

SECTION 2. All laws, acts and parts of acts, whether general or special, contravening or conflicting with the provisions of this act are hereby repealed.

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

Approved May 21, 1903.

No. 345, A.]

[Published May 26, 1903.

CHAPTER 395.

AN ACT amendatory of chapter 32, laws of 1882, chapter 393, laws of 1887, chapter 78, laws of 1891, and chapter 102, laws of 1897, relating to the county court of Dane county.

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

Register in probate; appointment, oath, bond, compensation.

SECTION 1. Chapter 32, laws of 1882, as amended by chapter 393, laws of 1887, and chapter 78, laws of 1891, and chapter 102, laws of 1897, are hereby amended so that, when so amended, they shall consist of sections numbered one to four inclusive, following, and shall be and read as follows: "Section 1. The county judge of the county of Dane shall appoint from time to time, subject to removal, a competent person to record the proceedings of the county court of Dane county, and the person so appointed shall be officially styled and known as "register in probate." Such register in probate shall hold office at the pleasure of the county judge and shall, before entering upon the duties of the office, take and subscribe the constitutional oath of office, and file the same, duly certified, in the office of the clerk of the circuit court for the county of Dane, and shall execute to the county of Dane, a bond in the sum of three thousand dollars with two or more sureties, to be approved by the said county judge, conditioned for the faithful performance of his duties as required by law; which bond, with the approval endorsed thereon, shall be recorded in the office of the register of deeds of the county of Dane. The county board of the

county of Dane is hereby authorized and empowered at any regular or special session to fix the annual compensation of such register in probate and clerk to be paid out of the county treasury, and until his salary shall be so fixed he shall be paid for his services as now provided by law.

Duties of register in probate; powers. SECTION 2. It shall be the duty of such register in probate to record all wills admitted to probate by the county court of said county of Dane, all letters testamentary, letters of administration, letters of guardianship, bonds of guardians, orders, judgments, and decrees granted or made by said county court and all other proceedings and matters required by law to be recorded in said county court. He shall have the care, custody, keeping and preservation of all books, papers, and records of said court, subject to the directions of the judge thereof. Such register in probate is also authorized and empowered to make and issue, under the direction of the court, orders for and notices of the publication and hearing of applications made or to be made to the county court requiring notice of hearing to be given; such orders and notices shall be signed by him as follows: By the court, Register in Probate; and when so signed shall be considered the act of the court, and shall have the same force and effect as if signed by the county judge. Such register in probate shall also act as clerk of said county court, and as such clerk shall take acknowledgments, administer oaths, issue subpoenas, and may certify to copies and transcripts of all the records and files of said county court, to be used in this state, in accordance with the statutes in such cases made and provided, and to be used anywhere agreeably to section 905 of the revised statutes of the United States, or of any United States law, and in making such certificates, he shall use, and in all other acts as such clerk may use the seal of the county court, and, in all acts as such clerk sign himself as clerk of Dane county court and, when requested, shall authenticate acknowledgments of all instruments taken by the judge of said court.

Deputy clerk, duties of; compensation and qualifications.

SECTION 3. The county judge may appoint a deputy clerk of said county court, whenever the business may require it. Such deputy clerk shall take a like oath and give a like bond in the sum of one thousand dollars as required by the register in probate and clerk, and shall hold office during the pleasure of the county judge. Such deputy clerk shall assist the register in

probate and clerk in the performance of his duties under the direction of the judge, and, in the absence of the register in probate and clerk from his office, and when directed by the county judge, the deputy clerk may perform all the duties of the register in probate and clerk, with such exceptions and limitations as may be fixed by the county judge. The county board of the county of Dane is hereby authorized and empowered at any regular or special session to fix the annual compensation of such deputy clerk. Such deputy clerk shall be a competent shorthand reporter, and it shall be his duty as shorthand reporter, to attend upon said court when required so to do by the judge thereof, and to report the oral testimony of the witnesses sworn in any contested matter, and such other matters as the judge of said court may direct; and when directed by said judge such reporter shall make and file in said court a transcript of the testimony so reported, and of the proceedings therewith, and certify to the same. Said reporter shall receive for each day's actual attendance in taking such testimony a sum not exceeding six dollars per day, or three dollars per half day, and for making such transcript of testimony at the rate of five cents per folio, which compensation shall be taxed as disbursements and shall be paid by one or the other of the contesting parties, or out of the estate involved, as the court may determine to be just and equitable in its discretion; should any party require a copy of such record, or any part thereof, said reporter shall make the same at the foregoing rate per folio, which shall be paid for by the party requiring the same.

Salary of county judge; fees paid to county treasurer. SECTION 4. The county board of the county of Dane is hereby authorized and empowered at any regular or special session to fix the annual compensation of the county judge of Dane county at a sum in excess of that now provided by law to be paid out of the county treasury, and until his salary shall be so fixed he shall be paid for his services as now prescribed by law. The annual salary of such county judge shall be in full compensation from said county, and in lieu of all fees for all official services rendered by him as such county judge. The fees allowed by law for certifying copies of records or papers in the office of the county judge of said county, and for certifying copies of records and papers on appeal in probate and other matters, shall be collected by the register in probate or clerk of said county court and paid to the treasurer of said county monthly.

Conflicting laws repealed. SECTION 5. Chapter 32, laws of 1882, as amended by chapter 393, laws of 1887, and chapter 78, laws of 1891, and chapter 102, laws of 1897, are hereby repealed so far as they conflict or are inconsistent with this act.

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

Approved May 21, 1903.

No. 564, A.]

[Published May 26, 1903.

CHAPTER 396.

AN ACT, to create a municipal court in the county of Brown, and the city of Green Bay.

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

Municipal court created. SECTION 1. There is hereby created and established in the county of Brown and the city of Green Bay, a municipal court, and for that purpose the county of Brown and the city of Green Bay are hereby declared a municipality under the jurisdiction of said court which shall have power and jurisdiction as hereinafter specified and provided.

Court, how designated and where held. SECTION 2. The court hereby established shall be known as the municipal court for Brown county, and the judge thereof as the municipal judge. Said municipal court shall be held at the city of Green Bay in a suitable place to be provided and suitably furnished and maintained by said county of Brown. All fines and penalties collected in criminal cases in which the state is a party, shall be immediately paid by the judge to the treasurer of said county of Brown. All fines collected in city prosecutions shall be immediately paid by the judge to the treasurer of said county.

Eligibility of judge; may call in county judge, when. SECTION 3. No person shall be eligible to the office of judge of