

No. 746, A.]

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CHAPTER 486

AN ACT to amend chapter 179, laws of 1951, section 2498a, 2 and 3, relating to calling in a judge or court commissioner in the municipal court of the city and town of Ripon.

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

Chapter 179, laws of 1951, section 2498a, 2 and 3, are amended to read:

(Chapter 179, laws of 1951) Section 2498a. 2. When in case of the sickness, disability, or temporary absence of the said judge from any other cause, there is no judge of the said court available for the hearing of criminal or bastardy cases or examinations or of prosecutions for the violation of the ordinances of the city of Ripon, when they arise in said court, a justice of the peace of said county, resident in the city of Ripon, *a judge of any court of record in the state* or a court commissioner of the circuit court of Fond du Lac county resident therein, to be designated by the clerk of the said court, shall be deemed the acting judge of said court for the purpose of hearing, trying, and determining the said action, or conducting such examination, and for every day so spent by such justice of the peace or court commissioner in the trial of such cases or the conduct of examinations he shall be paid * * * *not to exceed \$25* as compensation, from the county treasury on the certificate of the clerk of said court under direction of the judge.

3. Whenever an affidavit of prejudice shall be filed in said court according to law, the judge thereof may enter an order transmitting the action or proceeding to the circuit court as under present practice, or to any court of record of Fond du Lac county, or he may call in the judge of any such court to try the same in said municipal court, the necessary expenses while in attendance to be certified by the clerk of said court and paid from the county treasury; provided that in all criminal actions and proceedings triable by a justice of the peace under the general law (including examinations and trials in bastardy cases), and in all actions for breach of the ordinances of said city of Ripon, on such affidavit of prejudice being filed, the judge against whom said affidavit is filed, shall enter an order calling in *a judge of any court of record in the state, a court commissioner of Fond du Lac county* or a justice of the peace of said county of Fond du Lac who shall thereupon proceed as acting judge of said court with such trial or examination, receiving the same compensation as above provided for the justice of the peace resident in Ripon when acting as judge of said court.

Approved July 29, 1957.