

No. 461, S.]

[Published June 29, 1921.]

CHAPTER 428.

AN ACT to amend subsection (3) of section 2625 of the statutes, relating to change of venue on account of prejudice of the judge.

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

SECTION 1. Subsection (3) of section 2625 of the statutes is amended to read: (Section 2625) (3) When the judge named in the affidavit is the presiding judge of the judicial circuit in which the case is pending, such affidavit, to be effective for any purpose, must be filed and motion thereon made, on or before the first day of the term, or of the resumed session thereof, at which the case is triable, *or if the case is not noticed for trial in time to be placed upon the calendar at the commencement of the term then within ten days after the case is noticed for trial* and when the judge so named is the judge of some other circuit called in to hold the term or try the case, the affidavit, to be effective for any purpose, must be filed, and motion thereon made, on the first day such judge holds court and before any preliminary motion or other proceeding is heard by him in the case in which such affidavit shall be filed. When such affidavit names one of the judges of a circuit court consisting of branches, it must be filed and motion thereon made before the case is called for trial. The filing of such affidavit shall in no case deprive the presiding judge of the judicial circuit, or of the branch of a circuit court in which the case is pending, of the power and jurisdiction to hear and determine all motions then pending made by the party on whose behalf such affidavit shall have been filed. No such affidavit shall be presented, received or filed which shall contain the name or designation of more than one circuit judge.

Approved June 27, 1921.