

such district shall, within twenty days thereafter, file with the clerk of said circuit court, a certified copy of such certificate, together with such notice of appeal, and the date of service thereof, and shall pay to such clerk of the circuit court one dollar for the tax on the appeal, and thereupon the clerk of such court shall enter an action therein, in which the appellant shall be plaintiff, and the school district shall be defendant. The issues in such action shall be, the legality of all the proceedings of said board under this act, and the amount of compensation and damages to which the plaintiff is entitled, by reason of the taking of his lands for a school house site as aforesaid. And the issue shall be tried without further pleadings, in the same manner as other issues of fact are tried in such court, and either party shall be entitled to a jury, and the judgment therein shall be enforced in the same manner as other judgments in personal actions rendered by said circuit court; *Provided*, that in all cases where the question of damages is the only issue, and the plaintiff does not recover a larger sum than was awarded him by such board, he shall recover no costs.

The issues in action.

How tried.

Costs in certain cases.

SEC. 8. Whenever the district is situated in two or more towns, the board shall consist of the chairman of the town board of supervisors, the town superintendent of schools, and the town clerk of each of the towns in which such district is situated.

When district is in two or more towns.

SEC. 9. This act shall take effect from and after its passage and publication.

Approved March 31, 1860.

## CHAPTER 321.

[Published April 26, 1860.]

AN ACT to amend chapter 121, of the Revised Statutes, entitled "Of the jurisdiction of justices in criminal cases, and of the proceedings therein,

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section thirty, of chapter one hundred and twenty-one, of the Revised Statutes of this State, is hereby amended so as to read as follows, to wit: "In all cases of conviction under the provisions of this chapter, Justice to enter judgment and commit defendant in certain cases.

where no other punishment is required by law, the justice shall enter judgment for fine and costs of prosecution against the defendant, and shall commit him until the judgment is satisfied: *Provided*, that when the fine imposed is less than five dollars, such commitment shall terminate, and such defendant shall be discharged, at the end of thirty days, upon complying with the provisions and requirements of section twenty, of chapter one hundred and ninety, of the Revised Statutes of this State; and when the fine imposed is over five and less than fifteen dollars, such commitment shall terminate, and such defendant shall be discharged, at the end of sixty days, upon complying with the provisions and requirements of section twenty, of chapter one hundred and ninety, aforesaid, or he shall enter a judgment that the defendant be imprisoned in the county jail for a term not less than five nor more than forty days, and shall forthwith commit the defendant for the term fixed by such judgment; and in all cases where the judgment shall be that the defendant be imprisoned in the county jail, the justice may, in his discretion, enter a further judgment that the defendant pay the costs of the prosecution, and that he be held in imprisonment in said county jail until such costs be paid."

When fine is less than \$5.

When fine over \$5 and less than \$15.

Costs of prosecution may be awarded against defendant.

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

Approved March 31, 1860.

## CHAPTER 322.

[Published April 26, 1860.]

AN ACT to amend chapter twenty-five, of title eight, of the Revised Statutes, entitled "Of the publication of legal decisions."

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

REPORTER OF SUPREME COURT TO PUBLISH DECISIONS.

SECTION 1. The reporter appointed, or hereafter to be appointed, by the supreme court, shall, from time to time, as occasion may require, cause the decisions of the supreme court to be reported and published at his own cost and charges, in such convenient size, and in the usual form of law reports, and the reporter shall be entitled to the copyright of the same.