

may give to any teacher employed, without deduction from his wages, the whole or any part of any time spent by him in attending the sessions of any institute held in the county embracing any part of the district, in attending a school board convention, or in attending the meeting of any teachers' association, upon such teacher furnishing to the clerk, to be filed by him, a certificate of regular attendance on such institute, school board convention, or teachers' association, signed by the person conducting the institute or convention or by the secretary of the association. * * *

SECTION 2. This act shall take effect upon passage and publication.

Approved July 1, 1927.

No. 285, S.]

[Published July 2, 1927.

CHAPTER 314.

AN ACT to amend subsections (6), (8), (9), (10), (12), (13) and (14) of section 256.28; and to create subsection (8) of section 20.62 and subsection (16) of section 256.28 of the statutes, relating to attorneys and the board of bar examiners and making an appropriation.

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

SECTION 1. Subsections (6), (8), (9), (10), (12), (13) and (14) of section 256.28 of the statutes are amended to read: (256.28) (6) The supreme court shall on or before the second Tuesday in August in the year 1903, appoint five competent resident attorneys, who shall constitute a board * * * to be known as the state bar commissioners. One of such persons shall be appointed for one year, one for two years, one for three years, one for four years and one for five years. The supreme court shall, on or before the second Tuesday in August in each year, after 1903, appoint one member of said board, who shall hold his office for five years. Three members of said board shall constitute a quorum. The supreme court shall, from time to time, make and adopt such rules and regulations relating to the qualifications of applicants for examination, the course of study to be pursued by such applicants and the standard of requirements of such applicants to entitle them to admission to practice in the courts of

this state and such other rules and regulations relating to the examination of applicants for admission to the bar as such court may deem necessary or desirable. The period of study necessary to enable the applicant to take the examination shall be at least three years. A fee of ten dollars shall be paid to the * * * *said board* by each applicant before taking any examination. The * * * *said board* may adopt such rules, regulations and forms relating to holding and conducting its meetings and its procedure as it may deem necessary. Whenever the * * * *said board* shall receive in any manner what to it appears to be reliable information to the effect that any attorney has *violated any of the provisions of the oath for admission to the bar prescribed in section 256.29* or been guilty of misconduct which would justify the suspension or revocation of his license, it shall be the duty of such board to investigate the facts in reference thereto, and after such investigation, to file a complaint thereon when in its judgment the facts so warrant. The clerk of the supreme court shall be ex officio secretary of said board, but he shall not be a member thereof. *Whenever said board shall, either directly or through the counsel hereinafter provided for, file with any circuit court commissioner of this state a written statement or declaration that it has received what to it appears to be reliable information to the effect that any attorney has been guilty of misconduct which would justify the suspension or revocation of his license, it shall be the duty of said circuit court commissioner to issue his subpoena for such persons as may be requested by said state bar commissioners or their counsel requiring them to appear before him at a time and place to be fixed in said subpoena, and proceedings may thereupon be had in respect thereto in the same manner as is provided in section 133.06, Wisconsin statutes, and all of the provisions of said statute in so far as the same may be applicable or adaptable to said proceeding shall apply thereto. Whenever said board shall, either directly or through such counsel so request, the clerk of the circuit court in any county shall issue a subpoena for such persons as may be requested, requiring them to appear before said board or before any member thereof at time and place to be fixed in such subpoena, and like proceedings may thereupon be had before said board or such member thereof. The fees of such court commissioner, clerk and witnesses shall be certified by the chief justice and paid in the manner hereinafter provided in subsection (14).*

(8) Three or more residents of the state, * * * one of whom shall be * * * *the district attorney of the county wherein the misconduct complained of occurred* or the board of * * * *state bar commissioners* may make written complaint against any person described in subsection (7). The complaint may be either positive, or on information and belief, and must be signed and verified by the oath or affirmation of those who make it. It must be entitled in the name of the state of Wisconsin against the defendant, and be addressed to the * * * *justices of the supreme court*, contain the name and residence of the defendant and * * * state with clearness and certainty the facts constituting the alleged misconduct of *the* defendant. It shall be presented to * * * *a justice of the supreme court*.

(9) The * * * *supreme court* shall by order * * * require *the* defendant to appear and answer or demur to the complaint within twenty days after service upon him of the complaint and order, and to file his pleading or motion in the * * * *office of the clerk of the supreme court* within ten days after the time limited to plead * * * and shall cause the complaint and order to be served by the sheriff of the county where *the* defendant resides, or by some other competent person, in the same manner as a summons, except that service by publication shall not be authorized. The original complaint and order, with proof of service, shall forthwith be filed in said clerk's office.

