

moned to attend said court, and who shall not attend at the time he is summoned, shall be adjudged guilty of contempt, and shall be fined in a sum not less than two nor more than ten dollars; and appeals from said court shall be allowed in all cases tried in said court, under the laws of this state, whenever appeals are allowed from justice courts.

SECTION 8. Nothing herein contained shall be so construed as to abridge or impair the jurisdiction of the circuit court. Jurisdiction of court not to be impaired.

SECTION 9. In all cases where the amount claimed by the plaintiff shall exceed the sum of two hundred dollars, and the plaintiff appears by an attorney of record, and the defendant appears and pleads by answer or demurrer, the sum of fifteen dollars shall be taxed as attorney's fees to the successful party and except as herein provided, the same attorney's fees shall be charged and recovered as now provided by law in justice courts. Taxing of attorney fees.

SECTION 10. Nothing in this act contained shall be construed to extend or diminish the term for which the judge of said court was elected. But said judge shall, from and after the passage of this act, be, and he is empowered to exercise all and singular the jurisdiction herein conferred, and to receive the fees and salary herein provided: *provided, however,* that until the board of supervisors shall otherwise direct, under the provisions of this act, said judge shall be entitled to receive no greater sum as salary than that limited in this act. Term of office.

SECTION 11. Section one hundred and forty-six, general laws for the year 1876, and all acts or parts of acts conflicting with the provisions of this act, are hereby repealed. Repealed.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved February 27, 1879.

[No. 67, S.]

[Published March 4, 1879.]

### CHAPTER 116.

**AN ACT** to provide for laying out, establishing and building a state road from the city of Grand Rapids, in the county of Wood, to the city of Stevens Point, in the county of Portage.

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

SECTION 1. James Meehan, Francis Biron, C. Wheelock and George A. Neeves are hereby appointed Names of commissioners and route of road.

commissioners to lay out, establish, grade and build a state road from the city of Grand Rapids, in Wood county, by way of or near to Mill Creek Ferry, to the city of Stevens Point, in Portage county.

**Power of commissioners.**

SECTION 2. Said commissioners shall have power to lay out, establish and open said road, and shall make a survey and plat thereof, and shall cause a copy of the notes of said survey and of said plat to be filed and recorded in the office of the clerk of each town and city through or into which the said road shall pass, and in the office of the county clerk of each of the counties of Portage and Wood; and said commissioners shall have full power to award damages and settle with parties who may feel aggrieved or sustain damages by the laying out and establishing of said road. All claims for damages shall be made within one year from the time of the filing of the plat or survey of said road in the office of the county clerks, as required by this act, and if not made within said time shall be barred.

**Further powers**

SECTION 3. Upon the filing of the survey of said road in the offices of the county clerks of said counties of Portage and Wood, as hereinbefore required, said road shall become a public highway, and said commissioners shall have full power to order it opened and obstructions removed therefrom, in the same way and to the same extent that supervisors of towns have to open highways and remove obstructions therefrom in their respective towns. And they shall also have power to employ men and teams, and lay out and expend for the purpose of building said state road and the necessary and proper bridges thereon, and in putting the same in good condition for general travel from year to year, such sum of money as may be appropriated by the several counties, towns and cities into or through which said highway shall run.

**Per diem of commissioners.**

SECTION 4. Said commissioners shall each receive two dollars per day for the time actually and necessarily spent by them in laying out, establishing and building said state road, which shall be in full for all services so rendered by them. And said commissioners shall from time to time, and whenever required, make a report in detail, under oath, to each of the counties, cities and towns aiding in the construction of said road, showing how the money furnished by each of them, respectively, has been expended, and to whom and for what specific work paid, and showing the progress of the work in each of said counties, cities or towns respectively.

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

Approved February 27, 1879.

[No. 108, S.]

[Published March 3, 1879.]

### CHAPTER 117.

AN ACT to amend section four hundred and forty-three of chapter twenty-seven of the revised statutes of 1878, entitled of common schools.

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

SECTION 1. Section four hundred and forty-three of chapter twenty-seven of the revised statutes of 1878, entitled of common schools, is hereby amended by adding to the end of said section the following: Provided, that no person employed as a school director, clerk or teacher, shall hold the office of school treasurer in the same district. Eligibility of district officers.

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

Approved February 27, 1879.

[No. 184, S.]

[Published March 3, 1879.]

### CHAPTER 118.

AN ACT limiting the amount of school district tax to be levied in any one year.

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

SECTION 1. The total amount of school district tax hereafter levied in any school district in this state in any one year, for building, hiring, or purchasing any school building, and for the maintenance of schools, including teachers' wages and incidental expenses, shall not exceed five per cent. of the total assessed valuation of taxable property in such school district for the current year. Tax limited to five per cent. of assessed valuation.

SECTION 2. All acts or part of acts, conflicting with this act are hereby repealed. Repealed.

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

Approved February 27, 1879.