

jurisdiction thereof, or to the circuit court for an adjoining county, in the discretion of the judge.

SEC. 3. Whenever the venue of any action shall be changed in pursuance of this act, the clerk of the court removing said action shall forthwith transmit the papers relating thereto, to the clerk of the court to which said action shall be removed, and said last mentioned court shall proceed to trial, give judgment and issue execution, in the same manner as if said action had been originally brought therein. Duty of clerk

SEC. 4. All acts and parts of acts contravening the provisions of this act are hereby repealed. Repealed.

SEC. 5. This act shall take effect and be in force from and after its passage and publication. Take effect.

Approved March 17, 1859.

[Published March 31, 1859.]

## CHAPTER 143.

AN ACT to prevent the sale of unripe cranberries.

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any person or persons who shall, at any time between the first day of June and the twentieth day of September in any year, offer for sale, or in any other manner attempt to dispose of, or have in his or her possession, with the intent to sell or dispose of, any unripe cranberries, in any county in this state, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding fifty dollars nor less than five dollars, with costs of suit, provided that native Indians shall not be liable to the penalties prescribed by this act. Prohibition. Penalty.

SEC. 2. Possession of unripe cranberries during the time the selling or disposing of them is prohibited, as provided in section one of this act, shall be deemed *prima facie* evidence of the fact of the person or persons having the same in his or her possession, of having such berries in possession with intent to sell or dispose of the same, contrary to the provisions of the preceding section. What shall be evidence.

SEC. 3. Any person who shall be convicted of the offence as provided in section one of this act, shall stand committed to the county jail of the proper county, until

the whole of such fine, together with the costs of suit, are paid.

**Jurisdiction.** SEC. 4. Justices of the peace shall have jurisdiction, on complaint made on oath, to hear and determine all cases arising under this act.

**Take effect.** SEC. 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1859.

[Published March 31, 1859.]

#### CHAPTER 144.

AN ACT to amend section thirty-seven of chapter ten of the revised statutes, entitled "of state officers."

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

**Salary of clerks in certain cases.**

SECTION 1. Section thirty-seven, of chapter ten, of the revised statutes is hereby amended so as to read as follows: "The secretary of state shall audit, and the state treasurer shall pay, such sums as shall be actually and necessarily expended for clerk hire in the offices of the state treasurer and bank comptroller, in the same manner as is provided in the preceding section for clerks employed in the office of the secretary of state: *Provided*, that, before the secretary of state shall audit any account for clerk hire as aforesaid, the treasurer and bank comptroller shall respectively file with him a certificate setting forth the particular service rendered by such clerk or clerks, and that the same was necessary to a proper discharge of the duties of their respective offices.

**Proviso.**

**Take effect**

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

Approved March 17, 1859.

[Published April 1, 1859.]

#### CHAPTER 145.

AN ACT for the incorporation of associations for improving the breed of horses.

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

**Associations.**

SECTION 1. Any number of persons, not less than five, may associate and form an incorporation or company