

SEC. 2. This act shall take effect from and after its passage.

WILLIAM SHEW,
Speaker of the House of Representatives.
 MASON C. DARLING,
President of the Council.

APPROVED, January 15th, 1847.

HENRY DODGE.

AN ACT

To provide for the removal of suits from the district court of Milwaukee county, and for other purposes.

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

SECTION 1. That it shall be the duty of the judge of the third judicial district of the territory of Wisconsin, in all suits and causes now pending in the district court of the county of Milwaukee, in which an affidavit shall be presented to him, sworn before any officer authorized to administer oaths, made by the parties or either of them to any such suit or causes, or by the agent or attorney of either of such parties, that such parties or either of them reside in the county of Waukesha, accompanied with a written request or consent, signed by each of such parties, their agents or attorneys, that such suit or cause be removed for trial to the district court for the county of Waukesha, to make an order in writing, either in term time or vacation, for the removal of such suit or cause to the district court for the county of Waukesha for trial.

Removal of suits from Milwaukee to Waukesha when.

SEC. 2. It shall be the duty of the clerk of the district court for the county of Milwaukee, in each suit or cause in which such order is served on him, within six days after such service, to make a copy of such order together with his certificate of the amount of costs which have accrued in the same in the district court for Milwaukee county, as taxed, designating the portion of costs which is for the fees of officers of the said court, and transmit the same, together with all process, pleadings, &c., in such suit or cause, to the clerk of the district court for the county of Waukesha, and the said costs shall abide the event of such suit in the said district court for the said county.

Duty of clerk to make transcript.

Causes how docketed.

SEC. 3. It shall be the duty of the clerk of the district court for the said county of Waukesha, to place each of such suits or causes upon the docket of causes for the first ensuing term of the district court for said county, together with all the minutes and entries in relation thereto as certified by the clerk of the district court for said county, together with all the minutes and entries in relation thereto as certified by the clerk of the district court for the county of Milwaukee, under the head of "causes removed from the district court of Milwaukee county," and said suits or causes shall stand in the same situation in respect to trial and continuance that they would stand in at the next term of the district court for the county of Milwaukee had they not been removed.

Costs of district court of Milwaukee how collected

SEC. 4. In all executions issued upon final judgments rendered in such suits or causes, the clerk of the district court of said county of Waukesha shall command the sheriff to collect the amount of costs certified by the clerk of the district court of Milwaukee county, to have accrued against the defendants in such execution in said court, stating separately the sum to be collected for fees of officers of the district court for the county of Milwaukee.

Costs to whom paid.

SEC. 5. It shall be the duty of the sheriff of said county of Waukesha to pay to the clerk of the district court of Milwaukee county the sum or sums which he is commanded to collect as fees of officers of the district court for the county of Milwaukee as soon as the same are collected.

SEC. 6. It shall be the duty of all justices of the peace in the county of Waukesha, in all cases where appeals have been taken from judgments rendered by them since the ninth day of November last, to file in the office of the clerk of the district court for the county of Waukesha, a transcript of the records and proceedings in such cases, as required by law in relation to appeals from justices' courts, and all such appeals shall be prosecuted to final judgment as in other cases.

Duty of Jus-
tices of Wau-
kesha.

SEC. 7. So much of section five of an act entitled "an act to provide for a division of the county of Milwaukee," approved January 31st, 1846, as is inconsistent with the provisions of this act, is hereby repealed.

SEC. 8. The official acts of the register of deeds of Waukesha county, since the second Monday of June 1846, are hereby confirmed, and all deeds and records in the office of the register of deeds of Milwaukee county from the said second Monday of June 1846, to the first day of January 1847, relating to property in the said county of Waukesha, are hereby declared to be valid and binding as if the act entitled "an act to provide for a division of the county of Milwaukee," approved January 31st, 1846, had not been passed.

Certain acts
and records
confirmed.

SEC. 9. The official acts of the several officers appointed by the board of supervisors of Waukesha county in June last, are hereby ratified and confirmed.

SEC. 10. This act shall take effect immediately.

WILLIAM SHEW,

Speaker of the House of Representatives.

MASON C. DARLING,

President of the Council.

APPROVED January 15, 1847.

HENRY DODGE.