

No. 440, S.]

[Published July 2, 1949.

CHAPTER 383.

AN ACT to amend chapter 549, laws of 1909, section 12 (7) and section 23 (1) as amended by chapter 425, laws of 1911, chapter 320, laws of 1913, chapter 747, laws of 1913, chapter 594, laws of 1917, chapter 580, laws of 1919 and chapter 264, laws of 1947, relating to fees of the civil court of Milwaukee county and to sheriffs.

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

SECTION 1. Chapter 549, laws of 1909, section 12 (7) is amended to read:

(Chapter 549, Laws of 1909) Section 12 (7). For all other services, the same fees as are now allowed by law to * * * sheriffs * * * pursuant to section 59.28 of the statutes.

SECTION 2. Chapter 549, laws of 1909, as amended by chapter 425, laws of 1911, chapter 320, laws of 1913, chapter 747, laws of 1913, chapter 594, laws of 1917, chapter 580, laws of 1919, and chapter 264, laws of 1947, is amended to read:

(Chapter 549, Laws of 1909) Section 23 (1). There shall be paid to the clerk or deputy clerks of said civil court the following sums only as court fees in a civil action:

upon the issuing of a summons or warrant, * * * \$1.50, provided that the fee for a small claim summons shall be 50 cents, and upon the issuing of an unlawful detainer summons \$2; for the trial of an action if issue is joined, and the amount is \$25 or less, \$1; where the amount claimed is more than \$25 but does not exceed \$200, \$2.50; and \$5 where the amount claimed or involved is more than \$200, and in unlawful detainer actions \$1; the foregoing to be paid by the plaintiff in such action; for each transcript, execution, or certificate issued by the clerk or deputy clerk, 25 cents; for making a return upon an appeal from a judgment or order, \$2, and in addition thereto shall be paid by the appellant before the return is filed with the clerk of the circuit court 15 cents for each folio of 100 words in such return and 5 cents per folio for copies of such return; except that when the appellant is the state or any political subdivision thereof, the charge shall be 7 cents for each folio of 100 words in such return. Said per folio charges, in any return made after the passage and publication of this act, shall belong to the phonographic reporter who shall report and transcribe the testimony contained therein and any fees paid to the clerk therefor shall be by him paid to said phonographic reporter immediately upon delivery to him of said transcripts of testimony. Provided, that if the fees on appeal, including an amount sufficient to pay for 50 per cent of the folios contained in the return, as estimated by the clerk upon request of the appellant, be not paid within 20 days from the date of the entry of judgment, the appeal shall be deemed dismissed.

Approved June 27, 1949.
