

AN ACT relating to the district courts in the second and third judicial districts, and for other purposes.

*Be it enacted by the Council and House of Representatives of the Territory of Wisconsin :*

§ 1. That the district court for the county of Racine Racine coun. shall hereafter be holden on the second Monday of April and the last Monday of October.

§ 2. That the district court for the county of Milwaukee Milwaukee county. shall hereafter be holden on the second Monday of June and the second Monday of November, and shall continue as long as business may require.

§ 3. That the terms of the district court for the county of Fond du Lac, and the counties thereto attached, Fond du Lac county. shall, as soon as the same shall be organized for the purpose, be holden on the second Wednesday next after the fourth Monday of May, and on the second Wednesday next after the second Monday of October.

§ 4. That the county of Dodge shall constitute a Dodge to what attached and when held. part of the third judicial district, and the district court therein shall be holden by the judge of said district, on the third Monday of May, and on the first Monday of October.

§ 5. The district court shall be holden at the county seat of the several counties in the second judicial district, Second district. hereinafter mentioned, at the times specified herein, to wit: in Sauk county the fourth Monday in August; in Sauk Green county, the third Monday in April and first Monday in September; Rock county, the fourth Monday in April and second Monday in September; Walworth county, Walworth. the second Monday after the fourth Monday in April and the fourth Monday in September; Jefferson county, Jefferson. the fourth Monday after the fourth Monday in April and the second Monday after the fourth Monday in September; and in Dane county, the fifth Monday after the Dane. fourth Monday in April and the third Monday after the fourth Monday in September.

§ 6. That all writs, summons, process, indictments, Process how and when returned. recognizances, and all other proceedings in the said courts which now are, or may hereafter and before the first day of March next be made returnable in any of the said

courts, at any time hereafter, shall be considered as returnable at the times fixed in this act for holding the next ensuing terms of said court, and all causes adjourned, continued, or noticed for trial or argument, shall be held to be for trial or argument at the times fixed by this act for holding the next ensuing terms of said courts in said counties respectively.

Judges may hold special terms.

§ 7. It shall and may be lawful for the judge of the district courts for either of the aforesaid counties, to hold special or adjourned terms, at any time he shall deem it necessary, for the purpose of hearing and disposing of all motions or questions of law, and all judgments, orders, or decrees, that may be made or entered at said special terms, shall be as valid and effectual, to all intents and purposes, as any judgments, orders, or decrees, made or entered in term time.

Deficiency of jurors how filled.

§ 8. It shall and may be lawful for the judge of the district court of either of the aforesaid counties whenever there shall happen to be a deficiency of jurors for any cause whatever, to award a special venire or venires, through the term on any day or days of the term to the sheriff of the proper county to summon a number of jurors sufficient to complete the number of the original panel.

Sheriff to summons.

Counties divided.

Judges of Probate.

Order, &c. to have force.

§ 9. Whenever any counties, or counties organized or attached for judicial purposes, shall have been or shall hereafter be divided into two or more districts, for the election of judges of probate, all causes, proceedings and matters pending in any of the probate courts at the time of such division, shall be continued, proceeded in, heard and determined, and the estates to which they may refer, shall be finally settled, in the same manner they could have been had no such division taken place, and for that purpose, the process and orders of any such court, shall have force in all parts of the district as the same existed prior to such division.

Acts repealed.

§ 10. The act entitled "An act to amend the act of the revised statutes concerning the supreme and district courts," approved February 16, 1842, is hereby repealed, and all acts or parts of acts contravening the provisions of this act are hereby repealed.

§ 11. This act shall take effect on the first day of March next.

APPROVED, January 27, 1844.