

unless the same are taxed as costs and paid by the defendant.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved March 27, 1897.

No. 200, A.]

[Published March 31, 1897.

CHAPTER 129.

AN ACT to confer and impose criminal jurisdiction upon the county court of La Crosse county.

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

Criminal jurisdiction conferred on county court.

Shall have and exercise all rights given to justices of the peace. Jurisdiction.

SECTION 1. Criminal jurisdiction is hereby conferred and imposed upon the county court of La Crosse county, and the judge thereof as hereinafter provided.

SECTION 2. The county court of the county of La Crosse shall have and exercise all the jurisdiction, authority, powers and rights given by law to justices of the peace in criminal actions. Said court shall have exclusive jurisdiction to try all cases of misdemeanor, and all prosecutions under the police regulations of the state (bastardy excepted) arising within said county, and shall have power to sentence and commit all persons convicted of any such offenses. Said court shall have authority and jurisdiction throughout said county to issue warrants for the apprehension of persons charged with the commission of any felony or bastardy within said county, and to examine such alleged offenders and commit or hold

them to bail the same as a justice of the peace might otherwise do. On the plea of guilty by one accused of crime, the said court shall have jurisdiction and power to sentence the accused for any offense for which the highest penalty provided by law does not exceed five years imprisonment in the state prison. On and after the first Monday in May, A. D. 1897, no justice of the peace, police justice or court commissioner within said county shall have or exercise any jurisdiction in criminal cases, or prosecutions under the police regulations of the state, except that in cases of felony and bastardy, such justices and court commissioners may issue warrants of arrest returnable to said county court; and when so doing they shall cause the complaint in any such case to be forthwith filed in said county court. Nothing in this section, or in this act, shall be construed as conferring upon said county court jurisdiction in cases arising under any city or village ordinance, or as interfering with the jurisdiction of justices in cases arising under such ordinances.

SECTION 3. The register in probate of said La Crosse county shall be the clerk of said county court in all proceedings had under the provisions of this act, and shall be styled "clerk of the county court." Said clerk shall keep a record of such proceedings of said court substantially in the same form as the docket of a justice of the peace, and perform all the ministerial acts required of him by and under the direction of said county court.

Register in probate to be clerk of county court.

SECTION 4. No criminal or bastardy action or proceeding, or prosecution under the police regulation of the state, shall be removable from said county court for trial or examination; but when it shall appear, by the affidavit of the accused or of his attorney, that the judge thereof is disqualified, by reason of prejudice or other cause, to hear or try any such action or proceeding, he shall, and if by reason of absence, sickness or temporary disability he is unable to perform his duties, he may, by order in writing

Regarding the removal of criminal cases.

to be filed in said court, call in any court commissioner of said county to act in his stead; and in case of the inability of the county judge to make such order, the same may be made by the circuit judge of La Crosse county; and such court commissioner when so called in shall have and possess all the powers and authority conferred, and shall perform all the duties imposed upon said county judge by this act. Such court commissioner shall receive from the county treasury the sum of five dollars for each day, and three dollars for each half day during which he shall so serve.

Trial by jur.:

SECTION 5. Trial by jury may be had in said county court of all actions brought therein by virtue of the jurisdiction herein conferred and imposed in the same manner as now had in justices' courts; and appeals to the circuit court of said county may be taken in the same manner and with like effect as now provided for appeals from justices of the peace.

Sheriff to be officer of the court.

SECTION 6. The sheriff of La Crosse county shall be the officer of said court and shall serve its processes and carry into effect its orders and judgments, and shall be in attendance either in person or by deputy during all trials and examinations held or conducted by virtue of the jurisdiction herein conferred; provided, that the warrants of said court may be served by the constables of said county, and by the chief of police or marshal of any incorporated city or village in said county. The fees of witnesses, jurors, the sheriff and other officers, and the taxable costs of cases in said court shall be the same as in justices' courts.

Regarding fees and their collection.

SECTION 7. It shall be lawful for the said county judge to charge and collect the same fees in all actions or proceedings in said court as are allowed by law to justices of the peace in similar cases. The clerk of said court shall keep an itemized account of all money received from defendants in all prosecutions in said court; all fees, costs, fines and penalties received shall be by said county judge paid over

to the county treasurer at the end of each and every month, and the receipt therefor filed in the office of the county clerk of said county.

SECTION 8. Said county judge shall daily hold his court for the trial and examination of criminal cases and prosecutions under the police regulations of the state, at the county seat of said county, in some suitable room to be provided by the county board at the expense of said county. All needful stationery and all blanks and record books required by said court shall be furnished by the county.

Court to be held daily

SECTION 9. The said county judge shall be paid as compensation for the performance of the duties herein imposed upon him, an annual salary of five hundred dollars, which shall be in addition to the compensation to which he is entitled under the general statutes of the state, and to the salary fixed by the county board for the performance of the regular and usual duties of county judges; he shall also receive the sum of three hundred dollars to be expended by him for clerk hire and clerical assistance in the performance of the duties herein imposed; said salary and clerk hire shall be paid from the county treasury as other salaries of county officers are paid. It shall be lawful for the county board of said county at any time before the election of a judge, to fix the salary for the ensuing term for all services of every kind to be rendered said county by said judge, and to require all fees received by the county judge by virtue of his office to be paid into the county treasury.

Salary of county judge, and how paid.

SECTION 10. This act shall take effect and be in force from and after the first Monday in May, A. D. 1897.

Approved March 27, 1897.