

## CHAPTER 145.

[Published March 15, 1876.]

AN ACT to authorize the city of La Crosse to build and maintain a bridge across the Mississippi river.

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

SECTION 1. The city of La Crosse, of this state, is hereby authorized to build and maintain a bridge across the Mississippi river, from any point within the city of La Crosse, on the east bank of the Mississippi river to any point opposite said city, and the west bank of said river, which may be designated or authorized by the legislature of the State of Minnesota. The said city of La Crosse is hereby authorized and empowered to assign to any individual or corporation, the powers and privileges conferred by this act; *provided*, that such bridge shall be located and built in conformity to the acts of congress in relation to bridges across the Mississippi river, now or hereafter in force.

Authority to build bridge.

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

Approved March 7, 1876.

## CHAPTER 146.

[Published March 29, 1876.]

AN ACT to establish a municipal court in the city of Wausau, and county of Marathon.

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

SECTION 1. There is hereby established in the city of Wausau and county of Marathon, a municipal court, for the transaction of all business that may lawfully come before it. And for that purpose the city of Wausau and county of Marathon is hereby declared a municipality. The qualified electors of the city of Wausau and county of Marathon shall on the first Tuesday of April, A. D. 1876, and once in

Municipal court established.

every two years thereafter, elect a suitable person to the office of judge of said municipal court, to be called the municipal judge, who shall hold his office for the term of two years, and until his successor is duly elected and qualified; and the said judge shall, before entering upon the duties of his office, take and subscribe an oath to support the constitution of the United States and State of Wisconsin, and to faithfully, honestly and impartially discharge the duties of his office, which oath may be administered by any officer authorized by the laws of the State of Wisconsin to administer oaths, and shall be filed in the office of the city clerk of the city of Wausau.

Jurisdiction of court.

SECTION 2. The said municipal court shall have jurisdiction concurrently with the circuit courts of this state, to hear, try and determine all misdemeanors and all other offenses which are punishable only by fine or imprisonment in the county jail or both such fine and imprisonment.

Power of judge to pronounce sentence.

SECTION 3. When any person or persons shall be tried and convicted in said municipal court, of any such offenses, the punishment for such offenses shall be such as is now prescribed by law, and the judge of said court is hereby empowered to sentence such offenders when so convicted to such punishment, either by fine or imprisonment in the county jail, or both such fine and imprisonment, in his discretion; *provided*, the same shall not exceed the punishment prescribed by the law under which such offenders shall have been tried and convicted.

Territorial jurisdiction.

SECTION 4. The territorial jurisdiction of the said municipal court and of the judge thereof shall extend to all parts of the county of Marathon, and the said court and judge thereof shall, in addition to the jurisdiction set forth in the second section of this act, have such jurisdiction, both civil and criminal, as justices of the peace now have, and all laws relative to actions and proceedings by and before justices of the peace in this state, shall apply to such court and the judge thereof, and the said court and judge thereof shall also have exclusive original jurisdiction of all offenses and actions under the charter of said city, and the ordinances, rules and by-laws of said city, subject to appeal to the circuit court of said county.

Laws applicable to municipal court.

SECTION 5. The provisions of the charter of the city of Wausau and all other laws of the state relating to the police court shall be so construed as to apply to the said municipal court, so far as the same

are not inconsistent with this act, and the jurisdiction and powers of the municipal court in both civil and criminal proceedings, shall be the same as is now provided for the police court, except as modified and enlarged by this act, and the judge of said court shall be allowed the same fees for his services as are now allowed by law to the police justice.

SECTION 6. The judge of said municipal court may provide a seal for said court, and all papers, depositions, certificates, acknowledgments, examinations or other documents executed or signed by said judge when sealed with the seal of said court, shall be evidence in all courts and places in this state, and shall have the same effect as the seal of a court of record.

Court to have seal.

SECTION 7. All summons, executions and other writs and process, both civil and criminal, issued by and in the name of the police justice shall be construed to mean the municipal court, and the form of all such process and writs may be the same as heretofore used in the police court unless others are provided, and no suit or proceeding shall be dismissed because issued by or in the name of the police justice.

Process issued by police justice construed to mean municipal court.

SECTION 8. In case of the absence, sickness or disability of the judge of the said municipal court, the mayor of the city of Wausau may, under his hand, appoint any suitable person to take the place of said judge during his absence, sickness or disability, and such appointee shall have all the powers of such judge while administering the said office.

In case of disability of judge to act.

SECTION 9. No general or local act of the legislature heretofore passed, or which shall hereafter be enacted, shall be so construed as to change, alter, modify or repeal this act, or any provision of the charter of the city of Wausau, or any act amendatory thereof, or any act relating to the city of Wausau, unless the purpose to do so be expressly set forth in such general or local law, by naming in such altering or repealing act, that it is the intention of the legislature to have the same apply to the city of Wausau.

Acts of legislature not to apply to this act unless intention stated.

SECTION 10. Appeals from the municipal court shall be made to the circuit court of Marathon county, and the manner and form of taking such appeals may be the same as appeals from justices' courts.

Appeals.

SECTION 11. Jury trials in said municipal court may be conducted in the same manner as in justices' courts, until otherwise provided. The common council of the city of Wausau may, by ordinance, provide for a different manner of selecting jurors for

Jury trials.

said court, and any ordinance providing for the drawing or selecting of jurors for the said municipal court shall have the force and effect of law. Any juror, when duly summoned to attend said court and who shall not attend at the time he is summoned, shall be adjudged to be guilty of contempt, and shall be fined in a sum of not less than two nor more than ten dollars, and appeals from said court shall be allowed in all cases tried in said court under the laws of this state, whenever appeals are allowed from justices' courts.

Jurisdiction of circuit court not abridged.

SECTION 12. Nothing herein contained shall be so construed as to abridge or impair the jurisdiction of the circuit court.

SECTION 13. This act shall take effect and be in force from and after its passage.

Approved March 7, 1876.

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## CHAPTER 147.

[Published March 16, 1876.]

AN ACT to allow sheriffs and constables to receive necessary and actual disbursements in certain cases.

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

Sheriffs and constables to be re-imbursed for expenditures.

SECTION 1. Every sheriff and constable in serving criminal warrants shall, in addition to the mileage now allowed by law, be entitled to all actual necessary disbursements for board and conveyance of prisoners. And where persons accused of felony shall escape the pursuit of such officers without fault or negligence on their part, or where the district attorney shall certify such pursuit was necessary and proper, the county board of supervisors is authorized to allow a fair compensation for the time and necessary expenses incurred in such pursuit. But all extra compensation authorized by this section, shall be at the discretion of the county board.

Repealed.

SECTION 2. Chapter 245 of the session laws of 1875, is hereby repealed.

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

Approved March 7, 1876.