

sum as it shall fix, conditioned for the faithful performance of his duty.

(4) (a) The department or any of its authorized deputies may, in relation to any matter within the department's power under this section, conduct hearings, administer oaths, issue subpoenas and take testimony.

(b) The witnesses and officers who subpoena them shall be entitled to the fees allowed in courts of record. Such fees shall be audited and paid in the same manner as other expenses of the department are audited and paid. No witness subpoenaed or called at the instance of any party other than the department shall be entitled to payment of fees by the state, unless the department certifies that the testimony of such witness was material.

(c) A record of all hearings shall be kept in the office of the department. All hearings shall be public.

SECTION 7. 129.001 is repealed.

SECTION 8. 129.01 (2a), as created by chapter 111, laws of 1945, is amended to read:

129.01 (2a) "Department" within the meaning of this chapter, unless the context otherwise requires, means the motor vehicle department. \* \* \*

SECTION 9. 288.18 is amended by substituting "110.16 (3)" for "93.12" in the third line.

SECTION 10. This act shall take effect July 1, 1945.

Approved July 10, 1945.

No. 499, S.]

[Published July 17, 1945.

#### CHAPTER 447.

AN ACT to amend 29.571 (5) of the statutes, providing for payment of a portion of the income from fur sales to the county and towns within Horicon marsh.

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

29.571 (5) of the statutes is amended to read:

29.571 (5) All proceeds derived from the fur farm on the Horicon marsh and all other income from said state property shall be paid, within one week after receipt, into the conservation

fund of the state treasury. *One-fourth of the income received after July 1, 1944 from the sale of furs taken on state lands in Horicon marsh shall be paid annually to Dodge county.*

*As soon as feasible after August 1 of each year the conservation commission shall certify to the secretary of state the amount due said county under this section for the preceding fiscal year and the amount so certified shall be paid to the county. The county treasurer shall retain one-half of such sum for the county and shall apportion and pay the remainder to the town treasurers on the basis of acreage within the Horicon marsh project owned by the state in each town, as certified to him by the conservation commission.*

Approved July 10, 1945.

No. 506, S.]

[Published July 17, 1945.

#### CHAPTER 448.

AN ACT to renumber 357.26 (2) to be 357.26 (3); to amend 357.26 (section heading), and to create 357.26 (2) of the statutes, relating to court advising defendant charged with felony of right to counsel.

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

SECTION 1. 357.26 (Section heading) of the statutes is changed to read:

RIGHT TO COUNSEL; COUNSEL FOR INDIGENT DEFENDANTS.

SECTION 2. 357.26 (2) of the statutes is renumbered 357.26 (3).

SECTION 3. 357.26 (2) of the statutes is created to read:

357.26 (2) Upon the arraignment, and before plea, of any person charged with a felony he shall be advised by the court of his right to counsel, and a record shall be made of such advice upon the minutes of the court or in a transcript of the proceedings.

Approved July 10, 1945.