(10) * * * *The supreme court as occasion may require shall appoint a competent attorney who is a member of the bar of the supreme court to act as a counsel for the state bar commissioners and to conduct investigations and prosecute disbarment proceedings. The district attorney of the county of the defendant's residence shall in his county render such assistance in investigations and preparation for trial as such counsel shall reasonably request.*

(12) *Upon the filing of the defendant's answer the supreme court shall appoint a referee to hear the cause and to report his findings to the court, together with his recommendations as to the judgment to be made. The referee shall give to the defendant and counsel for the board of state bar commissioners at least twenty days' notice in writing of the time and place of trial. The proceeding shall be a civil action triable * * * without a jury, governed by the rules and practice in equitable actions, except as different procedure is herein prescribed. * * * At*

the commencement of the trial or during its progress the sittings may be changed as often as may be found convenient from one county to any other including that of the defendant's residence, upon the request of either party or * * * *on motion of the referee*, if it shall appear that the convenience of the parties or witnesses or the * * * *speeding* of the cause will be served thereby. * * * All proceedings shall be carefully taken down by * * * *a stenographer to be appointed by the court*, and the same together with all the testimony and evidence shall be transcribed in longhand or typewritten and certified and filed by him with * * * other papers in the case. * * *

(13) * * * *Upon the filing of the report of the referee, including his findings of fact and recommendations as to the judgment to be entered, notice thereof shall be served on the defendant or such attorney as shall have appeared for him and on the counsel for the board of state bar commissioners, and such objections or motions as the defendant or such counsel shall see fit to make thereto shall be filed within twenty days thereafter. The court shall thereupon set the cause down to be heard not less than twenty days after the date of the filing of such objections and exceptions. By the judgment the court may adjudge as follows:*

(a) Absolute revocation or annulment of defendant's license to practice before all courts of record of the state of Wisconsin.

(b) Temporary suspension of license * * * *on such conditions as to the court shall seem just and with or without the payment of a fine and the costs of the proceeding in whole or in part.*

(c) The judgment may contain such other provisions with or without the foregoing as may be authorized by law.

(14) The * * * *supreme court* shall tax the costs including the witnesses', reporter's, clerk's, sheriff's, *referee's* and other officers' fees * * * The amounts so taxed and allowed shall be certified by * * * *the chief justice* to the secretary of state, who shall thereupon draw his warrant * * * *on the state treasurer* for the respective amounts allowed in favor of the parties named as entitled thereto. Such amounts shall be charged to the * * * appropriation provided in * * * section * * * 20.62. If the judgment be against the defendant, all or a part of the costs may, in the discretion of the court, be charged to him, in which case they shall, together with any fine

so adjudged, be collected by the district attorney of the county where defendant resides, and by him paid into the state treasury.

SECTION 2. A new subsection is added to section 20.62 and a new subsection is added to section 256.28 of the statutes to read: (20.62) (8) To the counsel for the board of state bar commissioners such compensation, not exceeding five thousand dollars in any one year, as may be fixed by the chief justice.

(256.28) (16) The counsel for the state bar commissioners and the referee herein provided for shall take and subscribe and file with the clerk of the supreme court the usual and customary oath of office.

SECTION 3. This act shall take effect upon passage and publication.

Approved July 1, 1927.

No. 301, S.]

[Published July 2, 1927.

CHAPTER 315.

AN ACT to amend subsection (9) of section 84.03, and to create section 87.055 of the statutes, relating to the construction of bridges over waters forming portions of the state boundary, and making an appropriation.

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

SECTION 1. Subsection (9) of section 84.03 of the statutes is amended to read: (84.03) (9) The highway commission shall first set aside, and use for that purpose, from the amount appropriated for the improvement of the state trunk highway system and the county trunk highway systems by subsection (9) of section 20.49, a sufficient amount each year so that all of the federal aid allotted to this state under the federal aid acts approved November 9, 1921, and June 19, 1922, and available to this state in the four fiscal years ending in 1922 to 1925, shall be received from the United States, and the total allotments under said acts, and the state money necessary to match the same, expended on projects determined in the manner specified in subsection (3) of this section. *If the state highway commission, after having held a hearing as provided in section 87.055, shall find it necessary to construct or reconstruct any bridge or to purchase any existing toll bridge over any waters forming a portion of the boundary*