

SECTION 9. There is appropriated ten thousand dollars, payable from any moneys in the general fund, not otherwise appropriated, for the legislative committee for the investigation of the white slave traffic and kindred subjects, for carrying out the provisions of this act.

SECTION 10. This act shall take effect upon passage and publication.

Approved May 26, 1913.

No. 263, S.]

[Published May 29, 1913.

CHAPTER 340.

AN ACT to confer additional jurisdiction on the county court of Monroe county.

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

SECTION 1. There is hereby conferred upon the county court of Monroe county, in addition to its present jurisdiction, jurisdiction as follows: The county court of the county of Monroe shall have cognizance of and jurisdiction to hear, try and determine, all actions and proceedings at law wherein the amount of debt, damages, penalty or forfeiture shall not exceed the sum of five hundred dollars; actions to recover the possession of personal property with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars, and all charges for offense arising within said county, and which are not punishable by commitment to the state prison; and the judge of said county court shall have power to sentence and commit all persons convicted of any offense of which said court has jurisdiction. Said court shall have power and jurisdiction throughout said county to cause to come before it persons who are charged with any criminal offense or violation of any ordinance and commit them to jail or bind them over to the circuit court as the case may require. The judge of said court shall further have all the jurisdiction, authority, powers and right given by law to justices of the peace and shall be subject to the same prohibitions and penalties as justices of the peace. The judge of said court shall have the same fees as justices of the peace; provided, however, that the county board of Monroe county, may, at the time prescribed by law for fixing the amount of salaries for county officers, fix a salary for said county judge in lieu of all fees received by him, and direct that all fees received by him in any action in the said county court shall be paid into the county treasury of said county; and, provided further, if said county

board shall so elect, it may, at the time and in the manner aforesaid, fix the salary of said county judge and determine what, if any, fees received by him shall be retained by him as compensation in addition to his salary so fixed by the county board.

SECTION 2. Whenever upon the application of any party to any action or proceeding before said court authorized by this chapter the court shall find that the convenience of witnesses or the interests of the parties will be promoted by a trial of said action or proceeding at the city of Tomah in said county, said court shall have jurisdiction to adjourn said action or proceeding for trial to such date as shall suit the convenience of the court and try said action or proceeding within said city of Tomah.

SECTION 3. A judgment by confession may be entered before the judge of the county court of the county of Monroe in any sum not exceeding five hundred dollars, without action, either for money due or to come due or to secure any person against contingent liability on behalf of the defendant, or both, if a statement in writing is made, signed by the defendant and verified by his oath to the following effect: First. It must state the amount for which judgment may be entered and authorize the entry of judgment therefor. Second. If it be for money due or to come due, it must state concisely the fact out of which it arose and must show that the sum confessed therefor is justly due or to come due. Third. If it be for the purpose of securing the plaintiff against a contingent liability it must state concisely the fact constituting the liability, and must show that the sum confessed does not exceed the sum above stated.

SECTION 4. Whenever any action, examination or other proceeding shall be removed from any justice of the peace of said county of Monroe upon the oath of the defendant, his agent or attorney, according to the provision of law for such removal, if said defendant, his agent or attorney, or the district attorney or other prosecuting officer, shall request in writing to said justice that the said action, examination or other proceeding be removed to the said county court, then such justice of the peace shall, without the consent of either party, adjourn the said hearing or examination not exceeding three days for hearing before the said county court, and then such action, examination and proceedings and all papers therein shall be transmitted by mail or otherwise to the said county judge at the city of Sparta, who shall then proceed with such action, examination or other proceedings in the same manner as if originally instituted before him.

SECTION 5. The general provisions of law relative to civil and criminal actions in courts of justices of the peace, shall ap-

ply to the said court as far as applicable, and all appeals, civil and criminal, from said court, may be taken at the same time and in the manner, and with like effect as is provided by law for appeals from judgments of justices of the peace.

