

SECTION 29. 1. The judge of the municipal court shall keep or cause to be kept in a book provided for that purpose, a full and complete record and account of all fees and costs received by said judge or the clerk, in such manner that the records shall show the exact amount of money paid to said judge or clerk, by whom, at what time, in what amount, in which case and how and on what account such moneys are disbursed.

2. A certified statement showing all such facts in detail shall be made and filed with the county clerk at least ten days before the annual session of the county board.

SECTION 30. All necessary stationery, blanks, dockets and other record book required by the municipal court shall be furnished at the expense of the county.

SECTION 31. This act shall take effect upon passage and publication.

Approved May 13, 1921.

No. 171, A.]

[Published May 20, 1921.

CHAPTER 245.

AN ACT to create section 59.96 of the statutes, relating to the county board.

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

SECTION 1. A new section is added to the statutes to read:
59.96 (1) Any county in this state may reorganize under section 59.96 by proceeding as provided in said section.

(2) Upon petition therefor by electors equal in number to ten per cent of the votes cast by all parties in the county for governor at the last preceding election at which a governor was elected, and filed in the office of the county clerk at least forty days prior to the first Tuesday in April in any year, the county clerk shall call a special election to be held on the first Tuesday in April following receipt of said petition, for the purpose of submitting to the electors the question of reorganizing said county under section 59.96 of the statutes. Said petition shall be signed by qualified electors in at least five towns, cities or villages of said county.

(3) The county clerk shall cause notice of such special election to be published for three successive weeks immediately preceding such election in one or more newspapers published in the

county, and such notice shall be signed by the county clerk and shall recite the purpose thereof and the time and places for holding such election. The ballots shall be provided by the county clerk and shall be in substantially the following form:

OFFICIAL REFERENDUM BALLOT.

If you desire to vote for the county commissioner form of government make a cross (x) or other mark in the square after the word "Yes," underneath the question; if you desire to vote against the county commissioner form of government, make a cross (x) or other mark in the square after the word "No," underneath the question.

Shall the county commissioner form of government, as outlined in section 59.96 be adopted in the county of

Yes.

No.

(4) Such ballot shall have on the back or reverse side thereof the indorsements provided by law for ballots for general elections and shall be marked by the voter and counted and canvassed as other ballots cast on questions in the county are counted and canvassed.

(5) Such election shall be held at the usual places of holding elections in the county, and shall be conducted by the officers who are required to conduct the regular town, village or city elections, and said officers shall furnish separate ballot boxes for all ballots cast on the question of reorganization. The polls shall be open between such hours as are designated respectively for such elections; and the result of such election shall be determined by such officers and returned to the county clerk, who shall record the same in full.

(6) If a majority of the votes cast on such question at such special election shall be in favor of reorganization, the plan as outlined in section 59.96 shall be adopted. If a majority of the votes cast on such question are opposed to reorganization, the question of reorganization shall not be again submitted to the electors for a period of two years.

(7) The affairs of any county reorganizing under the provisions of section 59.96 shall be conducted by a county board of commissioners, which, when elected, qualified and organized, shall supplant and supersede the county board of supervisors. The number of commissioners in each county shall be as follows:

(a) In counties having a population of twenty-five thousand or less three commissioners;

(b) In counties having a population of over twenty-five thousand and not more than forty thousand, five commissioners;

(c) In counties having a population of over forty thousand and not more than sixty thousand, seven commissioners;

(d) In counties having a population of over sixty thousand and less than two hundred and fifty thousand, nine commissioners.

(8) If the majority of votes cast on such question are in favor of reorganization, the county clerk shall immediately certify such fact to the chairman of the county board of supervisors, and said chairman shall place the matter before the county board. The county board of supervisors shall prior to the thirtieth day of June next succeeding such special election, divide the county into as many compact and contiguous commissioner districts as the county is entitled to commissioners under subsection (7) and in such manner as to equalize as nearly as possible the population in each of said districts, and shall number said districts consecutively. Each district shall be bounded by town or ward lines. If the county board shall fail, refuse or neglect to so divide the county within such time, then and in that event the county clerk, district attorney and county treasurer, as a committee for said purpose, shall, within forty-five days thereafter, divide the county as provided in this section. The division so arranged shall be published, commencing on the first Monday in September next following, for three successive weeks in at least one newspaper published in the county.

(9) No city shall comprise or be included in a majority of the districts.

(10) Counties may be redistricted by the county board of commissioners as herein provided after each United States census, if the population in the different districts has become substantially more unequal than at the time when such county was last districted or redistricted. After the taking of each United States census any county which is entitled to an increased number of commissioners under the provisions of subsection (7) shall be redistricted accordingly by the county board of commissioners.

(11) At the election held as provided by law, on the first Tuesday in April next succeeding the election to reorganize un-

der section 59.96 in any county, there shall be elected in such county a commissioner for each even-numbered district for a term of two years and a commissioner for each odd-numbered district for a term of four years, and thereafter, and at the expiration of their respective terms, successors shall be elected each for a term of four years.

(12) In each new county a commissioner shall be elected from each odd-numbered district for a term of two years and a commissioner for each even-numbered district for a term of four years, and thereafter, and at the expiration of their respective terms, one commissioner for a term of four years.

(13) Candidates for the office of county commissioner shall be nominated and elected as are candidates for the office of county clerk, except that the county commissioner shall be nominated and elected by the electors of the commissioner district at the April election. The returns of such election shall be made to the county clerk, and shall be canvassed as in other county elections.

(14) The regular term of office of county commissioners shall commence on the first Monday of June next succeeding his election and each commissioner shall hold his office until his successor is qualified, and shall before entering upon the duties of his office, take and subscribe the constitutional oath of office which shall be filed with the county clerk.

