

No. 288, A.]

[Published April 2, 1901.

CHAPTER 105.

AN ACT to amend section 1 of chapter 128 of the law of 1897, relating to the municipal court of the city and town of Ripon.

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

Jurisdiction of court; disposition of fines; vacation of judge; motions. SECTION 1. Section 1 of chapter 128 of the laws of 1897 is hereby amended by inserting after the word "Ripon" where it occurs in the fifty-ninth line of said section, the following: "Said municipal court shall be continuously open during each of its terms and during at least one day in each week, as shall be designated by the judge thereof at the opening day of each term, shall be regularly in session for the transaction of business, and when so in session it shall continue from day to day until all unfinished business, ready for disposition, shall be disposed of, provided that a vacation, not exceeding four weeks in succession, may be taken by the judge once in each year;" in lieu of the following where they appear in said section; "Said municipal court shall be deemed open for the transaction of business from the commencement of any regular term thereof until any such term is adjourned without day or until the next regular term thereof." And said section is further amended by inserting at the end thereof the following: "Motions and issues of law or fact pending in said court may be brought to a hearing at any session day of said court, upon eight days' prior notice in the case of motions, and ten days' prior notice in the case of trials of issues joined, and on said session day the trial shall be taken up in the order of the date of issue unless otherwise ordered or stipulated. If for any reason the court is not in session on the day for which the motion or trial has been noticed, the same shall stand for argument or trial at the next session day at which the court may be sitting." So that said section when amended shall read as follows: Section 1. The municipal court of the city and town of Ripon heretofore established is continued and shall be a court of record and have a clerk and seal, shall have exclusive appellate jurisdiction in all cases of appeal, civil and criminal, from justices' courts in said city and town, and of all cases commenced in such justices' courts when an answer shall be put in showing that title to lands will come in question and which shall then be certified to said municipal court in the man-

ner provided by law for certifying such cases to circuit courts. It shall also exercise powers and jurisdiction in all civil actions and proceedings arising within the city and town of Ripon in law and equity, concurrent with and equal to the jurisdiction of the circuit court of Fond du Lac county, where the value of the property in controversy, or the amount of money claimed or sought to be recovered, after deducting all payments and set-offs, shall not exceed fifty thousand dollars; and also of all actions for the foreclosure of mortgages in which the amount claimed does not exceed the amount aforesaid, although the value of the property to be affected by the judgment exceeds that sum. It shall also have concurrent jurisdiction with said circuit court of all criminal offenses committed within the city or town of Ripon other than those punishable by imprisonment in the state prison, and in any proceedings in any such criminal offense alleged to have been committed within the jurisdiction of said municipal court which a justice of the peace has not jurisdiction to try and determine and in which the accused shall be bailed, recognized, bound over or committed for trial, such accused shall be bailed, recognized, bound over and committed for trial before the said municipal court at the next term thereof. If any person accused of any criminal offense, is so bound over or committed for trial before said municipal court and it shall thereafter appear, by the filing of the information or otherwise, that said municipal court has not jurisdiction to try the offense, then such proceedings shall not abate and the said municipal court shall not lose jurisdiction of such person or proceedings, but the judge thereof shall certify the same to the circuit court of Fond du Lac county, which court shall thereupon have jurisdiction thereof to try and determine the same. All fines and penalties collected in said municipal court, except for violation of city ordinances, shall be paid to the treasurer of Fond du Lac county, and all fines and penalties for violation of city ordinances shall be paid to the treasurer of the city of Ripon. Said municipal court shall be continuously open during each of its terms and during at least one day in each week, as shall be designated by the judge thereof at the opening day of each term; shall be regularly in session for the transaction of business, and when so in session it shall continue from day to day until all unfinished business ready for disposition, shall be disposed of, provided: That a vacation, not exceeding four weeks in succession, may be taken by the judge once in each year, and no adjournment from day to day shall be necessary to the validity of any proceedings in said court, but no per diem shall be paid to any officer of said court for any day on which the court is not actually in session transacting business, requiring the presence

of such officer. Said court shall have the seal heretofore procured therefor, and its judgments and orders may be reviewed by the supreme court in the same manner that judgments and orders of circuit courts may be. Motions and issues of law or fact pending in said court, may be brought to a hearing at any session day of said court upon eight days' prior notice in the case of motions, and ten days' prior notice in the case of trials of issues joined, and on said session day the trial shall be taken up in the order of the date of issue, unless otherwise ordered or stipulated. If for any reason the court is not in session on the day for which the motion or trial has been noticed, the same shall stand for argument or trial at the next session day at which the court may be sitting.

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

Approved March 30, 1901.

No. 297, A.]

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CHAPTER 106.

AN ACT to amend chapter 34 of the laws of the state of Wisconsin for the year 1899, relating to the appointment of a board of trustees of homes for dependent children.

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

Treasurer of home; quarterly appropriations; binding out minors; adoption; duty of trustees. SECTION 1. Chapter 34 of the laws of 1899, is hereby amended by striking out section 3 of said act and inserting in lieu thereof as said section 3, the following: "The treasurer of the county shall be the treasurer of such dependent home." And by adding thereto new sections as follows: Section 4. The county board of any county in which such dependent home has been established shall make sufficient appropriations, quarterly in advance, for the support and maintenance, repair and improvement of said dependent home and grounds; and such appropriation, so made, shall be paid for such purpose to the order of said board of trustees, in such manner as their by-laws may provide. Section 5. Such trustees,