

CHAPTER 116.

[Published March 25, 1870.]

AN ACT providing for the settling of bill of exceptions and tests of process in certain cases.

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

How bill of exceptions to be settled.

SECTION 1. In all suits whenever either party may wish to settle a bill of exceptions, and the person who was the judge before whom the same was tried, shall cease or have ceased to be such judge, either from the expiration of his term of office, or from resignation or other cause, such person shall have authority, and shall proceed to settle and sign such bill of exceptions in the same manner as if he was still acting as such judge, and may sign the same as late judge.

May be compelled.

SECTION 2. If such person shall refuse to so settle and sign such bill of exceptions, he may be compelled so to do, by mandamus or other proper process, the same as if he was still holding such office.

How process tested in case of vacancy.

SECTION 3. In case there is a vacancy in the office of the judge of any court, during such vacancy, any writ or process which may issue therefrom, if required by law to be tested, the same shall be tested in the name of the chief justice of the supreme court.

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

Approved March 16, 1870.