

transcripts of his short hand notes of the testimony or other proceedings of the court in the trial of any action, and the charges for such transcript when made shall be estimated and certified by the said presiding judge, and when so certified shall be forthwith paid under the order of court, by the party on whose behalf the same was ordered, and the amount so paid shall be allowed and taxed as costs in said cause: *provided, however,* that the said transcript when paid for, shall be filed in the said court among the papers in said cause, subject to be used by the respective parties as the court shall direct; *and provided, moreover,* that upon failure to pay said charges under such order of the court, the party or parties so failing may be proceeded against by attachment as in other cases for non-compliance with the orders of the court; *and provided, moreover,* in trials upon indictment the court may order a transcript to be made in cases of conviction, and the charges for the same shall be audited and paid for in the same manner as the reporter's per diem compensation.

SECTION 5. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved February 22, 1868.

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## CHAPTER 37.

[*Published February 26, 1868.*]

AN ACT to amend chapter 362 of the general laws of 1860, entitled  
 "an act relating to the Milwaukee county court."

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

ended.

SECTION 1. Section one of chapter three hundred and sixty-two of the general laws of 1860, entitled "an act relating to the the Milwaukee county court," is hereby amended so as to read as follows: Section 1. There is hereby conferred upon the county court of

Milwaukee county, jurisdiction in all civil actions, both as to matters of law and equity, equal to and commensurate and concurrent with the circuit court of Milwaukee county; and the said county court shall exercise the same powers and jurisdiction in all civil actions as now exercised by the said circuit court: *provided*, that the value of the property or the amount of money in controversy in any action in said county court, exclusive of costs, do not exceed one hundred thousand dollars.

SECTION 2. Section five of chapter three hundred and sixty-two of the general laws of 1860, is hereby amended so as to read as follows: Section 5. Whenever the place of trial in any action in said county court shall be changed on account of the prejudice of the judge thereof, or because he shall be interested or have been counsel therein, the place of trial shall be changed to the circuit court of said county; and whenever for any such reasons a change of the place of trial shall be granted in any action pending in said circuit court, the place of trial shall be changed to the said county court: *provided*, the action be one of which the county court would have jurisdiction according to the provisions of this act. Amended.

SECTION 3. Chapter one hundred and one of the general laws of 1862, entitled "an act to amend chapter 362 of the general laws of 1860, entitled 'an act relating to the Milwaukee county court,'" is hereby repealed. Chapter 101  
amended.

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

Approved February 22, 1868.