

CHAPTER 36.

[Published February 26, 1868.]

AN ACT to provide for the appointment of a phonographic reporter for the 9th judicial circuit, and fix his compensation.

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

SECTION 1. The judge of the circuit courts of the 9th judicial circuit is hereby authorized to appoint a phonographic reporter for the circuit courts of Dane and Jefferson counties, to be styled "official reporter of circuit courts of the 9th judicial circuit," who shall be skilled in the practice of his art, and who shall hold his office until removed as hereinafter mentioned: *provided, however,* that the judge shall have power to remove said official reporter on account of incompetency, misbehavior or negligence in the discharge of his duty, the order for the same to be entered upon the record of either of the circuit courts in said circuit, and every vacancy caused by such removal, or by death, resignation or otherwise, to be filled by appointment as in the first instance.

SECTION 2. The said reporter shall be a sworn officer of the court and shall cause the proceedings in each case to be reported unless otherwise specially directed by the judge, and he shall discharge such duties as the judge may direct, and when a transcript of the reporter's notes in any case is desired, the court shall direct the reporter to make a fair transcript of his notes in such case, and when so made such transcript shall be filed in said court among the papers in said cause.

SECTION 3. The phonographic reporter shall be allowed a per diem compensation to be fixed by the court, which shall be audited and certified, and paid in like manner as prescribed by law for the payment of the sheriff and other officers attendant upon the court: *provided,* that said per diem compensation shall not exceed the sum of seven dollars per diem.

SECTION 4. In addition to the above compensation, the reporter shall be allowed as fees a price per folio, to be fixed by the court, for making and furnishing

transcripts of his short hand notes of the testimony or other proceedings of the court in the trial of any action, and the charges for such transcript when made shall be estimated and certified by the said presiding judge, and when so certified shall be forthwith paid under the order of court, by the party on whose behalf the same was ordered, and the amount so paid shall be allowed and taxed as costs in said cause: *provided, however,* that the said transcript when paid for, shall be filed in the said court among the papers in said cause, subject to be used by the respective parties as the court shall direct; *and provided, moreover,* that upon failure to pay said charges under such order of the court, the party or parties so failing may be proceeded against by attachment as in other cases for non-compliance with the orders of the court; *and provided, moreover,* in trials upon indictment the court may order a transcript to be made in cases of conviction, and the charges for the same shall be audited and paid for in the same manner as the reporter's per diem compensation.

SECTION 5. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

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

Approved February 22, 1868.

CHAPTER 37.

[*Published February 26, 1868.*]

AN ACT to amend chapter 362 of the general laws of 1860, entitled
 "an act relating to the Milwaukee county court."

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

ended.

SECTION 1. Section one of chapter three hundred and sixty-two of the general laws of 1860, entitled "an act relating to the the Milwaukee county court," is hereby amended so as to read as follows: Section 1. There is hereby conferred upon the county court of