

by chapter two hundred and forty-three of the private and local laws of 1863, entitled "an act to incorporate the Tomah and Lake St. Croix Railroad Company, and to repeal and annul a portion of a grant of land heretofore made to the La Crosse and Milwaukee Railroad Company," or by any act amendatory thereof or explanatory thereto.

Attorney general authorized to institute suit.

SECTION 3. In case the said West Wisconsin Railway Company shall fail, neglect or refuse to relay its said track, or to maintain and operate its said road within the time as and in the manner in this act prescribed, or shall violate or fail to conform to any or all the provisions of this act, it shall be the duty of the attorney general and he is hereby authorized and required to institute a suit in the supreme court, by or in the nature of *quo warranto*, in the name of the state of Wisconsin, against the said West Wisconsin Railway Company, to enforce the forfeitures in this act provided, which said suit, when so instituted, shall be prosecuted to final judgment with all convenient speed, and the governor is hereby authorized to employ such counsel as he may deem necessary to assist the attorney general in the prosecution of said suit.

SECTION 4. This act shall take effect and be in force from after its passage.

Approved February 13, 1873.

CHAPTER 32.

[Published February 18, 1873.]

AN ACT to authorize the appointment of phonographic reporters for the circuit court of the counties of Washington and Ozaukee, in the third judicial circuit.

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

May appoint phonographic reporter.

SECTION 1. It shall be lawful for the judge of the circuit court for the third judicial circuit of this state, to appoint one more phonographic reporters for the circuit court in and for the counties of Washington and Ozaukee.

Shall be sworn officers.

SECTION 2. Said reporters shall be sworn officers of said court, and shall be skilled in the art of short hand

reporting, one of whom shall attend upon each term of said court, when requested by the judge so to do, and shall discharge such duties as the court or judge thereof shall require.

SECTION 3. The said reporters shall be allowed such daily compensation as shall be fixed by the court, not exceeding ten dollars per day for each day's actual attendance upon said court when required by the judge thereof to attend, which shall be certified, audited and paid in like manner, as is provided by law for the payment of the sheriff for attending upon the court: *provided*, but one such reporter shall be employed at the same time. Daily compensation.

SECTION 4. It shall be the duty of said reporter, upon the request of a party to any suit, or the attorney or attorneys of such party, the evidence in which suit shall have been taken by said reporter, to make and furnish transcripts of such evidence so taken by him, or any other proceedings had in such trial to such party or his attorney, for which transcript so furnished, said reporter shall be entitled to charge and receive from the party requiring the same to be made, ten cents for each folio of one hundred words. In the trial of criminal cases the court may, in its discretion, order a transcript of the evidence and proceedings to be made, certified and audited, and paid for in the same manner as the per diem compensation of such reporter, and in such cases, the reporter's notes shall be written out in full and filed with the clerk of the court. Shall furnish transcripts.

SECTION 5. The judge of said court may, in his discretion, remove such reporters, or any one of them, and may fill any vacancy caused by such removal, or from any other cause. In criminal cases.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved, February 15, 1873. Reporters may be removed.