

brought directly for the purpose of vacating such order, ordinance or proceeding by the proper officer or by any person owning taxable property in any town purporting to be so organized, set off, enlarged or diminished at any time within * * * one year * * * after the date of such order, ordinance or proceeding. No such order, ordinance or proceeding shall in any wise be called in question in any action or proceeding except one brought directly for that purpose within the time herein limited, unless such order, ordinance or proceeding shall have been vacated by a court of competent jurisdiction.

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

Approved April 28, 1909.

No. 650, A.]

[Published April 29, 1909.

CHAPTER 75.

AN ACT to amend section 11 of chapter 249, laws of 1895, relating to the jurisdiction of the county court of Lincoln county.

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

SECTION 1. Section 11 of chapter 249, laws of 1895, is amended to read: Section 11. The county judge may appoint a phonographic reporter, skilled in the art of shorthand reporting, for said court, and may remove him at pleasure and appoint another in his place. Every person so appointed shall be deemed an officer of said court, and shall, before entering upon the duties of his office, take and subscribe the constitutional oath and file the same, duly certified, with the clerk of the circuit court of Lincoln county. The reporter shall attend said county court whenever requested by the county judge, and perform such duties as the county judge may require. The reporter's notes shall be filed in lieu of the minutes required by law to be taken by justices of the peace in like proceedings; provided, that in case of appeal in civil actions, said reporter, when requested by the appellant, shall file a transcribed copy of his notes, 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 part of the judge's fees in the case. Said reporter shall receive such compensation for taking testimony as shall be fixed by the county judge, not exceeding three dollars per day for each day's actual attendance, and two dollars for each half day's attendance on said court, which amount

shall be taxed as costs in the case. * * * The sum per diem paid to the county judge and to the phonographic reporter, shall be in lieu of the fees allowed by law to justices of the peace for taking testimony in such case. Section 2439, of the revised statutes shall apply to said reporter and said court, and section 4141, of the revised statutes shall apply to transcribed copies of the testimony and proceedings taken by the reporter in the county court.

SECTION 2. This act shall take effect and be in force from and after twelve o'clock noon, on the first Monday in January, 1910.

Approved April 28, 1909.

No. 821, A.]

[Published April 29, 1909.

CHAPTER 76.

AN ACT to amend section 1, chapter 24, laws of 1895, relating to a municipal court in and for the city of Oshkosh and county of Winnebago.

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

SECTION 1. Section 1, chapter 24, laws of 1895, is amended to read: Section 1. A municipal court for the city of Oshkosh and county of Winnebago, is hereby established, under the name of the municipal court of the city of Oshkosh and county of Winnebago; said court shall be a court of record, and have a clerk and seal with suitable device to be procured under the direction of the judge of said court, at the expense of the city of Oshkosh; said court may exercise powers and jurisdiction equal and concurrent with the circuit court of Winnebago county in all cases of crimes and misdemeanors arising in said county, except murder, and except where the person accused shall demand, in writing, as herein provided, to be tried in said circuit court; such jurisdiction shall include the right to try and determine all appeals to such court, in criminal cases, from justices of the peace in said county, and the party appealing may, at his option, appeal to the county court of said county, or to said municipal court. * * *. No justice of the peace or court commissioner within said city, shall exercise any jurisdiction in criminal or bastardy cases, but all such jurisdiction is vested in the judge of said court; and all examinations, recognizances and commitments from said judge, and the other justices of the peace of said county, in criminal cases (except mur-