

SECTION 4. This act shall take effect upon passage and publication.

Approved June 23, 1915.

No. 557, S.]

[Published June 25, 1915.

CHAPTER 285.

AN ACT to create section 3433m of the statutes, providing for the removal of habeas corpus proceedings from court commissioners.

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

SECTION 1. There is added to the statutes a new section to read: Section 3433m. In case the writ is returnable before a court commissioner, * * * either party may file his affidavit of prejudice setting forth that he has good reason to, and does believe, that such court commissioner, naming him, will not decide impartially in such proceedings. Upon receipt of such affidavit the court commissioner shall forthwith transmit all papers and records in the proceedings to the nearest court commissioner in the same county, or, if he cannot be found, then to the next nearest court commissioner in such county, qualified to hear and determine such proceedings; except that in counties where two or more circuit judges preside over the circuit court such papers and records shall be transmitted to any such judge in such county. The court commissioner or the judge to whom such papers and records are transmitted shall proceed to hear, try and determine the proceedings with the same power, authority, and jurisdiction as if such proceedings had been commenced before him. But one change of the place of trial of such proceedings shall be granted under the provisions of this section.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 23, 1915.