

of the laws of 1903, and such moneys when so paid shall become a part of such fund and be governed by the provisions relating thereto.

Approved June 26, 1907.

(In effect July 1, 1907.)

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No. 175, §.]

[Published June 27, 1907.

## CHAPTER 424.

AN ACT to confer additional jurisdiction on the county court of Florence county.

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

**Jurisdiction: civil and criminal.** SECTION 1. There is hereby conferred upon the county court of Florence county, jurisdiction as follows:

1. The county court of the county of Florence shall have cognizance of and jurisdiction to hear, try and determine, all actions and proceedings at law wherein the amount of debt, damages, penalty or forfeiture shall not exceed the sum of five hundred dollars; actions to recover the possession of personal property with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars, and all charges for offenses arising within said county and which are not punishable by commitment to the state prison; and the judge of said county court shall have power to sentence and commit all persons convicted of any offense of which said court has jurisdiction.

Said court shall have power and jurisdiction throughout said county to cause to come before it persons who are charged with any criminal offense and commit them to jail or bind them over to the circuit court as the case may require. The judge of said court shall further have all the jurisdiction, authority, powers and right given by law to justices of the peace and shall be subject to the same prohibitions and penalties as justices of the

peace. The judge of said court shall have the same fees as justices of the peace.

**Judgment by confession; required statements.** 2. A judgment by confession may be entered before the judge of the county court of the county of Florence in any sum not exceeding five hundred dollars, without action, either for money due or to come due or to secure any person against contingent liability on behalf of the defendant, or both, if a statement in writing be made, signed by the defendant and verified by his oath to the following effect:

First. It must state the amount for which judgment may be entered and authorize the entry of judgment therefor.

Second. If it be money due or to come due, it must state concisely the fact out of which it arose and must show that the sum confessed therefor is justly due or to come due.

Third. If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the fact constituting the liability and must show that the sum confessed does not exceed the sum.

**Removal of actions to said court.** 3. Whenever any action, examination or other proceeding shall be removed from any justice of the peace of said county of Florence upon the oath of the defendant, his agent or attorney, according to the provision of law for such removal, if said defendant, his agent or attorney, shall request in writing to said justice that the action, examination or other proceeding be removed to the said county court, then the action, examination or other proceeding and all papers therein, shall be transmitted to the presiding judge thereof who shall proceed with the action, examination or other proceeding in the same manner as if originally instituted before him.

**Jury trial.** 4. In all cases arising in said court under this act or in which said court shall obtain jurisdiction as in this act specified, a trial by jury may be had in the same manner and process as in justice court.

**Court officers.** 5. The sheriff and constables of Florence county shall have the same power to serve and execute processes of this court as of justice's court and shall be entitled to receive the same fees.

**Form of summons and other process.** 6. The summons in all actions may be in the following form :

Florence County, }  
 Town of Florence, } ss.

The State of Wisconsin to the sheriff or any constable of said county :

You are hereby commanded to summon A. B. if he shall be found within your county, to appear before the undersigned, the county judge of said county, at the county court room, in said court house in the town of Florence, county aforesaid, on the ..... day of ....., at ..... noon, to answer to C. D., plaintiff, to his damage, five hundred dollars, or under.

Hereof fail not at your peril.

Given under my hand at Florence, Florence county, Wisconsin, this ..... day of ....., A. D. ....

.....  
 County Judge.

and all other writs, warrants and processes necessary to be issued in this act shall be in the form prescribed by law for justices of the peace and justices' courts, but under the name of the county judge of said Florence county; and all processes issued by said county judge under the provisions of this act shall be made returnable within the same time as like processes issued by justices of the peace under existing laws and shall be served within the same time and in the same manner as like processes of justices of the peace are required to be served under existing laws.

**Attorney fees of plaintiff and defendant.** 7. In all civil actions under this act in the county court in the county of Florence, the plaintiff, if he shall obtain judgment, shall be entitled to recover attorney's fees as follows: On all judgments taken in actions wherein the defendant does not appear or demur when the amount of the judgment exceeds one hundred dollars and is less than three hundred dollars, ten dollars. When the amount of the judgment is three hundred dollars and upwards, fifteen dollars. On all other judgments when the amount does not exceed one hundred dollars, an amount equal to ten per centum of the amount of the judgment. When the amount of the judgment exceeds the sum of one hundred dollars, ten dollars, on the first one hundred dollars, and five per centum on

the amount of the judgment in excess of one hundred dollars, provided that in no case shall the amount of the attorney fee exceed the sum of twenty dollars. And in case judgment shall be for the defendant, he shall be entitled to recover attorney fees as follows: In cases where the plaintiff shall claim in his complaint one hundred dollars or less, an assessment equal to ten per centum of such claim. In all cases where the plaintiff shall claim in his complaint a sum of over one hundred dollars, ten dollars for the first one hundred dollars and five per centum on the amount claimed in excess of one hundred dollars, provided that in no case shall the amount of attorney fees exceed the sum of twenty dollars.

The provisions of this section shall apply to proceedings for the recovery of possession of personal property and the value of the property as found, if judgment be for the plaintiff, and as claimed, if judgment be for the defendant, shall be the basis for the taxation of attorney fees and in all other civil actions not herein provided for, an attorney fee of ten dollars shall be allowed to the party in whose favor judgment is rendered, provided, however, that no attorney fee shall be allowed unless the party who recovers the judgment shall appear by an attorney of a court of record.

**Stenographer; transcripts of testimony.** 8. It shall be lawful for said judge to call in a stenographer to take testimony in any trial, examination or proceeding before him under this act, which stenographer shall receive ten cents per folio for taking and transcribing said testimony. The fees above specified shall, in all civil cases, be taxed as costs against the losing party. In criminal cases they shall be returned to the county as part of the costs in the case. A transcribed copy of the notes so taken, shall be filed in lieu of the minutes required by law to be taken by justices of the peace in like proceedings.

**Appeals to circuit court.** 9. Appeals from said county court shall be made to the circuit court of Florence county and the manner and form and time of taking an appeal shall be in the manner and form and time of taking such appeal from justice court.

**Stationery and blanks.** 10. All needful stationery and blanks required by said court in criminal actions and examinations and the judge's docket required by law to be kept in such actions shall be furnished at the expense of Florence county.

**Transcripts of judgments.** 11. The provisions of section 2900 of the statutes of 1898, shall apply to the filing of all transcripts of judgments in this court with the clerk of the circuit court, so far as the same are applicable thereto.

**Conflicting laws repealed.** SECTION 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

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

Approved June 26, 1907.

No. 206, S.]

[Published June 27, 1907.

## CHAPTER 425.

AN ACT to create section 5241 of the statutes authorizing the state superintendent of public instruction to procure architects' plans and specifications for school buildings, and loan the same to school districts, and making an appropriation therefor.

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

SECTION 1. There is added to the statutes a new section to read:

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

Approved June 26, 1907.