

[No. 127, S.]

[Published March 9, 1880.]

CHAPTER 117.

AN ACT to amend section six hundred and eighty of the revised statutes, 1878, relating to claims against counties.

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

SECTION 1. Section six hundred and eighty of the revised statutes is hereby amended so as to read as follows: Section 680. Whenever any county shall be liable for the fees of officers, jurors, witnesses, or interpreters in any action or proceeding before a justice of the peace, court commissioner or county judge, such fees shall be certified and allowed and paid by the county board in the manner following, and in no other way: At least ten days before the annual meeting of the county board, every justice of the peace, county judge and court commissioner shall make and file with the county clerk a certified statement of all actions or proceedings had or tried before him, in which the state was a party, and wherein the county has become liable for the fees of officers, jurors, witnesses or interpreters, within the year next preceding the date of such statement, showing the title and nature of the action or examination, date of trial, the names of all officers and jurors, and of all witnesses or interpreters on the part of the state, who actually attended court, and gave in a statement of their attendance and travel; and also such on the part of the defendant as were allowed against the county, and the amount to which they are severally entitled. Such statement shall be substantially in the following form, viz:

Fees to be allowed and paid by county board.

Duty of justices of the peace and court commissioners.

State of Wisconsin, against ———.

Form of statement.

In justice court. Before ———, justice of the peace.

Complaint for ———. Heard the ——— day of ———, 18—.

To the county board of ——— county:

I hereby certify that in the foregoing entitled action, the following named persons rendered services therein, and attended before me in the capacity stated, and that they are severally entitled to the amounts specified below for said services, attendance and travel, and that said services were actually and necessarily rendered, and said action prosecuted in good faith:

A. B., interpreter, ——— miles travel, ——— days attendance, amount, \$——. C. D., juror, ——— miles

travel, — days attendance, amount, \$ ——. E. F., witness on behalf of the state, — miles travel, — days attendance, amount, \$ ——. G. H., witness allowed to defendant, — miles travel, — days attendance, amount, \$ ——. I. J. (constable or sheriff), actually and necessarily traveled in serving the — herein, — miles, and attended court — days, and is entitled to — dollars for other just and lawful services in the cause, and in all is entitled to \$ —.

Dated this — day of —, 18—.

When fees not collectable.

Provided, that in no criminal action, proceeding or examination, before any court or officer, when the defendant escapes pursuit, shall any fees be recovered from the county by any constable or sheriff, except when such escape is without the fault, connivance or negligence of such constable or sheriff, and the district attorney shall certify such pursuit was necessary and proper, and then only such sum, or sums, as the county board may in its discretion allow as a fair compensation for the time and necessary expenses incurred in such pursuit. Such statement shall be laid before the county board by said clerk, and shall be prima facie evidence of the claims of the persons named; and the county board shall audit such claims and direct orders to be drawn therefor. And if any person in whose favor any such order is drawn shall not call for the same within two years from the time the county board audited his account, he shall be deemed to have waived his right to any compensation for his services, and the county board shall cancel such order.

Duty of county clerk.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1880.

[No. 129, S.]

[Published March 9, 1880.]

CHAPTER 118.

AN ACT to amend chapter twenty-two of the revised statutes of 1878, entitled "of the distribution of public documents."

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

Libraries entitled to public documents.

SECTION 1. Section three hundred and fifty-one of the revised statutes is hereby amended by inserting after the word "volumes," in the fourth line thereof, the words: "And to every established public library containing one thousand volumes or more," so that said section will read as follows: There shall be delivered