

No. 308, S.]

[Published June 16, 1933.]

CHAPTER 255.

AN ACT to amend subsection 3 of section 28 of chapter 549, laws of 1909, as amended by chapter 320, laws of 1913, relating to the civil court for Milwaukee county.

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

SECTION 1. Subsection 3 of section 28 of chapter 549, laws of 1909, as amended by chapter 320, laws of 1913, is amended to read: (Chapter 549, laws of 1909. Section 28) 3. Every judgment of said civil court shall be affirmed or modified and affirmed as so modified, by the circuit court, upon appeal, unless, by reason of manifest prejudicial error in the trial of the action in which such judgment was rendered, any party thereto has not had a fair trial thereof in the civil court; but in any such case of mistrial, where substantial justice cannot otherwise be done and the rights of the parties otherwise observed and protected, the judgment of the civil court therein shall be reversed, and the circuit court shall * * * *remit the case to the civil court for a new trial in said court, and may direct the making of such amendments in the pleadings and the adoption of such procedure in that court, not inconsistent with provisions of law governing legal procedure, as shall be deemed necessary to accomplish the ends of justice.*

SECTION 2. This act shall take effect upon passage and publication.

Approved June 14, 1933.

No. 309, S.]

[Published June 16, 1933.]

CHAPTER 256.

AN ACT to repeal and recreate subsection 1 of section 19 of chapter 549, laws of 1909, relating to juries in the civil court for Milwaukee county.

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

SECTION 1. Subsection 1 of section 19 of chapter 549, laws of 1909, is repealed.

SECTION 2. A new subsection is added to section 19 of chapter 549, laws of 1909, to be numbered and to read: (Chapter 549, laws of 1909, section 19) 1. Jurors for the civil court shall be

drawn from the panel of jurors provided by law for the circuit court for Milwaukee county. Such jurors shall be furnished for the several branches of the civil court upon request of the calendar clerk of said civil court to the calendar clerk of said circuit court. Trial juries in said civil court shall be drawn in the manner provided in section 270.15. Sections 302.04 to 302.20 relating to juries in justice court shall not apply to said civil court.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 14, 1933.

No. 310, S.]

[Published June 16, 1933.

CHAPTER 257.

AN ACT to amend subsection 1 of section 15 of Chapter 549, Laws of 1909, as amended by Chapter 300, Laws of 1929, relating to the civil court for Milwaukee county.

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

SECTION 1. Subsection 1 of section 15 of Chapter 549, Laws of 1909, as amended by Chapter 300, Laws of 1929, is amended to read: (Chapter 549, Laws of 1909, Section 15) 1. The summons, warrant or other process of said civil court shall be made returnable before said court by its proper title, and when issued in an action wherein the amount of the claim or in replevin the value of the property shall not exceed fifty dollars, it shall be made returnable before the small claims branch of said civil court. All summonses, except garnishee summonses, and summonses in actions of forcible entry and unlawful detainer, shall have a copy of the complaint attached thereto at the time of service. Summonses and warrants shall be, except as otherwise provided, in said chapter 549 of the laws of 1909, as amended, and in this act, or the rules of court hereinafter authorized, substantially in the form and returnable within the time prescribed for the process of courts of justices of the peace, and shall be signed by a judge or by the clerk or a deputy clerk of said court; provided, that the judges of said court may by rules duly adopted order that summonses in actions for money recovery, including garnishment summonses, be made returnable and the defendant or defendants directed to appear before the clerk, in his office, to answer the complaint, at