

pervisors of the said town of Necedah shall file, with the secretary of state, an acceptance of the provisions of this act, and of the terms and limitations herein provided for.

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

Approved March 8, 1878.

[No. 302, A.]

[Published March 12, 1878.]

CHAPTER 115.

AN ACT in addition to and amendatory of chapter three hundred and seventy of the laws of 1876, entitled "An act to amend chapter one hundred and ninety-nine of the private and local laws of 1859, entitled 'An act to establish a municipal court in the city and county of Milwaukee.'"

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

SECTION 1. Section one of chapter three hundred and seventy of the laws of 1876, entitled "An act to amend chapter one hundred and ninety-nine of the private and local laws of 1859, entitled 'An act to establish a municipal court in the city and county of Milwaukee,'" is hereby amended so as to read as follows: Section 1. The clerk of the municipal court in the city and county of Milwaukee shall, on the first Mondays of January, April, July and October, in each year, account to and pay over to the city treasurer of said city, all fines, penalties, forfeitures and moneys, except such as are excepted in section four of this act, pertaining to the city treasury of said city, which may come into his hands by virtue of his office as such clerk; and he shall at the same time and times account to and pay over to the county treasurer of said county, all fines, penalties, forfeitures and moneys pertaining to the county treasury of said county, which may come into his hands in state cases and prosecutions by virtue of his said office; and such clerk shall also on the first Monday of January and July in each year account to and pay over to the city treasurer of said city all witnesses' fees in city cases and prosecutions, and to the county treasurer of said county all witnesses' fees in state cases and prosecutions which shall have come into his hands by virtue of his said office to within six months

Amendment;
duty of clerk.

prior to such semi-annual reports, and which shall not then have been called for or paid over.

Amendment.

SECTION 2. Section two of said chapter three hundred and seventy of the laws of Wisconsin for 1876, is hereby amended so as to read as follows: "Section two of chapter one hundred and ninety-nine of the private and local laws of 1859, entitled an act to establish a municipal court in the city and county of Milwaukee, is hereby amended so that the same shall read as follows: 'Section 2. The qualified electors of the city and county of Milwaukee shall, on the first Tuesday of April, A. D. 1859, and once in every six years thereafter, elect a suitable person to the office of judge of said municipal court, to be called the municipal judge, who shall hold his office for the term of six years and until his successor is duly elected and qualified; said electors shall also elect, at the time and place aforesaid, and once in every three years thereafter, a suitable person to the office of clerk of the municipal court, who shall hold his office for the term of three years, and until his successor is duly elected and qualified; said clerk shall, before he enters upon the duties of his office, take an oath to support the constitution of the United States and of the state of Wisconsin, and to faithfully discharge the duties of his said office, and file the same in the office of the city clerk; and shall also execute to the city of Milwaukee a penal bond in such sum and with such sureties as the common council of said city shall direct, and to be by said common council approved, conditioned that he shall account to and pay over to the city treasurer of said city all fines, penalties, forfeitures and moneys, except in the cases provided for in section four of this act, pertaining to the city treasurer of said city, which may come into his hands in virtue of his office as clerk, on or before the first Mondays of January, April, July and October in each year, and that he shall also on the first Mondays of January and July in each year account to and pay over to the city treasurer of said city, all witnesses' fees in city cases and prosecutions, except in the cases provided for in section four of this act, which shall have come into his hands by virtue of his office as such clerk to within six months prior to such semi-annual reports, and shall not have been called for or paid over; and shall also execute to the county board of supervisors of the county of Milwaukee a separate penal bond in such sum and with such sureties as the said county board of supervisors shall direct, and to be by

Municipal
judge—time of
election and
term of office.

said county board approved, conditioned that he shall account to and pay over to the county treasurer of said county all fines, penalties, forfeitures and moneys pertaining to the county treasurer of said county, including the fines, penalties, forfeitures, and moneys provided for in section four of this act, which may come into his hands by virtue of his office as clerk, on or before the first Mondays of January, April, July and October, in each year, and that he shall also on the first Mondays of January and July, in each year, account to and pay over to the county treasurer of said county all witnesses' fees in state cases and prosecutions, and in the cases provided for in section four of this act, which shall have come into his hands by virtue of his office as such clerk, to within six months prior to such semi-annual reports, and shall not have been called for or paid over.

SECTION 3. Section three of said chapter three hundred and seventy is hereby amended so as to read as follows: "Section 3. All witnesses fees which shall be paid to the city treasurer, or to the county treasurer, by the clerk of the municipal court, shall be drawn out of the city treasury or county treasury, as the case may be, upon the certificate of the clerk of the municipal court, specifying the name of the person entitled to such witness fees, the amount due to him therefor, and the title of the cause in which he appeared as a witness.

Fees to be drawn upon certificate of clerk.

SECTION 4. All fines and costs imposed in and by the municipal court in the city and county of Milwaukee, for the violation of any ordinance of said city, which shall be paid or collected after the commitment of any person to the custody of the inspector of the house of correction for the violation of any such ordinance, shall be paid to, and collected by, the clerk of said court, and the same, except the witnesses' fees included in such costs, shall also be by him accounted to, and paid over to, the county treasurer of said county, at the time and times of his making his quarterly reports to the said county treasurer, as provided in section one of this act; and the witnesses' fees included in such costs shall also be by him accounted to and paid over to such county treasurer, at the same time and in the same manner in all respects, as he is required in sections one and two of this act, to account for and pay over witnesses' fees, to said county treasurer.

Fines and costs to be paid to clerk.

SECTION 5. It is hereby made the duty of said clerk to execute within thirty days from the date of the

Clerk to furnish bond.

passage and publication of this act, to the city of Milwaukee and to the county board of supervisors of the county of Milwaukee, the bonds respectively provided for in section two of this act, and to cause the same to be approved as provided for in said section; and upon the execution and approval of such bonds as so provided, the liability of said clerk and of his sureties upon his present official bond, shall terminate, and the said last mentioned bond be thenceforth discharged, save on account of liabilities thereon accruing to the date of such discharge thereof, or which may thereafter occur on account of misapplication of, or neglect or failure to account for fines, penalties, forfeitures, fees or other moneys which may have come into his hands previous to the time of such discharge of such bond.

SECTION 6. All acts and parts of acts so far as they conflict with the provisions of this act are hereby repealed. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1878.

[No. 25, S.]

[Published March 12, 1878.]

CHAPTER 116.

AN ACT to amend section two of chapter one hundred and sixty-eight of laws of Wisconsin of 1873, entitled "An act to provide for finishing the state capitol, protecting the same against fire, for the improvement of the capitol park, and appropriating money to pay for the same."

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

Water works;
authority of
governor.

SECTION 1. In order to enable the governor to carry out the object and purposes of chapter one hundred and sixty-eight of the laws of Wisconsin of 1873, section two of said chapter one hundred and sixty-eight is hereby amended so as to read as follows: In order to protect the state capitol and the property and records of the state, in case of fire, and to have a sufficient supply of water for use in and about the capital and grounds in the park, the governor is hereby authorized and directed to extend the waterpipe from the reservoir and water connections in the university grounds to the state capitol, and to arrange for the use of the water in the building and park, according to the wants of the state; *provided*, that the sum to be expended