

No. 339, A.]

[Published July 30, 1943.

CHAPTER 554.

AN ACT to amend 306.02 of the statutes, relating to appeals from judgments of justices of the peace.

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

306.02 of the statutes is amended to read :

306.02 (a) The appellant or some person authorized by him must, * * * within 20 days after * * * being served with written notice that judgment has been rendered, make and present to the justice before whom the action was tried, or his successor in office, or any other justice then lawfully having custody of the docket containing such judgment, a notice of appeal, together with an affidavit that the appeal is made in good faith and not for the purpose of delay ; and the appellant must, at the time of presenting such notice and affidavit to the justice, pay him his fees in the action, together with \$1 for his return and \$1 for state tax and \$2 for clerk's fees for the clerk of the court appealed to. In no case shall an appeal be taken after the expiration of 2 years after the entry of the judgment, and in no case where the judgment is rendered by default shall an appeal be taken after the expiration of 20 days after the entry of such default judgment.

(b) Service of such written notice that judgment has been rendered shall, when a party shall have appeared by an attorney, be made upon such attorney in the manner provided in section 269.34 (2) for service of other papers, otherwise service thereof shall be made upon the party in the manner prescribed in sections 262.08 and 262.09 for the service of a circuit court summons, or, if the address of the party to be served is known, by mailing a copy of the notice to such party by registered mail. When service is made by registered mail the copy of the notice to be served must be properly inclosed in a postpaid wrapper (which may bear the sender's name and address) addressed to the party on whom it is to be served at his proper post-office address. Such notice shall state the title of the action, the name of the justice of the peace rendering the judgment, the time and place of rendering the judgment, the amount of damages and costs and other redress for which judgment was rendered and the names of the parties in favor and against whom the judgment was rendered.

Approved July 27, 1943.