

thereon at the close of the polls, and the difference between such numbers shall be taken as the correct vote for the candidate whose name is opposite such counter on the voting machine, provided, however, that if the number registered on such counter at the close of the polls shall be smaller than the number registered thereon before the opening of the polls, the number one thousand shall be added to the number registered on such counter at the close of the polls, before such subtraction shall be made.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved June 20, 1905.

No. 157, A.]

[Published June 29, 1905.

CHAPTER 496.

AN ACT to amend chapter 90 of the laws of 1901, as amended by chapters 97 and 359 of the laws of 1903, relating to dependent, neglected and delinquent children.

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

Dependent and neglected child defined. SECTION 1. Section 1 of chapter 90 of the laws of 1901 as amended by chapters 97 and 359 of the laws of 1903, is hereby amended so as to read as follows: Section 1. The provisions of this act shall only apply to counties containing cities of the first, second or third classes, as ascertained by the last state or United States census. For the purposes of this act the words "dependent child," and "neglected child," shall mean any child under the age of sixteen years, who for any reason is destitute or homeless, or abandoned, or dependent upon the public for support; or has not proper parental care or guardianship; or who habitually begs or receives alms; or who is found living in any house of ill-fame, or with any vicious or disreputable person, or whose home by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such a child; and any child under the age

of eight years who is found peddling or selling any article, or singing or playing any musical instrument upon the street, or giving any public entertainment without a permit therefor, to be issued in his discretion by the judge of the juvenile court hereinafter provided for. The words "delinquent child," shall include any child, under the age of sixteen years, who violates any law of this state, the penalty for which is not imprisonment in the state prison, or who violates any city or village ordinance; or who is incorrigible; or who knowingly associates with thieves, vicious or immoral persons; or who is growing up in idleness or crime; or who knowingly patronizes any place where any gaming device is or shall be operated; or *who knowingly visits or enters a house of ill-repute; or who patronizes, visits, or enters any stall saloon, or wine room, or any saloon frequented by men or women of bad repute; or who attends, visits or enters any dance held in any room or hall in connection with a saloon, unless accompanied by parents or legal guardian; or who loafs or congregates with groups or gangs of other boys at or about any railroad yards or tracks; or who habitually uses obscene, vulgar or profane language, or is guilty of immoral conduct in any public place, or about any schoolhouse.* Where a parental school is available, a juvenile disorderly person may be classed as a delinquent.

Who to preside; style of court; jury, how, obtained. SECTION 2. Section 2 of chapter 90 of the laws of 1901 as amended by section 2 of chapter 97 of the laws of 1903, is hereby amended so as to read as follows: Section 2. The judges of the several * * * courts of record in counties where this act shall be in force shall, at such times as they shall determine, designate one or more of their number, whose duty it shall be to hear at such place and time as he may set apart for such purpose, all cases coming under this act, and in case of the absence, sickness or other disability of such judge he shall designate a judge of any court of record whose duty it shall be to act temporarily in his place. The findings of the court shall be entered in a book or books to be kept for that purpose, and known as the "Juvenile Record," and the court shall be called for convenience the "juvenile court," and the clerk of the court of which such judge is a member shall be the clerk of such "juvenile court." *The stenographic reporter of the court of which such judge is a member shall be the reporter of such "juvenile court," and shall attend all the sessions thereof and take down in shorthand the testimony taken and proceedings had at such sessions and*

promptly transcribe the same and forthwith file a copy with the clerk of such court, and also furnish such other copies as the judge shall order. The judges of the several courts of record in counties having over 150,000 population shall, on or before the first day of July, 1905, and on the first day of July of every second year thereafter, appoint a chief probation officer of said "juvenile court." Said chief probation officer shall be on duty daily during the same number of hours as the clerks of the courts and such other time as said judge may require, either in attendance upon the courts or in an office, or part thereof, which shall be furnished for the use of said chief probation officer by the board of supervisors of said county in the building in which said "juvenile court" is held. It shall be the duty of said chief probation officer to attend all the sessions of the "juvenile court" and to take such action as shall be for the best interests of the children brought before such court, to supervise the work of the probation officers and to receive and file their monthly and final reports; to find out each day what children are in custody and, before each session of said "juvenile court," to gather all evidence possible for the protection of each of said children; to receive all persons having business before the "juvenile court" and assist them in procuring necessary and suitable papers, and, in general to advise all persons needing information in regard to cases in which children are concerned, and to assist in the proper disposition of all such matters coming before the courts, and to perform such other duties as may be assigned to him by said judge of the "juvenile court." But it shall not be part of the duties of such chief probation officer to visit families or to perform the ordinary duties of a probation officer especially appointed for an individual child. Such chief probation officer shall receive per year such compensation for his services as shall be determined by the county board of said county, and said county board is empowered to fix the compensation of the chief probation officer in the same manner as the salaries of the other officers, and the compensation of the chief probation officer or his substitute provided for in this section, shall be paid monthly by the county in which such "juvenile court" shall be situated. In case of the absence or disability of said chief probation officer for more than three days, he shall designate some competent person to act in his stead to be approved by the judge of the "juvenile court," who shall receive during such appointment compensation for his services such sum as shall be determined by said county board. Said

chief probation officer or his substitute may be removed by the judges of the courts of record of such county for incompetency, or wilful or habitual neglect to perform the duties of his office. In the trials under this act of any dependent or delinquent child, any person interested therein may demand a jury of six, or the judge of his own motion may order a jury of the same number to try the case. Such jury when demanded or ordered shall be obtained in the manner provided in chapter 194 of the statutes of 1898, and the provisions of sections 4750 to 4758, both inclusive, of said chapter 194, shall be applicable to all such trials.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 20, 1905.

No. 786, A.]

[Published June 29, 1905.

CHAPTER 497.

AN ACT to amend section 1863a of the statutes of 1898, as amended by chapter 465 of the laws of 1901, as amended by chapter 266 of the laws 1905, relating to condemnation proceedings by street and electric railway companies.

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

Condemnation. SECTION 1. Section 1863a of the statutes of 1898, as amended by chapter 465 of the laws of 1901, as amended by chapter 266 of the laws of 1905, is hereby amended so as to read as follows: Section 1863a. Any street or electric railway corporation shall have the power to lay out its right of way not exceeding 100 feet in width and acquire the same by condemnation and to construct its railway thereon; *provided, that wherever such corporation has constructed its railway on any street or highway under a franchise granted to it by any town or village board or city council, such corporation shall not, dur-*