

SECTION 2. All acts and parts of acts conflicting with or contravening the provisions hereof, are hereby repealed.

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

Approved April 11, 1891.

No. 768, A.]

[Published April 17, 1891.

CHAPTER 216.

AN ACT to amend section 3769, of chapter 160, of the revised statutes, entitled, "Of appeals."

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

SECTION 1. Section 3769, of chapter 160, of the revised statutes, is hereby amended so as to read as follows: Section 3769. Upon the hearing of the appeal, when there is no new trial in the appellate court, such court shall give judgment according to the weight of the evidence and the justice of the case, without regard to technical errors which do not affect the merits and without regard to the finding of the justice, and may, if necessary for that purpose, amend the pleadings therein, and in giving judgment, may render an affirmative judgment, or may affirm or reverse the judgment of the court below in whole or in part, either as to damages, or to costs, or both, as to any or all of the parties, and for errors of law or fact. To the copy of every such judgment upon an appeal, there shall be annexed the return upon which it was heard, which shall be filed with the clerk of the court, and constitute the judgment roll, and the judgment shall be docketed in, and shall be executed by the process of the appellate court.

Amends section 3769 of revised statutes, 1878.

Appeals in circuit court from courts of justices of the peace.

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

Approved April 11, 1891.