SECTION 6. In all cases arising in said court under this act or in which said court shall obtain jurisdiction as in this act specified, a trial by jury may be had in the same manner and process as in justice court.

SECTION 7. The sheriff and his deputies, constables and police officers of Monroe county shall have the same power to serve and execute processes of this court as of justice's court and shall be entitled to receive the same fees.

SECTION 8. The summons in all actions may be in the following form:

Monroe County, }
City of Sparta. } ss.

The State of Wisconsin to the sheriff or any constable or police officer of said county:

You are hereby commanded to summon A. B., if he shall be found within your county, to appear before the undersigned, the county judge of said county, at the county court room, in said court house in the city of Sparta, county aforesaid, on the day of at noon, to answer to C. D., plaintiff, to his damage, five hundred dollars, or under.

Hereof fail not at your peril.

Given under my hand at Sparta, Monroe County, Wisconsin, this day of A. D.

.....
County Judge.

and all other writs, warrants and processes necessary to be issued in this act shall be in the form prescribed by law for justices of the peace and justices' courts, but under the name of the county judge of Monroe county; and all processes issued by said county judge under the provisions of this act shall be made returnable within the same time as like processes issued by justices of the peace under existing laws and shall be served within the same time and in the same manner as like processes of justices of the peace are required to be served under existing laws.

SECTION 9. In case of the absence or temporary disability of the county judge, he may by an order in writing to be filed in said court, designate and appoint any court commissioner of said county to discharge his duties under any of the additional powers herein granted and imposed on said court; provided, how-

ever, that nothing herein shall operate to prevent the calling in of the county judge of some other county to preside upon the trial of any action or proceeding in said court.

SECTION 10. Except as provided in section 9, no action, examination or other proceeding shall be removed from said court, except as hereinafter provided; if prior to joining issue in any case and prior to any examination or other proceeding, it shall appear by affidavit that the county judge is a material witness or is in any way related to either of the parties, or from prejudice the county judge will not decide impartially in the matter, the said judge shall notify the county judge of any other county or some court commissioner in said county not disqualified to hear said examination, trial or other proceeding whereupon the said county judge or court commissioner so notified may hold court and discharge the duties of the judge of said court on the trial of said case or the hearing of said examination or other proceeding, as the case may be, with like effect as the said county judge would if not disqualified to act. The magistrate so acting in any criminal proceeding shall receive as full compensation therefor the sum of three dollars for each day, one dollar and a half for each half day, he shall actually or necessarily spend in said examination or other proceeding and shall be paid out of the county treasury upon presentation of a bill therefor to the county board and allowance thereof, and in case of civil actions he shall be entitled to the fees provided for in the preceding section; provided, that the county board of said county may provide a per diem or other compensation in lieu of said fees, and direct that all such fees shall be paid into the county treasury.

SECTION 11. In all civil actions under this act in the county court in the county of Monroe, the plaintiff, if he shall obtain judgment, shall be entitled to recover attorney's fees as follows: On all judgments taken in actions wherein the defendant does not appear or demur when the amount of the judgment exceeds one hundred dollars and is less than three hundred dollars, ten dollars. When the amount of the judgment is three hundred dollars and upwards, fifteen dollars. On all other judgments, when the amount does not exceed one hundred dollars, an amount equal to ten per cent of the amount of the judgment. When the amount of the judgment exceeds the sum of one hundred dollars, ten dollars, on the first one hundred dollars, and five per cent on the amount of the judgment in excess of one hundred dollars; provided, that in no case shall the amount of the attorney fee exceed the sum of twenty dollars. And in case judgment shall be for the defendant, he shall be entitled to recover attorney fees as follows: In cases where the plaintiff shall claim in his com-

