

No. 712, S.]

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CHAPTER 692

AN ACT to amend section 2 (1) and (2) ; and to repeal and recreate sections 5 and 9 (2) and (4) of chapter 212, laws of 1955, relating to the additional jurisdiction of the Buffalo county court.

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

SECTION 1. Chapter 212, laws of 1955, section 2 (1) and (2) are amended to read:

(Chapter 212, laws of 1955) Section 2. (1) The circuit court branch shall have and exercise jurisdiction to hear, try and determine all actions and proceedings of every kind and description, both in law and equity, wherein the claim, debt, damage, penalty or forfeiture shall, after deducting all payments and setoffs, not exceed the sum of * * * \$25,000; actions to recover the possession of personal property with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed * * * \$25,000; actions arising under chapter 291 of the statutes relating to unlawful detainer when the amount claimed shall not exceed * * * \$25,000; actions for forfeitures and actions for breach of

any recognizance given in said court under the jurisdiction conferred by this chapter; actions for the foreclosure of mortgages in which the amount claimed does not exceed * * * \$25,000, although the property to be affected by the judgment exceeds * * * \$25,000 in value; and all actions for divorce, *legal separation* or for affirmance, or annulment of a marriage contract.

(2) A judgment by confession may be entered by the judge of the circuit court branch in any sum not exceeding * * * \$25,000 without action, either for money due or to become due, or to secure any person against contingent liability on behalf of the defendant, or both, if a statement be made in writing, signed by the defendant, and verified by his oath to the following effect: (1) It must state the amount for which judgment may be entered and authorize the entrance of judgment therefor by the judge. (2) If it be for money due or to become due, it must state concisely the facts out of which the indebtedness arose and it must show that the amount confessed therefor is justly due or to become due. (3) If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the facts constituting the contingent liability, and must show that the sum confessed does not exceed the same.

SECTION 2. Chapter 212, laws of 1955, section 5 is repealed and re-created to read:

(Chapter 212, laws of 1955) Section 5. CHANGE OF VENUE. No action shall be removed from police court branch or the small claims branch for trial. In case it shall be made to appear in the same manner and for the same causes as in justice court, that the county judge is disqualified to try any matter pending before him, and in case of the absence, sickness or temporary disability of the judge, he may call upon any county judge of a county court having civil or criminal jurisdiction at least equal to the subject matter of the particular case, to attend, hold court and try such action and such judge while so doing shall have the authority conferred upon the Buffalo county judge.

SECTION 3. Chapter 212, laws of 1955, section 9 (2) and (4) are repealed and recreated to read:

(Chapter 212, laws of 1955) Section 9. (2) HOURS. The office of the county judge shall be open every weekday during the same hours and on the same days as are set by the county board for all other county offices.

(4) SALARY. The salary of the county judge of Buffalo county for performing all of the duties of such office as judge of the small claims branch, the police court branch, the circuit court branch, the probate and general county court and the juvenile court shall be \$8,400 per year, payable in equal monthly instalments out of the treasury of Buffalo county, until the governing body of said county shall, by proper action, fix the salary at some other sum, which sum shall be in lieu of all other fees or salary to which he might otherwise be entitled by virtue of his office as county judge of Buffalo county.

Approved June 16, 1960.