

consin shall have power to amend or repeal this act at any session thereof.

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

Approved March 30, 1883.

[No. 269, A.]

[Published April 12, 1883.]

CHAPTER 197.

AN ACT to amend section 3616 of the revised statutes of 1878, relating to the removal of cases from justices of peace.

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

Relating to removal of cases from justices of the peace.

SECTION 1. Section 3616, of the revised statutes of 1878, is hereby amended by inserting next after the word "county," in the eighth line thereof as follows: "and in case said nearest justice cannot be found or is unable to act for any cause, then the said papers in said case may be transmitted to any other justice of the peace of the same county;" so that said section will read when amended as follows: Section 3616. In all cases, if the defendant shall on the return day of the process, and before any proceedings are had on his part, make oath that from prejudice or other cause, he believes such justice will not decide impartially in the matter, and shall pay to the justice seventy-five cents for making a copy of his docket, and transmitting the papers in the case, then such justice shall immediately transmit all the papers in the case to the nearest justice of the peace in the same county; in case said nearest justice cannot be found, or is unable to act from any cause, then the said papers in said case may be transmitted to the next nearest justice of the peace of the same county, who can be found qualified by law to try a cause between the parties in such action, who shall proceed to hear, try and determine the same in the same manner as it would have been lawful for the justice before whom the said action was commenced to have done. This provision shall not extend to any second removal.

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

Approved March 30, 1883.