

more than one official capacity of office at the same time, unless the town shall have fixed a different compensation at the annual town meeting.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 3, 1869.

CHAPTER 72.

[Published March 9, 1869.]

AN ACT in relation to evidence in criminal prosecutions.

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

Persons charg'd with crime may give evidence in their own behalf.

SECTION 1. In the trial of all indictments, complaints and other proceedings against persons charged with the commission of crimes or offences, the person so charged shall at his own request, but not otherwise, be deemed a competent witness, nor shall the neglect or refusal to testify create any presumption against the defendant.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1869.

CHAPTER 73.

[Published March 23, 1869.]

AN ACT to authorize the appointment of phonographic reporters for the circuit court for the county of Walworth.

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

Judge may appoint phonographic reporters.

SECTION 1. It shall be lawful for the judge of the circuit court for the county of Walworth, to appoint

two phonographic reporters for said court, who shall be sworn officers of said court, and shall be skilled in the art of short-hand reporting, one of whom shall attend upon such court at each term thereof, when required by the court or the judge thereof so to do, and shall discharge such duties as the judge may direct.

SECTION 2. The phonographic reporters shall be allowed such daily compensation as shall be fixed by the judge of the court, not exceeding ten dollars per day for each day's attendance upon such court, when required by the judge thereof to attend, which shall be certified, audited and paid in like manner as is provided by law for the payment of the sheriff for attending upon the court: *provided*, but one such reporter shall be employed at the same time. Compensation.

SECTION 3. In addition to the above compensation, the phonographic reporters may charge and collect as fees, ten cents per folio (of one hundred words) for making and furnishing transcripts of their short-hand notes of the testimony and other proceedings of the court in the trial of any action, to be paid by the party requiring such transcript to be made. In the trial of criminal cases the court may in its discretion order such transcripts to be made, certified, audited and paid for in the same manner as the reporter's *per diem* compensation. In such cases the reporter's notes shall be written out in full and filed with the clerk of the court. Additional compensation.

SECTION 4. The judge of the said court may, in his discretion, remove such reporters or either of them, and may fill any vacancy caused by such removal or from any other cause. Judge may remove reporters.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved March 4, 1869.