

No. 687, A.]

[Published June 10, 1931.

CHAPTER 204.

AN ACT to amend sections 5, 6, 7, 8, and 21 of chapter 358, laws of 1929, and to create section 10a of chapter 358, laws of 1929, relating to the county court of Door county.

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

SECTION 1. Sections 5, 6, 7, 8, and 21 of chapter 358, laws of 1929, are amended to read: (Chapter 358, laws of 1929) Section 5. In case of sickness, absence or any disability of said judge, he may, by an order in writing to be filed in said court, appoint a justice of the peace in said county to discharge the duties of said county judge hereby conferred, during the sickness, absence, or other disability of said judge. Such justice of the peace shall have the powers of said judge as herein conferred while administering such office; such justice of the peace is to be paid at the rate of * * * *five* dollars per day by the said county judge.

Section 6. No action, examination or proceedings shall be removed from said court, but whenever it shall appear by affidavit that the county judge is interested pecuniarily in the action, examination or other proceeding, or that the judge is a material witness, or in the forbidden degree of consanguinity, or from prejudice will not decide impartially in the matter, the county judge shall appoint a justice of the peace of the said county to hear and decide said examination or other proceeding as the case may be, whereupon it shall be the duty of the said justice of the peace to forthwith appear at the courtroom of the said court and discharge the duties of the said county judge on the hearing of said examination or other proceeding in the same manner and with like effect as if made by the county judge. For the purpose of this section, any party to any proceeding pending before said county court by reason of the powers and jurisdiction herein conferred, whether civil or criminal, including the state, county, city, village or town in civil proceedings only, shall have the right to make and file an affidavit of prejudice, and when made and filed on behalf of the state or county, city, village or town, such affidavit shall be made by the district attorney of said county or by such other person representing the state, county, city, village or town in such action or proceeding. The justice of the peace acting in said proceeding

shall receive for his compensation five dollars for each * * * day he shall spend in such examination or proceeding, which shall be in full payment for his services therein, and such payment shall be paid out of the county treasury upon written order of the county judge.

Section 7. Trial by jury may be had in the same manner and process as in justice court, except that * * * it shall not be required that the defendant pay for said jury, but said jury shall be paid upon the order of the presiding judge in the same manner as the jury in circuit court is paid and at the rate of two dollars per day.

Section 8. Sheriffs and constables of said county and other persons *authorized by law* shall have the * * * powers to execute processes of said county court * * * and carry out its lawful orders and judgments throughout the state of Wisconsin, and shall be entitled to * * * receive the lawful fees * * * therefor.

Section 21. The * * * county judge shall employ a stenographic reporter, skilled in the art of shorthand reporting, to take testimony in any action, examination or other proceeding in said county court, and the reporter's notes so taken may be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings, provided that in cases of appeal in civil cases, said reporter, when requested by the appellant, shall file a transcript of his or her notes, verified by his or her oath, which shall be returned as the testimony in the case, and the fees for transcribing said testimony, not exceeding five cents per folio, shall be taxed as costs as part of the fees and shall be turned over to the county treasurer. In all preliminary examinations held before said judge it shall be the duty of said reporter to file a transcript of his or her notes, verified by his or her oath, of the testimony taken in such examination, with the clerk of the circuit court for said county. Said reporter shall receive such compensation for his or her services and the performance of his or her duties herein imposed as shall be fixed by the board of supervisors of Door county; and for taking testimony in any action or proceeding there shall be taxed as costs in the case for each half day's attendance on said court in the taking of such testimony the sum of two dollars and fifty cents. In all criminal and civil cases said reporter shall furnish any party to the action

verified copies of the transcript and shall charge therefor five cents per folio for the original and three cents per folio for copies, the same to be paid by the party requesting the transcripts. Said reporter shall also have the duty to make the proper entries in the judge's docket and to keep such docket under the direction of the judge.

SECTION 2. A new section is added to chapter 358, laws of 1929, to read: (Chapter 358, laws of 1929) Section 10a. The provisions of law applicable to change of venue in the circuit courts of this state shall be applicable to said county court. When a change of venue shall be made pursuant to and as provided by sections 261.04 and 261.05 of the statutes, it shall be direct to the circuit court of the proper county for the trial of the action. In all other cases where a change of venue is made as provided by statute it may be to the circuit court of Door county, or to the circuit court of some other county in a judicial circuit adjoining that in which said Door county is included.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 9, 1931.

No. 720, A.]

[Published June 10, 1931.

CHAPTER 205.

AN ACT to amend subsection (1) of section 6.32 of the statutes, relating to the election officials in small villages.

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

SECTION 1. Subsection (1) of section 6.32 of the statutes is amended to read: (6.32) (1) *Except as otherwise provided*, there shall be three inspectors, two clerks of election and two ballot clerks at each poll at every election held under the provisions of this title, each of whom shall be a qualified elector in the election district, able to read and write the English language understandingly and not a candidate to be voted for at such election. Provided, however, that at polls where voting machines are used ballot clerks shall not be employed. Not more than two of such inspectors, nor one of said clerks of election, nor one of said ballot clerks, shall be members of the same political party, but each one of said officers shall be a member of one of the two political parties