

No. 436, A.]

[Published May 23, 1941.]

**CHAPTER 125.**

AN ACT to amend 2506 of the revised statutes of 1878, as amended by chapter 257, laws of 1893, chapter 7, laws of 1895 and chapter 368, laws of 1929, and withdrawn from the statutes by the adjourned session of the legislature of 1898, relating to the disposition of witness fees in the municipal court of Milwaukee county.

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

SECTION 1. Section 2506 of the revised statutes of 1878, as amended by chapter 257, laws of 1893, chapter 7, laws of 1895, and chapter 368, laws of 1929, and withdrawn from the statutes by the adjourned session of the legislature of 1898 is amended to read:

SECTION 2506 (Revised Statutes of 1878) The clerk of said court shall have the care and custody of all books, papers and records of the courts; he, or one of his deputies shall be present at all trials and proceedings held in said court; he, or one of his deputies may administer all necessary oaths, and may take and certify the acknowledgments of all deeds, and other instruments required or authorized to be acknowledged; he, or one of his deputies shall keep minutes of all proceedings, enter judgments, issue the commitments and executions to enforce the same, and make up and keep the records of the court in all cases therein under the direction of the judge; he, or one of his deputies shall issue all processes under his hand and the seal of the court, and attest in the name of the judge, signing it by his title of office, and shall tax costs. Such clerk shall, also under the direction of the common council of said city, procure and furnish all necessary blanks, stationery, book and paper cases, desks, record books, office furniture, lights and fuel, for the use of said court and its clerks, at the expense of said city. He may be removed from office by the municipal judge for incompetency, failure to pay over moneys as required by law, or other official misconduct, or wilful or habitual neglect to perform the duties of his office. On such removal such judge may appoint some suitable person to fill the vacancy until it is filled by election, unless it occurs within 20 days before or after the first Tuesday in April, and

then for the residue of the term, and the person so appointed shall have all the powers, and be subject to all the duties and liabilities of such clerk. Such clerk shall account for, and pay over to the treasurer of said city, on the first Mondays of January, April, July, and October all fines, penalties, collections and other fees except witnesses' fees collected and other moneys belonging to the treasury of the city and county of Milwaukee, which may have come into his hands as such clerk up to the day of such payment, and shall also account for and pay over to said city treasurer on the first Mondays of January and July in each year all witnesses' fees *in cases involving violation of ordinances of the city of Milwaukee* which may have come to his hands as such clerk, up to the day of payment, and which have not been paid to the persons entitled thereto, which witnesses' fees may be paid by said treasurer to such persons, upon the certificate of said clerk, specifying the name of the person entitled thereto, the amount due him, and the title of the cause in which he was a witness. *Said clerk shall likewise and at the same time account for any pay over to the treasurer of the county of Milwaukee all witness, justice and constable fees collected in cases involving violations of state law or county of Milwaukee ordinances which may have come into his hands as such clerk up to the day of payment and which have not been paid to the persons entitled thereto, which witness, justice and constable fees may thereafter be paid by said treasurer to such persons upon the certificate of such clerk specifying the name of the person entitled thereto, the amount due him, and the title of the case in which he was a witness, justice or constable. Said clerk shall not be required to make out any such certificate in either of the foregoing cases after 6 years from the date on which the court decided the case in which such witness fees accrued.* The foregoing provisions shall not apply, however, to witness fees of members of the police department of the city of Milwaukee, who may testify for the prosecution. Such witness fees shall be taxed, and when collected shall be paid by the clerk to the treasurer \* \* \* of said city on the first Mondays of January, April, July and October of each year. The clerk of said court is hereby authorized to destroy all files and dockets of cases and proceedings in said court prior to January 1, 1890, and all such files prior to January 1, 1900. It shall be the duty of said clerk to hereafter retain and safely keep the files of all cases for a period of 30 years, and

dockets for a period of 40 years, after which same shall be destroyed unless otherwise ordered by the court.

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

Approved May 22, 1941.

---

No. 110, S.]

[Published May 24, 1941.

**CHAPTER 126.**

AN ACT to amend 200.17 (1) of the statutes, relating to fire department dues.

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

SECTION 1. Subsection (1) of section 200.17 of the statutes is amended to read:

(200.17) (1) The commissioner shall annually, \* \* \* forward to every company transacting fire insurance in this state, a list of all cities, villages, and towns entitled to fire department dues.

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

Approved May 22, 1941.

---

No. 113, S.]

[Published May 24, 1941.

**CHAPTER 127.**

AN ACT to amend 201.03 (1) (a) and (b) and (2) and to create 201.03 (9) of the statutes, relating to the incorporation of mutual insurance companies.

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

SECTION 1. Paragraphs (a) and (b) of subsection (1) and subsection (2) of section 201.03 of the statutes are amended to read:

(201.03) (1) (a) It shall have not less than 400 bona fide applications for insurance on property or risks located in this state from not less than 400 persons and upon not less than 400 separate risks in this state on which the cash premiums,