

No. 482, S.]

[Published June 14, 1915.

CHAPTER 223.

AN ACT to amend section 1324 of the statutes, relating to penalty for fast driving on toll bridges.

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

SECTION 1. Section 1324 of the statutes is amended to read: Section 1324. The owner of any bridge of like span, kept and maintained wholly for public use free of toll, *or for the use of which toll is charged*, shall have the same authority to put up notices thereon and fix therein like penalties for driving or riding faster than a walk thereon, and may sue in his own name and for his own use for any forfeiture incurred by any person violating such notice.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 10, 1915.

No. 496, S.]

[Published June 14, 1915.

CHAPTER 224.

AN ACT to amend section 3 of chapter 396 of the laws of 1903 as amended by section 1 of chapter 184 of the laws of 1913 and section 11 of chapter 396 of the laws of 1903 as amended by section 2 of chapter 153 of the laws of 1905, as amended by section 6 of chapter 184 of the laws of 1913, relating to the municipal court of Brown county and the city of Green Bay.

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

SECTION 1. Section 3 of chapter 396 of the laws of 1903 as amended by section 1 of chapter 184 of the laws of 1913 is amended to read: (Chapter 396, laws of 1903). Section 3. No person shall be eligible to the office of judge of the municipal court unless he be a practicing attorney, duly admitted to the bar of Brown county, and said judge shall hold no other county office during the term for which he is elected or appointed. Said judge may, by an order in writing to be filed in said court, appoint the county judge thereof to discharge the duties of such judge during his absence, sickness, or other temporary disability. The appointee shall have all the powers of such judge while administering such office. The order appointing any such county judge may be revoked by said municipal judge at any time. Said municipal judge shall have the right to call upon

the circuit judge *or county judge* for Brown county to attend, hold court, and try any action in said municipal court, and while so doing, said circuit *or county* judge shall have the same powers as if elected judge of said municipal court, *and at such times shall sign all papers, processes and records as "B.B., Acting Municipal Judge."*

SECTION 2. Section 11 of chapter 396 of the laws of 1963, as amended by section 2 of chapter 153 of the laws of 1905 as amended by section 6 of chapter 184 of the laws of 1913, is amended to read: (Chapter 396, laws of 1903). Section 11. The municipal judge shall be the chief magistrate of the city of Green Bay, and possessed of all the powers of a justice of the peace in civil and criminal cases and in city prosecutions he shall see that the criminal laws of the state and the ordinances, laws, rules, regulations, resolutions, and by-laws of the city of Green Bay be observed and executed, and for that purpose, shall open court every morning (Sundays and legal holidays excepted), and proceed to hear and dispose of, in a summary manner, all cases which shall be brought before him by the police officers of the city, or otherwise, either with or without process for violation of the criminal laws of the state, committed in the county of Brown, or the ordinances and by-laws of the city of Green Bay. In all actions or prosecutions for violations of the city ordinances or by-laws the city attorney shall prosecute. 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; provided that said municipal court shall have full power and authority to try and determine the question of title to realty in all cases when the question of title is raised; except that no change of venue shall be taken from said court in any civil case originally commenced in said court of which a justice court would have jurisdiction or in any criminal or bastardy examination, or criminal trial, except cases tried upon information as hereinbefore provided. * * *

In all cases of which a justice court would not have jurisdiction, wherein it shall be made to appear by affidavit that the municipal judge is pecuniarily interested in the action, a material witness or is within the forbidden degrees of consanguinity or where, from prejudice or other cause, such affidavit states that said judge will not impartially decide in the matter, a municipal judge shall call in the county judge to try said action. That upon receiving notice of such demand from the municipal judge, the county judge shall proceed forthwith, or as soon thereafter as a hearing can be had, to hear, try and determine said action.

That if at the time of receiving said notice the county judge is occupied in the trial of an action or proceeding in county court, then such action in municipal court shall be held open or adjourned until such time as it can be heard by the county judge. That when the county judge is so called in, he shall have all the powers of the municipal judge, and shall receive as compensation while acting as such municipal judge the sum of ten dollars per day in addition to his salary as county judge, which payment shall be made in the same manner as the salary of the municipal judge. In all actions brought in said municipal court, where an attachment shall be issued upon an affidavit made by or on behalf of the plaintiff, and the debt or demand mentioned in such affidavit exceeds the sum of two hundred dollars, such attachment shall be issued in the manner provided in chapter 124 of the statutes entitled, "of attachment," and all the provisions of said chapter 124 shall be applicable to any such attachment in said court. In all actions of replevin in said court, wherein the value of the property shall exceed two hundred dollars, all the provisions of chapter 123 of the statutes shall be applicable. 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 manner as to entitle the defendant to a removal of such case, the same shall be certified to said municipal court instead of the circuit court, in the same manner as such cases are now required to be certified to the circuit court; and said municipal court shall have full power and authority to hear, try and determine the same in the same manner as cases brought to said court on appeal. The city marshal of the city of Green Bay, 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 are or shall be conferred upon them by the laws of this state in reference to justice or police courts, in cases wherein said court or the judge thereof exercises original jurisdiction in civil actions, and all criminal cases and examinations, including examinations in bastardy cases, except appeal cases and cases in which informations have been filed; and such officers shall receive the same fees for such service as if performed in justices' court. All provisions in the charter and ordinances of said city relating to the police court or justice courts, 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 administer oaths, as a justice of the peace, or circuit court commissioner, and shall

receive like fees * * * *therefor*. The judge of said municipal court may, in his discretion, summon witnesses before him and examine them on oath for the purpose of determining whether a warrant should be issued, and witnesses so summoned shall be compelled to attend before him and answer all pertinent questions relative to the subject of inquiry, and shall be subject to punishment for contempt for refusal to attend and answer.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 10, 1915.

No. 505, S.]

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CHAPTER 225.

AN ACT to repeal subsections 11 and 12 of section 1668 of the statutes, and to create a new subsection of section 16.8 of the statutes to be numbered 11, relating to standard containers for fruits and vegetables.

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

SECTION 1. Subsections 11 and 12 of section 1668 of the statutes are repealed.

SECTION 2. There is added to section 1668 of the statutes a new subsection to be numbered and to read: 11. All sales of fresh fruits or vegetables in containers of less than one bushel dry capacity measure shall be in containers of the standard capacity of one quart, two quarts, three quarts, four quarts, five quarts, six quarts, eight quarts, sixteen quarts or twenty-four quarts standard dry measure, and such receptacles shall in fact contain the full capacity of such fresh fruits or vegetables, or if in other than standard containers such receptacles for fresh fruits or vegetables shall be plainly and conspicuously marked to indicate the true net weight, measure or numerical count of such fruits or vegetables.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 10, 1915.