

services under this act; *Provided*, that this shall not be Proviso. construed so as to deprive the said county judge from receiving fees as heretofore for probate business.

SEC. 16. The judge of said county court shall have Transmission of suits. no power to try, hear or determine any cause in which he shall or may be interested, or in which he shall have acted as counsel for either party, except it be by the agreement of the parties; and in all cases where said judge shall be a party, or shall have been interested as counsel for either party, he shall transmit the cause to the circuit court of said county, certifying the reasons as aforesaid, and the circuit court shall thereupon proceed to try and determine the same, in the same manner and order as if it had originated in the circuit court.

SEC. 17. All acts and parts of acts contravening the Repealed. provisions of this act are hereby repealed.

SEC. 18. This act shall take effect and be in force from Take effect. and after its passage.

Approved March 11, 1859.

[Published March 22, 1859.]

CHAPTER 78.

AN ACT to provide for the removal of the county seat of Buffalo county.

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

SECTION 1. At the annual election to be held on the Vote, to be first Tuesday in April, A. D. 1859, the legal voters of taken. the county of Buffalo shall be and are hereby authorized to vote upon the question of the removal of the county seat of said county, from upper Fountain City, to the north half of the north-west quarter of section twenty-two (22), town twenty-three (23), range (11), in said Buffalo county, which said north half of the north-west quarter of section 22, town 23, range 11, is hereby fixed as the point to which it is proposed to remove said county seat; and if a majority of all the votes cast on that subject at such election be in favor of such removal, then on the said north half of the north-west quarter of section 22, town 23, range 11 aforesaid, shall be the permanent county seat of said county.

SEC. 2. The votes cast upon the said question as Ballots. above provided, shall be by ballot, which shall have

written or printed upon them, or partly printed upon them, the words "for removal to the north half of the north-west quarter of section 22, town 23, range 11," or the words "against removal to the north half of the north-west quarter of section 22, town 23, range 11;" and said ballots shall be deposited by the inspectors of said election in a separate box, to be by them provided for that purpose.

How canvassed and returned.

SEC. 3. The said votes shall be counted, canvassed, returned and certified to in the same manner as is provided by law for counting, canvassing, returning, and certifying the votes for county officers; and the clerk of the board of supervisors of said county shall record the result of said election in the book of records of the proceedings of said board, and shall immediately transmit a certified copy of said record to the secretary of state, who shall file and preserve the same.

Right to challenge, &c.

SEC. 4. The provisions of chapter eighty-five of general laws of 1857, entitled "An act to preserve the purity of elections," are hereby made applicable to the election herein provided for, and at such election any elector of any town of said county may have and exercise the right of challenging any vote or votes at the poll in any other town in said county, who shall offer to vote upon the question of the removal of the county seat as above provided for.

Take effect.

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

Approved March 11, 1859.

[Published March 18, 1859.]

CHAPTER 79.

AN ACT to amend section two of chapter one hundred and thirty-seven of the general laws of 1858, entitled "An act relating to the exemption of homesteads from forced sale on execution, or other final process."

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

How amended

SECTION 1. Section two (2) of chapter one hundred and thirty-seven (137), of the general laws of 1858, entitled "An act relating to the exemption of homesteads from forced sales on executions or other final process," is hereby amended by adding to said section the words