

SECTION 3. All acts or parts of acts inconsistent with this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved March 3, 1869.

CHAPTER 56.

[Published March 6, 1869.]

AN ACT to authorize the appointment of a phonographic reporter in certain counties of the tenth judicial circuit of the state of Wisconsin.

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

SECTION 1. The judge of the tenth judicial circuit of the state of Wisconsin is hereby authorized and empowered, as he shall deem advisable, to appoint one or more phonographic reporters in said circuit, to act in the counties of Winnebago, Brown and Outagamie or either of them, and such reporter or reporters shall be a resident of said circuit.

Judge of tenth circuit may appoint phonographic reporter.

SECTION 2. Such reporter shall attend each circuit court in said counties when required by the judge thereof, and shall report such matters or proceedings thereof as shall be required by the court.

Reporter to attend in each county where required.

SECTION 3. Such reporter shall receive such compensation for each day's service in the courts of said counties, as shall be fixed from time to time by the judge of said circuit, not to exceed seven dollars per day, for each day's actual attendance upon the court by the order of the judge thereof, which shall be certified to by the judge and audited and paid by the respective counties aforesaid, in like manner as is provided by law for the payment of the sheriff for attending upon the court: *provided*, that only one reporter shall be employed at the same time at the same term of court.

Compensation of reporter.

SECTION 4. Such reporter shall within a reasonable time after demand from any person, furnish a copy (to

shall furnish copies of proceedings.

be written out in full) of any matter or proceedings by him so reported, for which copy he shall be entitled to receive (to be paid in advance if by him required) ten cents per folio.

Shall report in full, and his compensation therefor.

SECTION 5. Such reporter shall take the evidence in full in all cases referred to him by the court, to take the evidence therein, and report the same (written out in full) to the court, and shall receive as a compensation therefor the sum of fifteen cents a folio, to be taxed and paid as any other costs in the suit, the county under no circumstances to be liable therefor.

Shall take official oath.

SECTION 6. Such reporter before entering upon the duties of his office in any county, shall take, subscribe and file with the clerk of the court, an official oath, obligating himself to fairly and accurately report all matters and proceedings of every kind which he shall be required to report, and that whenever he shall furnish a copy thereof as herein required, he will furnish a true, accurate and correct copy thereof, to the best of his ability, and that he will discharge the duties of such reporter at all times honestly, fairly, impartially and to the best of his abilities.

When reporter takes evidence, court need not wait for attorneys to do the same.

SECTION 7. Whenever any such reporter as aforesaid, shall so take the evidence in any case on the trial thereof, the court shall not wait for the attorney or council therein to take the same.

Reporter when required shall furnish copy of preceding day's evidence.

SECTION 8. On the trial of any cause before a jury, such reporter shall at the opening of the court, each morning, furnish, if demand therefor is made at or before the close of court on the day before, a copy, written out in full, of the evidence therein introduced the day before, or of the evidence of any particular witness or witnesses, sworn therein the day before: *provided, however,* that such reporter shall not be compelled to furnish to exceed two copies, one to the plaintiff and the other to the defendant therein, and he shall receive as a compensation therefor, fifteen cents a folio, to be paid in advance, if required.

Judge may remove reporter.

SECTION 9. The judge of said circuit at his discretion, may remove any such reporter. The said judge may fill any vacancy that shall occur by reason of removal or otherwise.

In murder trials reporter to report evidence without compensation.

SECTION 10. It shall be the duty of such reporter without compensation, when he shall report the evidence or testimony on the trial of any person in-

dicted for murder, to report the same in full, and write the same out in full and deliver the same to the clerk of the court in which said trial is had, who shall file the same; and whenever on the trial of a murder case the evidence or testimony shall be so reported, the judge presiding at the trial shall not be required to keep minutes of the evidence or testimony, as required by section four (4), chapter one hundred and eighty two of the revised statutes, entitled "of pardons."

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved March 3, 1869.

CHAPTER 57.

[Published March 5, 1869.]

AN ACT to impose a penalty for prize fighting.

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

SECTION 1. Every person who shall, by previous arrangement or appointment, engage in a fight with another person for the possession of any prize, belt or other evidence of championship or for any other cause, shall be punished by imprisonment in the state prison for a term not exceeding five years nor less than one year, or by fine not exceeding three thousand dollars nor less than one thousand dollars.

Penalty for prize fighting.

SECTION 2. Every person who shall be present at such fight as aid, second or surgeon, or shall encourage, advise or promote such fight, shall be punished by imprisonment in the state prison, for a term not exceeding three years nor less than six months, or by a fine not exceeding one thousand dollars nor less than three hundred dollars.

Persons present and encouraging fight, to be punished.

SECTION 3. Every person being an inhabitant or resident of this state, who shall, by previous arrangement or appointment, made therein, leave this state and engage in a fight with another person without the limits of this state, shall be punished by imprisonment in the

Penalty when persons leave the state to engage in fight.