

diction to hear, try and determine all charges for misdemeanors arising within said county otherwise triable before a justice of the peace, and in addition thereto said district court shall also have jurisdiction to hear, try and determine all charges for offenses arising within said county of Milwaukee, the punishment whereof does not exceed one year's imprisonment in the state prison or county jail, or a fine not exceeding five hundred dollars, or by both such fine and imprisonment; said court shall also have authority and jurisdiction to issue warrants for the apprehension of persons charged with the commission of offenses in said county of Milwaukee and not triable before a justice of the peace of said county; and exclusive jurisdiction to examine said alleged offenders and commit or hold them to bail, the same as a justice of the peace might otherwise do. Said district court shall in no event have or exercise jurisdiction in bastardy proceedings. Nothing herein contained shall be construed to deprive any justice of the peace of any town, or any city or village justice in any incorporated city or village in Milwaukee county, except only the city of Milwaukee, of jurisdiction to hear, try and determine complaints for the violation of any ordinance of any such town, city or village.

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

Approved May 21, 1903.

No. 206, A.]

[Published May 26, 1903.]

CHAPTER 389.

AN ACT, to amend chapter 24 of the laws of 1895, entitled "An act to establish a municipal court, in and for the city of Oshkosh and the county of Winnebago."

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

SECTION 1. Section 1 of chapter 24 of the laws of 1895, is hereby amended by inserting between the words "cases" and "but," in the twenty-fifth line of said section the words "or vio-

lations of the ordinances and by-laws of the city of Oshkosh," so that said section when so amended shall read as follows:

Municipal court established. SECTION 1. A municipal court for the city of Oshkosh and county of Winnebago, is hereby established, under the name of municipal court for the city of Oshkosh and county of Winnebago; said court shall be a court of record; and have a clerk and seal with suitable device to be procured under the direction of the judge of said court, at the expense of the city of Oshkosh; said court may exercise powers and jurisdiction equal and concurrent with the circuit court of Winnebago county in all cases of crimes and misdemeanors arising in said county, except murder, and except where the persons accused shall demand, in writing, as herein provided, to be tried in said circuit court; such jurisdiction shall include the right to try and determine all appeals to such court, in criminal cases, from justices of the peace in said county, and the party appealing may, at his option, appeal to the county court of said county, or to said municipal court, or the municipal court of Neenah and Menasha. No justice of the peace or court commissioner, within said city shall exercise any jurisdiction in criminal or bastardy cases, "or violations of the ordinances or by-laws of the city of Oshkosh," but all such jurisdiction is vested in the judge of said court; and all examinations, recognizances and commitments from said judge and the other justices of the peace of said county, in criminal cases (except murder), and in bastardy cases, shall be certified and returned to said municipal court or the municipal court of Neenah and Menasha, instead of said circuit court, at or before the time fixed for the appearance of the accused; and the accused and all witnesses required to attend shall be committed to be brought or recognized to appear before said municipal court or such other court as they may be held to, on a day certain, not more than thirty days from the date of such commitment or recognizance; the judgment of said municipal court in criminal cases, tried upon information or upon appeal, may be review by the supreme court in the same manner as like judgment of the circuit court may be, and all judgments originally rendered by said court, or the judge thereof, in criminal cases of which justices of the peace have jurisdiction, may be appealed to and tried by the county court in the same manner as like judgments rendered by justices of the peace.

Salary of judge and of clerk, how paid. SECTION 2. Section nine of chapter 24 of the laws of 1895 is hereby amended by

inserting after the word "clerk" in the fifteenth line of said section nine the words "provided, however, that the county board shall have authority at any regular meeting thereof to increase the salary of the said clerk."

Section 9. The salary of the judge of said municipal court shall be the sum of two thousand four hundred dollars per annum, which shall be in full for all services rendered by said judge, to be paid as follows: Two-thirds of the same to be paid out of the county treasury of Winnebago county, and one-third to be paid out of the treasury of the city of Oshkosh, to be paid quarter-yearly, at the end of each quarter, out of said county and city treasuries, respectively. The salary of the clerk of said municipal court shall be one thousand dollars, to be paid in (the) same manner as the judge of said court is paid, and shall be in full for all services rendered by said clerk. Provided, however, that the county board, shall have authority at any regular meeting thereof to increase the salary of the said clerk. The said judge is authorized to tax and collect fees as follows: For all services rendered by him in civil and criminal actions, when exercising the powers of a justice of the peace, the fees allowed to justices of the peace, except as hereinafter provided; for hearing and deciding any motion, fifty cents; for issuing each venire, fifty cents; for making and recording all necessary orders, fifty cents each; for receiving and recording verdict of jury, fifty cents; taking and approving bail, fifty cents; each commitment, fifty cents; drawing jury in every case, fifty cents; for services of clerk, one dollar in each criminal case, and fifty cents in each civil case, and the same shall be paid as other costs in criminal cases are paid, and the said judge or clerk, shall pay the same into the county and city treasuries, to apply on the salary of said judge, as follows: all costs imposed and collected in criminal cases, arising under the laws of the state, shall be paid into the county treasury, and all costs imposed and collected in cases arising under the charter and ordinances of said city, shall be paid into the city treasury, and all costs collected in civil actions shall be paid as follows: two-thirds of the same into the county treasury of Winnebago county, and one-third into the treasury of the city of Oshkosh. The clerk of said court shall keep an accurate statement of all such costs thus collected and file the same in the county clerk's office, at the end of each month, under his hand and the seal of said court, and shall at the same time, pay over all such moneys as provided for in this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 21, 1903.

No. 99, A.]

[Published May 26, 1903.

CHAPTER 390.

AN ACT, amendatory of section 2858 of the statutes of 1898, relating to special verdicts.

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

Special verdict. SECTION 1. Section 2858 of the statutes of 1898, is amended by striking out the words "at or before the close of the testimony and before any argument to the jury is made or waived" where said words appear in lines 2 and 3 of said section 2858 and inserting in lieu thereof the words "before the introduction of any testimony in his behalf," so that said section when so amended shall be and read as follows: "Section 2858. The court, in its discretion, may, and when either party, before the introduction of any testimony in his behalf, shall so request, the court shall direct the jury to find a special verdict. Such verdict shall be prepared by the court in the form of questions, in writing, relating only to material issues of fact and admitting a direct answer, to which the jury shall make answer in writing. The court may also direct the jury, if they render a general verdict, to find in writing upon any particular questions of fact, to be stated as aforesaid. In every action for the recovery of money only or specific real property the jury may, in their discretion, when not otherwise directed by the court, render a general or a special verdict."

Conflicting laws repealed. SECTION 2. All acts or parts of acts contravening or in any manner conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 21, 1903.