

CHAPTER 126.

[Published April 1, 1871.]

AN ACT to amend chapter fourteen (14) of the revised statutes, entitled "of resignations, vacancies and removals, and of the supplying of vacancies"

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

SECTION 1. Sub-division four (4) of section one (1) of chapter fourteen (14) of the revised statutes is hereby so amended as to read as follows: "4. By sheriffs to the governor, and by all officers who hold their office by election, except officers elected at town meetings, to the officer or officers respectively authorized by law to order a special election to fill such offices respectively." Amended.
Certificates of special elections.

SECTION 2. Sub-division six (6) of section two (2) of said chapter is hereby so amended as to read as follows: "6. The neglect or refusal of any person re-elected to such office to renew his official bond on such re-election, or to deposit the same in the proper office within the time prescribed by law." Amended.
Penalty for neglect to re-new bond.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1871.

CHAPTER 127.

[Published March 28, 1871.]

AN ACT to fix the time of holding the terms of the circuit court in the 4th judicial circuit.

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

SECTION 1. The general terms of the circuit court for the fourth judicial circuit shall hereafter be held as Time fixed.

follows: In the county of Fond du Lac, on the first Monday of January, on the fourth Monday of April, and on the fourth Monday of September of each year. In the county of Sheboygan, on the third Monday of February, on the fourth Monday of May, and on the third Monday of November of each year. In the county of Calumet, on the second Monday of June, and on the second Monday of November of each year. In the county of Manitowoc, on the third Tuesday of June, and on the second Tuesday of December of each year. In the county of Kewaunee, on the first Monday of February, and on the second Monday of July in each year.

Every term to be special term for other counties.

SECTION 2. Every term of said circuit court in the counties of Fond du Lac and Sheboygan, shall also be a special term for the whole of said circuit, and all actions, motions, proceedings or other business now pending or which may hereafter arise in any or either of the counties of said circuit, and not requiring a jury, may be heard, tried and determined or otherwise acted upon or disposed of at any or either of said special terms, in the same manner and with the same force and effect as if the same were heard, tried and determined or otherwise acted upon or disposed of, in the county wherein the same are now pending, or may hereafter arise, and when any causes or matters are pending in other counties different from the county in which the special term is held, the clerk of the court where said special term is held shall certify the orders, judgments and other papers to the clerk of the circuit court of the county where said causes or matters are pending, and the said papers shall be filed and entered by such clerk in the same manner as if said cause or matter had been heard or determined by the circuit court, at a term thereof, held in that county.

No grand jury for Fond du Lac county.

SECTION 3. There shall be no grand jury summoned or empaneled for the January term of the circuit court for said county of Fond du Lac, unless ordered by the judge of said fourth judicial circuit; when so ordered, a grand jury shall be summoned and empaneled as provided by law in other cases.

For Sheboygan county.

SECTION 4. There shall be no grand jury summoned or empaneled for the February term of the circuit court for said county of Sheboygan, unless ordered by the judge of said fourth judicial circuit; when so

ordered, a grand jury shall be summoned and empaneled as provided by law in other cases.

SECTION 5. There shall be no grand or petit jury summoned or empaneled for the July term of the circuit court for the said county of Kewaunee, unless ordered by the judge of the said fourth judicial circuit, and notice given by said judge to the clerk of the circuit court of said county of Kewaunee at least twenty days before the commencement of said July term of court; when so ordered, a grand and petit jury shall be summoned and empaneled as provided by law in other cases.

No petit jury
for Kewaunee
county.

SECTION 6. There shall be one special term of the circuit court in Fond du Lac county in each year, to be held as follows: on the first Monday of July, at which term any business arising within the fourth judicial circuit, which does not require the intervention of a jury, may be heard and disposed of. No grand or petit jury shall be drawn or summoned for said special term, and no notice of the holding of the same shall be required; and at such special term the issues of law, and motions and all other business that may be transacted thereat, pending in any and every county in said circuit, may be heard and disposed of with the same force and effect as it may now be heard and disposed of in the county in which the causes or matters are pending, and when the causes or matters are pending in other counties in the circuit different from the county in which the special term is holden, the clerk of the circuit court shall certify the orders and papers to the clerk of the circuit court of the county where the same is pending, and the papers shall be filed and entered by the clerk of the court where the cause or matter is pending, in the same manner as if the cause or matter had been heard or decided by the circuit court at a term thereof holden in the county where it is pending.

Special term
for Fond du Lac
county.

SECTION 7. For the purpose of the hearing or trial of any cause or matter in any other county than that where the same is pending, the clerk of the circuit court shall at the request of either of the attorneys in said cause or matter, transmit all the papers on file in said cause or matter to the place of trial or hearing, under his official certificate, certifying the same to be all the original files and papers in such action, cause

Clerk to trans-
mit papers.

or matter. Such papers or files shall be by such clerk enclosed in an envelop sealed by him, directed by the clerk of the circuit court of the county where such term is to be or is being held, and the same may be transmitted by mail or by the hand of either of the attorneys in such cause, action or matter: *provided*, that before any clerk shall be obliged to transmit any such papers or files or orders, all necessary postage therefor shall be paid by the party applying therefor; *and provided, further*, that no clerk shall be required to certify back any papers, files or orders to any such county where the same were originally pending, unless his fees in such cause or matter are paid.

How writs, etc.,
returnable.

SECTION 8. All writs, services, processes, proceedings and recognizances heretofore issued, commenced, made or entered into, in or from said courts of said counties respectively, or either of them, and all proceedings pending therein or returnable thereto, whether by recognizance or otherwise, shall be held and taken as returnable at the times mentioned in this act for holding the said courts respectively in the said several counties respectively.

Not to affect
March term for
Sheboygan
county.

SECTION 9. Nothing in this act contained shall affect the existing law authorizing the holding of the term of the circuit court in Sheboygan county on the first Monday of March, 1871, but the said term shall be held as now provided by law.

Repealed.

SECTION 10. Chapter one hundred and seven of the general laws of 1869, and all acts or parts of acts conflicting with or contravening any of the provisions of this act, are hereby repealed, so far as they conflict with or contravene the same.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1871.