plaint one hundred dollars or less, an assessment equal to ten per cent of such claim. In all cases where the plaintiff shall claim in his complaint a sum of over one hundred dollars, ten dollars for the first one hundred dollars and five per cent on the amount claimed in excess of one hundred dollars; provided, that in no case shall the amount of attorney fees exceed the sum of twenty dollars. The provisions of this section shall apply to proceedings for the recovery of possession of personal property and the value of the property as found, if judgment be for the plaintiff, and as claimed, if judgment be for the defendant, shall be the basis for the taxation of attorney fees and in all other civil actions not herein provided for, an attorney fee of ten dollars shall be allowed to the party in whose favor judgment is rendered; provided, however, that no attorney fees shall be allowed unless the party who recovers the judgment shall appear by an attorney of a court of record.

SECTION 12. The county judge may, in his discretion on the written request of either party to a civil action, or on like request by the district attorney in a criminal case or examination, call in a stenographic reporter, skilled in the art of shorthand, to take the testimony in such action or proceeding and may file the said reporter's notes in lieu of the testimony required by law to be taken by justices of the peace in like proceedings. In case of appeal in any civil action or proceeding, when so requested by the appellant, said reporter shall transcribe said testimony in longhand and the fees for such transcribing, not to exceed five cents per folio, shall be taxed as a part of the judge's fees in the case, and if requested at the time the appeal is taken, or request of district attorney made, such reporter, at the expense of the party requesting, shall furnish an additional copy of such testimony to each party so requesting at that time, at the rate of not to exceed two and one-half cents per folio. Said reporter shall receive such compensation for taking testimony as shall be allowed by the said county judge, not to exceed two dollars for each day, and one dollar for each half day actually engaged in taking testimony to and until the first regular meeting of the county board of supervisors of Monroe county. Thereafter the reporter shall have and receive such compensation as shall then be fixed by the said county board and it shall be the duty of the said board to fix the compensation of the said stenographic reporter at said time. In said civil actions and proceedings, the compensation shall be fixed as a part of the costs in lieu of the fees now allowed to justices of the peace for taking testimony, and in criminal proceedings the same shall be paid out of the county treasury upon a certificate of the county judge. Section

2439 of the statutes shall apply to said reporter of such court, and section 4141 of the statutes shall apply to the transcribed copies of the testimony and proceedings taken by the reporter under this act.

SECTION 13. The county court under the provisions of this act shall be open for the transaction of business daily, Sundays and legal holidays excepted, at nine o'clock in the forenoon, and said court shall be held in the office of the county judge in the courthouse in the city of Sparta in said county, or in such other convenient place in said county, to which it may be adjourned, as provided by section 2 herein.

SECTION 14. Appeals from said county court shall be made to the circuit court of Monroe county and the manner and form of taking an appeal shall be in the manner and form and time of taking such appeal from justice court as now provided.

SECTION 15. The provisions of section 2900 of the statutes shall apply to the filing of all transcripts of judgments in this court with the clerk of the circuit court, so far as the same are applicable thereto.

SECTION 16. This act shall take effect upon passage and publication.

Approved May 26, 1913.

No. 322, S.]

[Published May 29, 1913.

CHAPTER 341.

AN ACT to amend section 3344 of the statutes, relating to liens of hotel keepers, innkeepers, and livery stable keepers.

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

SECTION 1. Section 3344 of the statutes is amended to read:
 Section 3344. 1. Every innkeeper, hotel keeper, and every keeper of a boarding house or lodging house, whether individual, copartnership, or corporation, shall have a lien upon and may retain the possession of all the baggage and other effects brought into his inn, hotel, boarding house, or lodging house * * * by any guest, boarder, or lodger, whether the same is the individual property of such guest, boarder, or lodger, or under his control, or the property of any other person for whose board, lodging, or other accommodation the person contracting for such board and lodging is liable, for the * * * proper charges * * * owing such innkeeper, hotel keeper, or keeper of a boarding house or lodging house for any board, * * * lodging * * * or other accommodation furnished to or for such guest, boarder, or lodger, and for all money paid or advanced to any such guest,