proviso.

case of any change of a county seat heretofore made, where three years as aforesaid have already elapsed, or will elapse within nine months after this act shall take effect, the action or proceeding must be commenced, or the defense be interposed, within nine months after the publication of this act, and not thereafter, and the time of commencement of the action or proceeding to which any such defense is made, shall be deemed the time when such defense is interposed.

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

Approved March 21, 1881.

[No. 32, S.]

[Published March 23, 1881.]

CHAPTER 140.

AN ACT relating to circuit courts, special terms, filing of decisions, and trials in vacation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

SECTION 1. In addition to the general and special terms provided by law, the circuit courts shall always open for the transaction of business, for the entry of judgments, decrees, orders of course, and such other orders as have been granted by the court or presiding judge thereof, and for the hearing and determination of all matters brought before the court or presiding judge, except the trials of issues of fact. The judges of the several circuit courts may by order appoint such special terms in the counties in their respective districts as may be deemed necessary or convenient, and at such terms all business may be transacted except the trials of issues of fact by a jury. Whenever any matter is heard by the court or presiding judge, the decision may be made out of term, and such decision may be an order, or judgment, or direction that an order, or judgment, or decree be entered, and upon filing in the office of the clerk of the circuit court in the county where the action or proceeding is pending, the decision in writing, or the order, judgment, or decree, signed by the presiding judge, the same shall be entered by the clerk, and judgment shall be entered in the same manner, and shall have the same force and effect as though a trial and decision of said matter had been had at a general term of said court in said county.

Additional business of circuit courts.

Special terms may be ordered.

Decision may be made out of term.

SECTION 2. The judges of the several circuit courts of this state may, with the consent of parties, try issues

Trials in vacation.