

## CHAPTER 302.

[Published April 24, 1863.]

AN ACT to amend section 217 of chapter 120 of the revised statutes, entitled "of courts held by justices of the peace."

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

SECTION 1. Section two hundred and seventeen of chapter one hundred and twenty of the revised statutes, is hereby amended, by adding thereto, after the words "brought there," in the twelfth line thereof, the following: "And in case the judgment is rendered in favor of the plaintiff for a sum less than fifteen dollars, exclusive of costs, and the defendant shall have appealed, if the plaintiff shall make an affidavit that he has a valid claim against the defendant exceeding the sum of fifteen dollars, as set forth in his complaint, and shall file the same with the clerk of the court in which such appeal may be pending, and serve a copy thereof on the defendant or his attorney, eight days prior to the term at which the appeal may be tried, the action shall be tried in the appellate court as cases originally brought there." When appeals may be tried as original cases.

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

Approved April 2, 1863.

## CHAPTER 303.

[Published April 11, 1863.]

AN ACT to amend section 12 of chapter one hundred and fifty-one of the revised statutes, entitled "of forcible entry and unlawful detainer."

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

SECTION 1. Section twelve of chapter one hundred and fifty-one of the revised statutes, is hereby amended, so as to read as follows: "When any person shall Proceedings against lessee holding over, not paying rent, &c.

hold over any lands, tenements or other possessions, after the determination of the time for which they are demised or let to him or her, or to the person under whom he or she holds possession, or contrary to the conditions or covenants of the lease or agreements under which he or she holds, or after any rent shall have become due according to the terms of such lease or agreement, and shall remain unpaid for the space of three days, in all such cases, if the lessor, his heirs, executors, administrators, assigns or attorney shall make demand in writing of such tenant, or, in case he or she cannot be found in the county, then upon any member of his family, of suitable age and discretion, that he or she shall deliver possession of the premises held as aforesaid, and if such tenant shall refuse or neglect, for the space of three days after such demand, to quit the possession of such lands or tenements, or to pay the rent therefor, so due and unpaid, as aforesaid, upon complaint thereof to any justice of the peace of the proper county, the justice shall proceed to hear, try and determine the same in the same manner as in other cases hereinbefore provided for: *provided*, that in all cases mentioned in this section, the justice shall impose no fine upon such tenant."

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

Approved April 2, 1863.

## CHAPTER 304.

[*Published April 4, 1863.*]

AN ACT to amend an act entitled "an act to create the municipal court of the city and town of Ripon," approved April 15th, 1861.

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

Suit tax—when to be paid.

SECTION 1. In all actions hereafter commenced in the municipal court of the city and town of Ripon, the summons and complaint shall be filed with the clerk of said court, and the tax of one dollar paid within ten