

for each separate school maintained in a separate building by the district; provided, that such schools are more than a mile and a half apart, the distance to be measured by the nearest traveled highway; and in school districts having a school census of more than three hundred persons of school age, or containing an incorporated village or city, or maintaining a high school or graded school, or in districts maintaining town or union high schools, such sum as the body electing the school board of such school district may direct; provided, such school clerk shall file with the district treasurer a certificate signed by the county or city superintendent of schools setting forth that the school census for the year was properly taken, and that all reports required by law to be made by school district clerks have been filed on and within the time specified by law and approved.

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

Approved April 30, 1917.

No. 395, A.]

[Published May 2, 1917.

CHAPTER 144

AN ACT to amend sections 1, 7 and 8 of chapter 119, laws of 1899 and section 10 of chapter 119, laws of 1899 as amended by chapter 281, laws of 1911, relating to the jurisdiction of and fees in the county court of St. Croix county and to the salary and duties of the reporter of said county.

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

SECTION 1. Sections 1, 7 and 8 of chapter 119, laws of 1899, and section 10 of chapter 119, laws of 1899 as amended by chapter 281, laws of 1911 are amended to read: (Ch. 119, laws of 1899) 1. The county court of St. Croix county, in addition to the powers and jurisdiction conferred by law on county courts, shall have cognizance of and jurisdiction to hear, try and determine all actions and proceedings at law, except actions wherein the title to real property shall come in question, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars; actions founded on an account when the same shall be reduced to an amount not exceeding five hundred dollars by credits given or by the set-off or demand of the opposite party; actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars and all charges for offenses arising within said county,

and which are not punishable by commitment to state's prison, offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Hudson, said county and said county court and the judge thereof, shall have power to pronounce judgment, sentence and commit all persons convicted of any crime or offense of which said court has jurisdiction and in the exercise of the jurisdiction conferred on the county court by this act, said court shall have full power to grant adjournments and continuances and take and have, all necessary proceedings concerning or relating thereto as provided by law in courts of justices of the peace. Said county court and the judge thereof, shall further have all the jurisdiction, authority, powers and rights given by law to the police justice of the city of Hudson and to justices of the peace of said county, together with the power and right, in his discretion, to charge the jury upon written charges or otherwise; and the proceedings and practice in said county court, under this act, except as herein otherwise provided, shall be governed as far as practicable by the laws relating to courts of justices of the peace of this state. *All criminal warrants issued by justices of the peace of said county of St. Croix under chapter 194 and chapter 195 of the statutes of this state may be made returnable before the county court of said county, at Hudson, and when said warrants are so issued and returned, said county court and the judge thereof, shall have jurisdiction to conduct all further proceedings thereon, and to hear, try and determine the same in the same manner as if said warrants had been originally issued by the judge of said county court and made returnable before said court or the judge thereof.*

7. In all civil actions and in all criminal trials, examinations and proceedings in said county court, under this act, the docket entries and process shall be made, kept and filed substantially in the same manner, as near as may be, as the same are required to be kept by justices of the peace under the laws of this state; in the trial of offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Hudson, in said county, under this act, the forms to be used and the docket entries, processes and proceedings shall be substantially the same, as near as may be, as required by the city charter and ordinances of the city of Hudson; provided that in all civil actions, under this act, said judge may sign in blank, summonses and other processes and deliver the same to attorneys of courts of record throughout the county, to be issued by them as occasion may require; and upon the filing of said summons or other process, at any time on or before the day on which the same is made

returnable, said judge shall forthwith docket said case, which docket entries shall have the same force and effect as if made at the time of issuing such summons or other process; provided further that no summons or other process, issued by an attorney at law or by said county judge, under the provisions of this act, shall be valid unless said attorney shall indorse thereon his name or the name of the firm of which he is a member or unless said judge, when said summons or other process is issued by him, shall indorse thereon his name, which indorsement shall be substantially in the following form: "Issued by A. B., attorney at law," or "Issued by C. D. County Judge"; and when any action, examination or proceeding in the county court under the provisions of this act, shall be adjourned or continued to a day certain, it shall be for trial at nine o'clock in the forenoon of the day to which the same has been adjourned or continued, unless otherwise ordered by the court or agreed to by the parties; and at the hour above specified, the parties shall proceed to the trial of the case without delay, unless the same shall be adjourned by consent of parties or continued by the court, for cause shown, and upon such terms as may be just and equitable. *Provided, that said court shall not lose jurisdiction of any action, examination or proceeding by reason of the inability of the judge of said court to be present at the place and time set for hearing the same, or taking any action therein, and in such case said court, upon the arrival of said judge, at the place of said hearing, at any time on said day, may call such action, examination or proceeding, and proceed to hear and determine the same or grant an adjournment thereof, or take any other proceeding therein in the same manner as if said judge had been present at the time set therefor.*

