

## CHAPTER 175.

[Published March 13, 1868.]

AN ACT to amend section 124 of chapter 155 of the general laws of 1863, entitled, "an act to codify the laws of this state relating to common schools."

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

Amended.

District officer  
may be re-  
moved, and how

SECTION 1. Section 124 of chapter 155 of the general laws of 1863, is hereby amended by adding to said section, at the end thereof, the words following viz: "and any school district officer may, for willful neglect of any duty, be removed from office by the county judge of the county in which such school district officer shall reside. The application for such removal shall be by written petition of a majority of the legal voters of said school district in which such officer resides, or of any person aggrieved by such neglect of duty. Such petition shall contain a full statement of all charges preferred against such officer, and a copy of said petition, together with a notice of the time and place (within said county), when and where a hearing upon such petition will be had before the county judge, shall be served upon said school district officer at least ten days before such hearing. Upon the hearing, the officer so proceeded against, shall have full opportunity to be heard in his own defense, and the county judge shall have authority to administer oaths to witnesses offered in relation to the charges in such petition, and upon satisfactory proof of such neglect of duty, may, by order under his hand, remove such school district officer from his office, and in case of removal shall forthwith file such order in the office of the town clerk of the town in which the district affected by said order is situated, and shall also forthwith cause a copy of such order to be served upon each of the remaining officers of such district. And the person so removed from office shall not be appointed under section 50 of this chapter to fill the vacancy occasioned by such removal.

Pay of county  
judge.

SECTION 2. For all service performed under the provisions of this act the said county judge shall receive

from the county treasurer the sum of three dollars for each day actually employed.

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

Approved March 6, 1868.

## CHAPTER 176.

[Published March 14, 1868.]

AN ACT to amend section 2, chapter 134 of the general laws of 1858, entitled "of evidence."

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

SECTION 1. Section 2 of chapter 134 of the general laws of 1858, entitled "of evidence," is amended so as to read as follows: "A party to any civil action or special proceeding in any and all courts, and before any and all tribunals, and before any and all officers acting judicially may be examined as a witness on his own behalf or in behalf of any other party in the same manner and subject to the same rules of examination as any other witness: *provided*, that the assignor of a thing in action shall not be examined on behalf of said party, nor shall a party to an action be examined in his own behalf in respect to any transaction or communication had personally by said assignor or said party, respectively with a deceased person against parties who are the executors, administrators, devisees, heirs at law, next of kin or assignees of such deceased person, where they have acquired title to the cause of action immediately from said deceased person, or have been sued as such by the executors, administrators, devisees, heirs at law, next of kin or assignees. But where such executors, administrators, devisees, heirs at law, next of kin or assignees, (*but where such executors, administrators, devisees, heirs at law, next of kin, or assignees*) shall be examined on their own behalf in regard to conversation or transaction had between the deceased person or said assignor or said party respectively, and

Amended.

Party examined in his own behalf.

Proviso.