

the transcribing of any book, record or plat duly certified by the county clerk shall, with such certificate, be recorded in each copy of book, record or plat transcribed. The fee of the officer for such service shall be fixed by the board, not exceeding ten cents per folio, or if such books or any part thereof consist of printed forms, not to exceed five cents per folio for such books or records, to be paid by the county.

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

Approved April 20, 1903.

No. 44, A.]

[Published April 21, 1903.]

CHAPTER 84.

AN ACT relating to the revocation and annulment of licenses to attorneys to practice in courts of record, and amendatory of section 2586 of the statutes of 1898.

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

SECTION 1. Section 2586 of the statutes of 1898 is hereby amended by creating and adding thereto the following subdivisions:

Attorneys may be disbarred. 7. The authority or license granted to any person to practice as an attorney in courts of record in this state may be suspended or revoked and annulled for the reasons now prescribed or authorized by law and by the practice of such courts, and also for the same reasons and in the manner prescribed in this section.

Complaint, how drawn, by whom made, to whom presented. 8. Three or more residents of the state, at least two of whom shall be attorneys licensed to practice in the supreme court, may make written complaint against any person described in subdivision seven. The complaint may be either positive, or on information and belief, and must be signed and verified by the oath or affirmation of those who make it. It must be en-

titled in the name of the state of Wisconsin against the defendant, be addressed to the judge of the court to which it is presented, contain the name and residence of the defendant and must state with clearness and certainty the facts constituting the alleged misconduct of defendant. It shall be presented to the judge of the circuit court for a circuit adjoining that of defendant's residence.

Place of trial; papers, how served. 9. The said circuit judge shall by order fix the place of trial in some county in his own circuit or a circuit other than that of defendant's residence, and require defendant to appear and answer or demur to the complaint within twenty days after service upon him of the complaint and order, and to file his pleading or motion in the clerk's office of the county designated as the place of trial within ten days after the time limited to plead. The said circuit judge shall cause the complaint and order to be served by the sheriff of the county where defendant resides, or by some other competent person, in the same manner as a summons, except that service by publication shall not be authorized. The original complaint and order, with proof of service, shall forthwith be filed in said clerk's office.

Prosecuting attorney appointed; duty of district attorney. 10. The judge of the court so designated as the place of trial shall make and file an order appointing one competent and disinterested attorney, who is a member of the bar of the supreme court, to conduct and prosecute the disbarment proceeding. The attorney so appointed shall file in the clerk's office his written consent to act. In case of his inability, failure to act, or negligence, a substitute may be appointed at any time with like qualifications and in like manner by the judge of the court then having jurisdiction of the proceeding. The district attorney of the county of defendant's residence shall in his county render such assistance in the preparation for trial as the prosecuting attorney shall reasonably request.

Rights of defendant. 11. The defendant may move to strike out matter, make more certain, demur or answer, as in other cases, and may file an affidavit of prejudice as provided in the next subdivision.

Disbarment proceedings. 12. The proceeding shall be a civil action triable by the court without a jury, governed by the rules and practice in equitable actions, except as different pro-

cedure is herein prescribed. An affidavit of prejudice may be filed as in other cases, but the place of trial shall not be changed. Upon the filing of such affidavit any circuit judge, other than the judge of defendant's circuit and the judge to whom the complaint was presented, may be called in to attend at the place of trial and try the action; and such judge from the time of first assuming jurisdiction of the action shall proceed with it in like manner as if it had been commenced before him. Trial may be in term time or vacation, ten days' notice whereof shall be given by the trial judge. At the commencement of the trial or during its progress the sittings may be changed as often as may be found convenient from one county to any other including that of defendant's residence, upon request of either party or the motion of the court if it shall appear that the convenience of the parties or witnesses or the speed of the cause will be served thereby. The clerk of the court need not accompany the court out of the county, but all proceedings shall be carefully taken down by the official stenographer, and the same together with all the testimony and evidence shall be transcribed in long hand or typewritten and certified and filed by him with the other papers in the case. Thereupon the clerk shall complete his record from such transcript.

Judgment; appeal. 13. Findings of fact and law and judgment thereon shall be made and exceptions may be filed and appeal taken to the supreme court as in other cases, except there shall be no appeal from a judgment acquitting defendant of the misconduct complained of. If judgment be made in vacation it shall be entered as of the last day of the preceding term. It may adjudge as follows:

1. Absolute revocation or annulment of defendant's license to practice before all courts of record of the state of Wisconsin.
2. Temporary suspension of license either for a limited time or until defendant shall restore money withheld or embezzled by him, with or without the payment of a fine and the costs of the proceeding in whole or in part.

Costs, how paid or collected. 3. The judgment may contain such other provisions with or without the foregoing as may be authorized by law.

The presiding judge shall tax the costs including witnesses', reporter's, clerk's, sheriff's, and other officers' fees, and fees for the prosecuting attorney not exceeding twenty dollars per day for the time actually employed in the trial and a reasonable

number of days to be determined and fixed by him for preparation therefor, and for the district attorney for preparation for trial. The amounts so taxed and allowed shall be certified by said judge to the secretary of state, who shall thereupon draw his warrant upon the state treasurer for the respective amounts allowed in favor of the parties named as entitled thereto. If the judgment be against the defendant, all or a part of the costs may, in the discretion of the court, be charged to him, in which case they shall, together with any fine so adjudged, be collected by the district attorney of the county where defendant resides, and by him paid into the state treasury.

Costs of disbarment under usual practice. 14. The reasonable costs of disbarment proceedings conducted under the usual practice, other than that specially provided for in this section and the subdivisions thereof, shall be taxed, paid, adjudged and collected in the same manner as herein prescribed.

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

Approved April 20, 1903.

No. 265, A.]

[Published April 21, 1903.]

CHAPTER 85.

AN ACT amendatory of section 3813a of the statutes of 1898, relating to discharge of mortgage, judgment, etc.

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

SECTION 1. Section 3813a of the statutes of 1898, is hereby amended by inserting after the word "record" in line six thereof, the words "or any contract for the conveyance of land by such person remains unfulfilled," and by inserting after the word "record" in line ten thereof, the words "or conveying such lands," so that said section when so amended shall read as follows: