

No. 238, A.]

[Published April 6, 1899.

CHAPTER 117.

AN ACT to amend chapter 72 laws of 1897 entitled "An act to establish a municipal court at the city of Racine in and for the county of Racine."

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

Jurisdiction
of court in
criminal
actions.

SECTION 1. Section 3 of chapter 72 of the laws of 1897 is hereby amended so that said section when amended shall read as follows: Section 3. The municipal court of Racine county shall have and exercise powers and jurisdiction concurrent with and equal to the circuit court of Racine county in bastardy cases and in all cases of crimes and misdemeanors arising in said county, except charges of murder, manslaughter and homicide.

Jurisdiction
of court in
civil actions.

SECTION 2. Section 4 of chapter 72 of the laws of 1897 is hereby amended to read as follows: Section 4. Said municipal court shall have and exercise powers and jurisdiction in all civil actions and special proceedings within the county of Racine in law and equity, concurrent with, and equal to the jurisdiction of the circuit court for Racine county, where the value of the property in controversy, or the amount of money claimed or sought to be recovered, after deducting all payments and set-offs, shall not exceed five thousand dollars, and also of all actions for the foreclosure of mortgages, and mechanic's liens, in which the amount claimed does not exceed the sum aforesaid, although the value of the property to be affected exceed that sum.

SECTION 3. After section 5 of chapter 72 of the laws of 1897 insert a new section to be known as section 5a and to read as follows: Section

5a. All judgments in civil actions, except such as would otherwise be cognizable by justices of the peace, rendered in said municipal court and docketed, as prescribed by law, in the office of the clerk of said court, shall for a period expiring ten years from the date of the rendition thereof, be a lien upon the real property in said county of Racine except the homestead mentioned in section 2983 of the revised statutes of Wisconsin, of every person against whom such judgment shall be rendered and docketed, and which he may have at the time of docketing thereof in said county of Racine or which he shall acquire at any time thereafter within said period of ten years. Such judgments shall have the same force and effect and be subject to the same limitations as judgments of the circuit court and said judgments shall be enforced and executions thereon be issued from said municipal court in the same manner and with the same force and effect as judgments and executions of and from the circuit court of Racine county.

Judgments of court in civil actions, when a lien on real property.

SECTION 4. Section 7 of chapter 72 of the laws of 1897 is hereby amended to read as follows: Section 7. All examinations, recognizances and commitments from or by examining magistrates of said county of Racine, in bastardy cases, and in all criminal cases except charges of murder, manslaughter and homicide, shall be certified and returned to such municipal court instead of to the circuit court for said county of Racine, within the time prescribed by law, and the attendance of witnesses required upon the trial of any person so committed shall be secured in the same manner as provided by law in the circuit court, and all such cases shall thereafter be proceeded with and tried in said municipal court, as provided by law in similar cases in circuit courts.

Examinations, etc., returnable to municipal court. Attendance of witnesses, how required.

SECTION 5. Section 10 of chapter 72 of the laws of 1897 is hereby amended to read as follows: Section 10. The provisions of law applicable to change of venue in the circuit courts of this state, shall be applicable to said munic-

Change of venue, how made.

ipal court, except that when the venue of any action shall be so changed, it shall be changed to the circuit court of Racine county, and such change of venue shall not prevent the granting by said circuit court of a further change of venue as provided in section 2622 of the revised statutes of this state, provided, however, that nothing herein contained shall be construed as abrogating the right to the change of venue provided for by section 2621 of the revised statutes of this state and when such change of venue shall be made it shall be by said municipal court direct to the proper county for the trial of the action, and provided further that section 2625 of the revised statutes of this state so far as applicable shall apply to said municipal court and that the judge thereof shall have the right to call upon a circuit judge to attend, hold court and try such action and while so doing he shall have the same powers as if elected judge of said municipal court. If any person charged upon indictment or information with a criminal offense shall have procured a change of venue to the circuit court of Racine county, said municipal court shall commit or hold the party to bail to appear at the next term of the circuit court, and the clerk of said municipal court shall transmit all papers and a copy of the record and proceedings in said case properly certified to be such under the seal of said court, to the said circuit court, which shall then have full jurisdiction of the action. All recognizances previously given in such cases and returned to said municipal court, may be enforced by said circuit court as fully as if they had been originally certified and returned thereto.

Drawing of jury, by clerk eliminated.

SECTION 6. Section 13 of chapter 72 of the laws of 1897 is hereby amended by striking out the following sentence: "He shall, in the presence of the sheriff of said county, draw the grand and petit juries for said court in the same manner and upon the notice required by law for the drawing of such juries in circuit courts, except as hereinafter provided."

SECTION 7. Section 17 of chapter 72 of the laws of 1897 is hereby amended by striking out the last sentence thereof as follows: "In all criminal cases in which information shall have been filed in said court and in all civil cases now triable by jury in said municipal court, in which, at or before the time of filing the notice of trial, either party shall have filed a written demand for a jury, the clerk of said court, in the presence of the judge, at least six days before said term, shall draw from the list of persons, as hereinafter provided, to serve as jurors therein, twenty-four jurors for such term, and shall issue a venire to the sheriff of Racine county to summon them as such."

Drawing of jury by clerk, in criminal cases, eliminated.

SECTION 8. Section 18 of chapter 72 of the laws of 1897 is hereby repealed.

SECTION 9. After section 18 of chapter 72 of the laws of 1897 insert a new section to be known as section 18a. Section 18a. To carry out its jurisdiction the said municipal court shall have all the powers of circuit courts and shall have full power and authority to issue all legal process, proper and necessary to carry into effect the jurisdiction given by law, within the limitations prescribed by said chapter 72 and the amendments thereto.

Power of municipal court to maintain jurisdiction.

SECTION 10. After section 18 of chapter 72 of the laws of 1897, insert a new section to be known as section 18b. Section 18b. All judgments, orders and decrees made and entered in by said municipal court in all actions and proceedings not heretofore cognizable by justices of the peace, shall have the same force, effect and lien, and be executed and carried into effect and enforced, as judgments, orders and decrees made and entered in the circuit court, and all the remedies given, and proceedings provided for the collection and enforcement of the judgments, orders and decrees of the circuit court, shall apply to and be exercised by said municipal court.

Certain judgments, etc., to be executed as those in circuit court.

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

Approved April 1, 1899.