

within five miles of any military or naval academy which the federal government recognizes by detailing thereto an army and naval officer as instructor, which may hereafter be located in this state; provided, however, that such prohibited area shall not include any territory for which such license was in force on the first day of July, 1910, nor include any territory where any such license is in force at the time of the location of such academy therein.

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

Approved May 12, 1911.

No. 832, A.]

[Published May 13, 1911.]

CHAPTER 148.

AN ACT to amend section 482 of the statutes, relating to the quantity of land in schoolhouse site.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 482 of the statutes is amended to read: Section 482. No schoolhouse site shall contain more than * * * four acres unless with the consent of the owner of the land taken therefor. All land so taken against the will of the owner, when it shall cease to be used as a schoolhouse site or addition, shall revert to the original owner, his heirs or assigns; and no land shall be so taken that may not be taken for highway purposes without the consent of the owner thereof.

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

Approved May 12, 1911.

No. 887, A.]

[Published May 13, 1911.]

CHAPTER 149.

AN ACT to amend section 3, of chapter 197, laws of 1881, as amended by chapter 315, of the laws of 1891, relating to the municipal court in Rock county.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 3, of chapter 197, laws of 1881, as amended by chapter 315, laws of 1891, is amended to read: Section 3. The municipal judge of said court, in addition to the powers vested in the municipal court as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace in said county, in criminal actions and proceedings, and jurisdiction of all prose-

ctions for the breach of any ordinance or by-law of the city of Janesville; and, also, with all the powers and jurisdiction of justices of the peace in said county, in civil actions and proceedings; and, also, power to hear and determine any such case, although the title to land may come in question therein, and said municipal court, and the judge thereof, shall have power and jurisdiction, concurrent with the circuit court of Rock county, of all classes of actions and proceedings now cognizable by or before justices of the peace in said county, where the value of the property in controversy, or the amount of money claimed or sought to be recovered, after deducting all claims and set-offs, shall not exceed * * * *one thousand* dollars, and to exercise such jurisdiction, shall hold the municipal court as courts are held by justices of the peace.

The general provisions of law, relative to civil and criminal actions before justices of the peace, shall apply to said municipal court so far as applicable, and shall so apply when the value of the property in controversy, or the amount of money or damages claimed or sought to be recovered, exceeds two hundred dollars, except that no change of venue shall be taken from said court in any criminal or bastardy examination, or criminal trial, except cases tried on information as hereinbefore provided; and when in civil cases, a change of venue shall be taken, if the amount in controversy exceeds the sum of two hundred dollars, or the title to land shall come in question, the papers in such case shall be certified and returned to the circuit court for Rock county, and if the party seeking such change of venue shall desire to interpose the plea of title to land, he shall file his answer, setting up such title, before making such application for such change of venue; and in cases taken from said municipal court to justices' courts, on change of venue, no answer or plea of title to land shall be received or considered by such justice, and when a change of venue shall be taken where the amount in controversy shall be two hundred dollars or less, the papers in such case shall be certified and returned to the nearest justice of the peace, who shall be qualified to try the same, who shall proceed to hear, try and determine the same. Appeals in cases removed from the municipal court shall be taken to the circuit court of Rock county, instead of to said municipal court.

Whenever in any case commenced in any of the justice or police courts of said county, a plea of title to land shall be interposed in such a manner as to entitle the defendant to have such case removed, the same shall be certified to said municipal court instead of the circuit court, in same manner as such cases are now required to be certified to the circuit court, and said municipi-

pal court shall have power and authority to hear, try and determine the same in the same manner as cases brought to said court on appeal. Provided, that if, at the time of interposing such plea of title, the person interposing the same, shall request, in writing, that the papers in said action be certified and returned to the circuit court for Rock county, such papers shall be thereupon certified and returned to said circuit court, instead of to said municipal court, and the said circuit court shall thereupon hear, try and determine the same.

The city marshal of the city of Janesville, constables of said county, and other officers having the same power and authority as constables of said county, shall be officers of said court, with the same powers and duties as now conferred upon them by the laws of this state in reference to justice or police courts, in cases where said court, or the judge thereof, exercises original jurisdiction in civil actions, and in all criminal cases and examinations, including examinations in bastardy cases, except appeal cases and cases when informations have been filed; and such officers shall receive the same fees for such services as they would by law be entitled to receive, for like services in justice's court. Appeals from judgment rendered in said court in civil and criminal actions originally commenced in said court, except cases commenced by information and bastardy cases, may be taken to the circuit court in the same manner as appeals from justices of the peace and police justices in similar actions.

The judge of said court shall open court each morning, Sundays and legal holidays excepted, and hear and dispose of, in a summary way, all cases for the violation of the by-laws and ordinances of said city as shall be brought before him by police officers or otherwise, either with or without process. Proceedings in such cases shall be in the forms heretofore used in the police court of said city, except as modified by said judge, and the city attorney shall be the prosecuting officer in all such cases. All provisions in the charter and ordinances of the city of Janesville relating to the police court or to criminal prosecutions, shall be held applicable to said municipal court. The judge of said court shall have the same power to solemnize marriages, take acknowledgments and depositions, and to administer oaths, as a justice of the peace, and shall receive the same fees therefor. The judge of said court may, in his discretion, summon witnesses before him, and examine them on oath, for the purpose of determining whether a warrant ought to issue, and witnesses so summoned shall be compelled to attend before him and answer all pertinent questions relative to the subject or inquiry, and

shall be subject to punishment for contempt for refusal to attend or answer.

SECTION 2. Actions of attachment originally commenced in said court shall follow the procedure used in justice courts.

SECTION 3. Chapter 101, laws of 1882, and chapter 350, laws of 1905, amending said chapter 197, of the laws of 1881, are hereby repealed.

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

Approved May 12, 1911.

No. 921, A.]

[Published May 13, 1911.

CHAPTER 150.

AN ACT to amend subsection 3, of section 1797—8, of the statutes, permitting land agents to obtain reduced rates on railroads.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection 3, of section 1797—8, of the statutes, is amended to read: (Section 1897—8.) 3. This act shall not be construed as preventing railroad companies from giving free transportation or reduced rates therefor to * * * *persons* actually engaged for more than one-half of their time each year in the business of * * * *selling unimproved land within the state to settlers*. No transportation hereunder shall be delivered to or used by any such * * * *person* until the railroad commission upon application of such * * * *person* and after such investigation as it may deem necessary, shall have determined that such applicant is * * * *actually engaged in such business* within the letter and spirit of this provision, and shall have issued to such applicant a certificate to that effect. On or before the tenth day of each month every * * * *person* holding a certificate hereunder shall report to the commission the miles traveled upon the railroads of the state under the provisions hereof during the preceding calendar month.

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

Approved May 12, 1911.