

CHAPTER 2.

[Published January 28, 1871.]

AN ACT to confer certain powers upon the building commission appointed under chapter 39 of the general laws of Wisconsin for the year A. D. 1870, entitled "an act to provide for an additional institution for the insane."

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

May extend
time.

SECTION 1. The building commission appointed under said chapter 39 of the general laws of Wisconsin for A. D. 1870, are hereby authorized and empowered, if they deem it for the interest of the state, to extend the time for completing the building or buildings authorized under said chapter 39: *provided*, the same shall not be extended beyond the first day of September, A. D. 1872.

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

Approved January 26, 1871.

CHAPTER 3.

[Published February 3, 1871.]

AN ACT to fix the time of holding court in the eleventh judicial circuit, and to provide for the appointment of special terms of court, and to dispense with grand and petit jurors at certain terms.

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

Time fixed.

SECTION 1. From and after the 18th day of February, A. D. 1871, the general terms of the circuit court in and for the eleventh judicial circuit shall be held at the times hereinafter mentioned, to wit: in the county of Polk, on the second Monday of March and on the fourth Monday of September in each year; in

the county of Douglas, on the third Monday of June and on the second Monday of December in each year; in the county of Bayfield, on the first Tuesday after the second Monday of July and on the second Monday of January in each year.

SECTION 2. All writs, summons, process, indictments, recognizances, continuances, motions, notices and other proceedings now subsisting in any suit or proceeding in the circuit court of the circuit aforesaid, and relating or being returnable to any subsequent general term of said court, shall be deemed to relate and to be returnable to the term next in course, in the proper county, under the provisions of this act, with force and effect in no wise impaired by reason of anything in this act contained.

Return of writs, etc., not to be impaired.

SECTION 3. There shall be no grand or petit jury drawn, summoned or impaneled for the September term of the circuit court for the county of Polk, nor for the June term of said court for the county of Douglas, nor for the January term of said court for the county of Bayfield: *provided*, the judge of said circuit may in his discretion, by an order in writing, to be filed in the circuit court clerk's office of the county to be affected by said order, at least thirty days before the commencement of the term in this section mentioned for such county, direct the drawing and summoning of a grand and petit jury for such term in either of said counties, and thereupon a grand and petit jury shall be drawn, summoned and impaneled accordingly, as provided by law in other cases.

No jury to be summoned.

SECTION 4. Every term of the circuit court held in the county of Douglas or Polk shall also be a special term at which any application or motion or trial by the court without a jury may be made, had or heard, and judgment, order or decision thereon be made or given in any action or proceeding at any time pending in any other county of said circuit than the one in which such special term shall be held: *provided*, that issues of fact (though triable by the court without a jury) arising upon the pleadings in actions or proceedings that may be pending in any other county of said circuit than that in which such special term shall be held shall not be tried at such term, unless the parties to such actions or proceedings shall, in person or by attorney, consent to such trial at such term. And every judgment, order

Every regular term to be also a special term for other counties.

or decision that shall be made, rendered or given at any such special term, in any action or proceeding that shall be pending in any other county in said circuit than that in which such special term shall be held, shall be certified by the clerk of the circuit court of the county in which such special term shall be held, and transmitted to the clerk of the circuit court of the county in which the action or proceeding shall be pending, and shall be by the latter clerk filed in his office, and shall have the same force and effect, and shall authorize and warrant the same entries of record in his office as if such judgment, order or decision had been made, rendered or given at a regular term of said court held in his county.

Special terms
may be held by
order of court.

SECTION 5. A special term of the circuit court in said circuit, in addition to those provided for in the next foregoing section, shall be held for the transaction of all business not requiring the intervention of a jury, whenever and as often as the judge of said circuit shall direct by order specifying the time and place of holding such term, and file in the office of the clerk of the circuit court of the county in which such special term shall be appointed to be held. A copy of said order shall be published for two successive weeks (the first publication to be at least four weeks prior to the time fixed for holding such special term) in one newspaper published in each county of said circuit in which a newspaper shall be published. Such publication in each county shall be a county charge. All the provisions of the next foregoing section relating to special terms therein provided for shall apply to special terms that shall be held under the provisions of this section.

Repealed.

SECTION 6. So much of any law as specifies any other times for holding the general terms of the circuit court in said circuit than is by this act provided is hereby repealed. And section seven of chapter 231 of the general laws of the year 1864 is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after the 18th day of February, A. D. 1871.

Approved February 2, 1871.