8. For his services, under the provisions of this act the county judge of said county shall receive a salary of five hundred dollars, until otherwise provided by the county board, which board is hereby authorized to increase or decrease the amount of the same, which salary shall be paid at the same time and in the same manner as other salaried county officers are paid, and he shall also be paid his necessary expenses incurred in attending court outside of the city of Hudson, the same to be audited and allowed by the county board. In all actions, examinations or proceedings in the county court, under this act, the county judge shall collect from the proper parties, the same fees as are now allowed by law to justices of the peace for like services and pay the same over to the county treasurer, taking duplicate receipts therefor, one of which receipts he shall file with the county clerk; said fees so paid over to the county treasurer, shall go

to make up the salary of the county judge under the provisions of this act; provided that * * * it shall be lawful for the county judge to charge and receive * * * the same fees * * * as are prescribed by the general laws of this state for county judges in the same manner as if this act had not been passed.

10. The county judge may appoint a phonographic reporter, skilled in the art of shorthand reporting, for said court * * * and may remove him at pleasure and appoint another in his place. Every person so appointed shall be deemed an officer of said court and shall, before entering upon the duties of his office, take and subscribe the constitutional oath, and file the same duly certified with the clerk of the circuit court of St. Croix county. The reporter shall attend said county court whenever requested by the county judge and perform such duties as the county judge may require. *It shall be the duty of said reporter, when requested by the county judge, to take and transcribe all testimony given or taken before said court or the judge thereof in any and all actions, hearings, examinations or proceedings pending or being tried, determined or disposed of before said court or the judge thereof, under this act or under any other law of this state. It shall be the duty of said reporter to assist the county judge in recording, copying, comparing, filing and indexing all records of all actions, hearings, examinations or proceedings before said court or the judge thereof under this act or under any other law of this state. In all matters heard or determined by said county court, under the provisions of this act, the reporter's shorthand notes shall be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings; provided, that in case of appeal in civil actions, said reporter when requested by either party shall file a transcribed copy of his shorthand notes, which shall be returned as the testimony in the case; and the fees for transcribing said testimony, not exceeding five cents per folio, shall be taxed as part of the costs in the circuit court. In criminal cases tried before said county court, which are appealed to the circuit court, a transcribed copy of said reporter's notes shall, upon the request of either the district attorney or the defendant, be certified with the record to said circuit court as the testimony in the case, and, in case of conviction of the defendant in the circuit court, the cost of such transcript, not exceeding five cents per folio, may be taxed with the other taxable costs in the case and shall belong to the county. In preliminary examinations held and conducted before said county court or the judge thereof, when the defendant is held for trial*

in the circuit court, a transcribed copy of said reporter's notes shall be transmitted with the record to the circuit court as the testimony in the case, and in case the defendant is convicted in the circuit court and costs are taxed against him, then the costs of such transcript shall be taxed in the circuit court with the other taxable costs in the case at the same rate as on return in like cases from other magistrates. Said reporter shall receive * * * the salary * * * fixed by the county board of said county, to be paid *monthly* out of the county treasury as the salaries of other county officers are paid. In all contested cases, *except in preliminary examinations*, a reporter's fee at the rate of three dollars per day for the time actually consumed on the trial shall be taxed as part of the costs in the case, and shall be in lieu of the fees allowed by law to justices of the peace for taking testimony. Such reporter's fees and all fees for transcribing testimony *in civil actions appealed to the circuit court* shall be collected by the county judge and paid over to the county treasurer in the same manner as he is required by this act to collect and pay over the fees allowed by law to justices of the peace. Section * * * 4141 of the * * * statutes shall apply to transcribed copies of the testimony and proceedings taken by the reporter under this act in the county court.

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

Approved April 30, 1917.

No. 123, A.]

[Published May 4, 1917.

CHAPTER 145

AN ACT to amend subsection 1 of section 1407a—6 of the statutes, relating to the state health officer.

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

SECTION 1. Subsection 1 of section 1407a—6 of the statutes is amended to read: (Section 1407a—6) 1. The state board of health shall have supervision of the health and life of the citizens of the state and possess all powers necessary to fulfill the duties prescribed in the statutes and to bring action in the courts for the enforcement of health laws and health rules. They shall have power to make sanitary inspections and surveys in all parts of the state and, after due notice, to enter upon and inspect private property in regard to the presence of cases of infectious and contagious diseases and to determine the cause and source of disease. *The state board of health at any regular*