(15) Each commissioner shall receive from the county an annual salary to be fixed by the county board of commissioners as follows:

(a) In counties whose assessed valuation does not exceed fifteen million dollars, not to exceed the sum of two hundred and fifty dollars.

(b) In counties whose assessed valuation is more than fifteen million dollars and does not exceed thirty million dollars, not to exceed three hundred and fifty dollars.

(c) In counties whose assessed valuation is more than thirty million dollars, and does not exceed fifty million dollars, not to exceed five hundred dollars.

(d) In counties whose assessed valuation is more than fifty million dollars, and does not exceed one hundred million dollars, not to exceed seven hundred dollars.

(e) In counties whose assessed valuation is more than one hundred million dollars, not to exceed one thousand dollars.

(f) In addition to his annual salary, each commissioner shall receive four dollars per day for committee work when the board is not in session, but the total compensation received by all the commissioners in any year for such committee work shall not exceed the total amount received by such commissioners as salaries.

(g) Except as otherwise provided, commissioners shall also receive six cents per mile for every mile necessarily traveled each way in attending the meetings of the board, and six cents per mile for every mile necessarily traveled in the performance of committee work or in the discharge of official duty under the direction of the board; but no commissioner shall receive mileage for attending more than twelve meetings of the board in any official year.

(16) Any vacancy in the office of county commissioner occurring more than thirty days before the expiration of the term shall be filled by a board appointment, consisting of the chairman of the town board of each town, and the mayor or president of each city and village, in the commissioner district in which any such vacancy occurs, which shall meet at the county clerk's office for that purpose upon three days' written notice given by such clerk and served personally. If such commissioner district is wholly within the limits of an incorporated city or village, such vacancy shall be filled by the council of such municipality. Absence from the county for six successive months shall be deemed to create a vacancy.

(17) Any county commissioner may be removed from office by the governor for incompetency, neglect of duty or malfeasance in office in the same manner as other county officers are removed.

(18) The seal of the county clerk shall be the seal of the board, and copies of its proceedings, authenticated as required by law, shall be prima facie evidence of all therein contained in all cases.

(19) The board shall meet at the county seat for the transaction of business on the first Monday in each month, and shall hold such special meetings as it deems necessary for the interests of the county. At the first meeting in each year, the board shall organize by electing a chairman and a vice-chairman. A majority of the members shall constitute a quorum and no business shall be done unless voted for by a majority of the whole board, but less than a majority may adjourn. The county clerk shall be

the clerk of such board, and shall call special meetings when directed so to do by a majority of the board, and the clerk shall give at least ten days' notice thereof to each of the commissioners. No session shall continue longer than six days.

(20) Any law applicable to each county prior to the taking effect of section 59.96 and not inconsistent therewith shall apply to such county.

(21) All by-laws, ordinances and resolutions lawfully passed or adopted and in force in each county at the time of its organization shall remain in force until altered or repealed by the county board of commissioners.

(22) All rights and property of every description which were vested in each county prior to the taking effect of section 59.96 shall remain the same under the reorganization.

(23) No right or liability either in favor of or against such county, and no suit or prosecution of any kind, shall be affected by section 59.96 unless otherwise provided therein.

(24) When the commissioners shall have been elected and shall have qualified and organized as provided in section 59.96, all duties, liabilities, authority, powers and privileges theretofore imposed or conferred by law upon the county board of supervisors shall apply to and shall be imposed and conferred upon the county board provided for in said section 59.96, and any such authority, powers or privileges may be exercised by the county board by a majority vote of the commissioners, and all laws relating to the county board of supervisors in force at the time of the taking effect of said section 59.96 or hereafter enacted, shall apply to and be deemed to relate and refer to the county board of commissioners.

(25) All laws conferring or imposing specific powers or duties upon the chairman of the county board of supervisors shall, when the county board of commissioners shall have organized as provided in subsection (19) be deemed to refer to the chairman of the county board of commissioners or upon the vice-chairman thereof when acting in the place of the chairman.

(26) The provisions of section 59.96 shall not apply to any county having a population of two hundred and fifty thousand or more.

(27) Any county which shall have reorganized under section 59.96 and shall have operated thereunder for at least three years, may, upon a petition as provided in subsection (2) of section

59.96, hold an election to determine whether or not such county shall return to and operate under the county board of supervisor plan of county government. Such election shall be held as provided in section 59.96, and the question to be submitted shall be "shall the county commission plan as provided in section 59.96, be abandoned in.....county, and said county return to the county board of supervisors plan?" If a majority of the votes cast on such question are in favor of a return to the county board of supervisors plan, then on the first Tuesday of April, following such election, members of the county board of supervisors shall be elected in the various towns, cities and villages of such county. Such county board of supervisors when elected, qualified and organized shall supplant and supersede the county board of commissioners.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 13, 1921.

No. 323, A.]

[Published May 20, 1921.

CHAPTER 246.

AN ACT to amend section 4713 of the statutes, relating to the fee for the defense of indigent defendants.

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

SECTION 1. Section 4713 of the statutes is amended to read: Section 4713. The courts of record of the state of Wisconsin, having jurisdiction to hear, try, and determine criminal actions or proceedings are hereby authorized and empowered to appoint counsel to defend any person or persons charged with any offense before such courts, on the ground that the accused is destitute of means to employ counsel, and the county in which such criminal action or proceeding may arise or shall be pending shall only be liable to pay such attorney or counselor for his services such sum as the court making the appointment shall, by an order to be entered in the minutes thereof, certify to be a reasonable compensation therefor, and which sum shall in no case exceed * * * *twenty-five* dollars per day for each day actually occupied in such trial or proceeding and not to exceed * * * *fifteen* dollars per day for not more than five days actually and necessarily occupied in preparing for trial in any one case. Such