

CHAPTER 372

AN ACT to repeal chapter 134, laws of 1951, sections 3 and 8; to amend chapter 134, laws of 1951, sections 1, 6 and 7 (intro. par.); and to repeal and recreate chapter 134, laws of 1951, section 2, relating to increasing and transferring the jurisdiction of the municipal court of Burnett county to the municipal court branch, therein created, of the county court of Burnett county and related matters.

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

SECTION 1. Chapter 134, laws of 1951, section 1, is amended to read:

(Chapter 134, laws of 1951) Section 1. There is created and established in and for the county of Burnett, a municipal court * * * *branch in the county* court of Burnett county, with the powers and jurisdiction hereinafter specified and provided.

SECTION 2. Chapter 134, laws of 1951, section 2, is repealed and recreated to read:

(Chapter 134, laws of 1951) Section 2. The jurisdiction, power and duties conferred by this chapter on the municipal court and judge of Burnett county are transferred to the county judge and county court, municipal court branch, of Burnett county, and where in this chapter the words or terms "municipal judge" or "judge," or "municipal court" or "court" are used or meant they shall be considered to mean the judge of the municipal court branch and the municipal court branch, respectively, of the county court of Burnett county. All property, actions, proceedings, judgments, determinations, records, files and papers of the municipal court are transferred to and shall continue as such in the municipal court branch; and any unfinished business of the municipal court shall be completed by the judge and the municipal court branch with like force and effect as though originally commenced in the municipal court branch. The fees permitted to be charged by the judge for his services under this chapter shall be retained by him, and be in addition to his salary as judge of the county court under the statutes. All process, pleadings, findings, orders, judgments and other papers under this chapter shall be entitled "County Court of Burnett County, Municipal Court Branch".

SECTION 3. Chapter 134, laws of 1951, section 3, is repealed.

SECTION 4. Chapter 134, laws of 1951, sections 6 and 7 (intro. par.) are amended to read:

(Chapter 134, laws of 1951) Section 6. The judge of the municipal court *branch of the county court* of Burnett county shall have cognizance and jurisdiction to hear, try and determine all actions and proceedings at law, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of * * * \$2,000, actions to recover the possession of personal property with damages, for the unlawful taking or detention thereof wherein the value of the property therein claimed shall not exceed the sum of * * * \$2,000, and all * * * *charges* for offenses arising within said county and which are not punishable by commitment to the state prison, and shall have power to sentence and commit all persons convicted of any offense of which he has jurisdiction. In dealing with criminal matters within his jurisdiction he shall have the same power as a circuit court

to stay sentences, remit fines, suspend sentences and place defendants on probation. Said judge shall also have power and jurisdiction throughout said county to cause to come before him persons who are charged with committing any criminal offense and commit them to jail or bind them for trial as the case may require. Said judge shall further have all the jurisdiction, authority, powers and rights given by law to justices of the peace, and subject to the same prohibitions and penalties as justices of the peace. Said judge shall also have, and may exercise in his county, all the powers and perform all the duties of a court commissioner, as defined in section 252.15 of the statutes, and every authority to, or limitation of the powers of a court commissioner by the laws of the state of Wisconsin, shall be construed to extend to the said * * * judge, acting in such capacity, except when otherwise expressly provided. The official designation of said office in the matters wherein he shall so act, shall be * * * judge of *the municipal court branch of the county court of Burnett county*. The proceedings and practice of said * * * *branch* shall in all respects be governed as far as practicable by the laws relating to justices' courts of this state, and transcripts of the judgments of said * * * *branch* may be filed and docketed with the clerk of the circuit court for said county, with the same effect as provided by law for filing and docketing with the circuit court transcripts of judgments rendered by the justices of the peace of said county, and appeals, civil and criminal, from any judgment of said court, may be taken in the same manner and with like effect as is provided by law for appeals from courts of justices of the peace. Nothing herein contained shall be construed to give said * * * judge cognizance of any actions mentioned in section 300.06 (1), (2) and (3) of the statutes.

Section 7. A judgment by confession may be entered before the judge of the municipal court *branch of the county court of Burnett county*, in any sum not exceeding * * * \$2,000, without action, either for money due or to become 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:

SECTION 5. Chapter 134, laws of 1951, section 8, is repealed.

Approved August 28, 1959.
