

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.

of law and fact in vacation, and decide such issues either in or out of term, and thereupon judgment may be rendered with the same effect as upon issues tried and determined in term time.

Third and fifth circuits excepted.

SECTION 3. This act shall not apply to or be in force in the third and fifth judicial circuits of this state.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1881.

[No. 161, S]

[Published March 23, 1881.]

CHAPTER 141.

AN ACT to amend section three thousand three hundred and thirty-seven of the revised statutes of 1878, relating to logs and timber on the Wolf river, or any of its tributaries.

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

Any owner may drive logs and receive compensation therefor.

SECTION 1. Section three thousand three hundred and thirty-seven of the revised statutes of 1878, is hereby amended, by striking out the words "the Wolf river," in the second line of said section, and insert the words "any river in this state," in lieu thereof, so that said section when so amended will read as follows: Section 3337. Whenever two or more persons own logs or timber on any river in this state, or any of its tributaries, which are so intermixed that they cannot be conveniently separated for floating or driving them to the place of destination, and either owner shall refuse or neglect to make the necessary provision, or to furnish the necessary labor and materials for floating or driving them to such place, any other owner may drive all such logs or timber to such place, and shall receive reasonable compensation for so driving the portion thereof belonging to such owner so neglecting or refusing from such owner, and shall have a lien for such compensation, and may enforce the same by action as herein provided for the enforcement of liens upon logs or timber.

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

Approved March 22, 1881.

Handwritten notes:
See 3337
of the revised statutes of 1878
relating to logs and timber on the Wolf river
or any of its tributaries