

No. 180, S.]

[Published June 12, 1907.

CHAPTER 197.

AN ACT to amend section 4069 of the statutes, as amended by chapter 181 of the laws of 1901, relating to the exclusion of testimony of certain persons.

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

SECTION 1. Section 4069 of the statutes, as amended by chapter 181 of the laws of 1901, is amended to read as follows:

* * * * *

Approved June 12, 1907.

(In effect July 1, 1907.)

No. 513, S.]

[Published June 12, 1907.

CHAPTER 198.

AN ACT to amend section 1 of chapter 421, laws of 1905, by adding thereto subdivision 1m, in relation to school district boards.

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

SECTION 1. There is added to chapter 421, laws of 1905, a subdivision, to read as follows: (Section 493b.)

* * * * *

Approved June 12, 1907.

(In effect July 1, 1907.)

pose may be compelled, in the same manner and subject to the same rules for examination as any other witness, to testify; but the party calling for such examination shall not be concluded thereby and may rebut the evidence given thereon by counter or impeaching testimony.

(Ch. 271, 1907.)

Corporation witnesses concerning decedents and insane.

SECTION 4069. * * * *No person or stockholder, officer or trustee of a corporation in his or its own behalf or interest * * * nor any person, stockholder, officer or trustee of a corporation from, through or under whom a party derives his interest or title, shall be examined as a witness in respect to any transaction or communication by him personally with a deceased person or with a person then insane, in any civil action or proceeding in which the opposite party derives his title, or sustains his liability, to the cause of action from, through or under such deceased person or such insane person or in which such insane person is a party prosecuting or defending by guardian unless such opposite party shall first be examined or examine some other witness in his behalf concerning some transaction or communication between the deceased or insane and such party or person, or unless the testimony of such deceased person given in his lifetime or of such insane person be first read or given in evidence by the opposite party, and then, in either case respectively, only in respect to such transaction or communication of which testimony is so given or to the matters to which such testimony relates.*

(Ch. 197, 1907.)

Examinations before trial: production of papers, power to compel. SECTION 4096. 1. No action to obtain a discovery under oath, in aid of prosecution or defense of another action, shall be allowed; but the examination of the party, his or its assignor, agent or employe, or, in case a private corporation be a party, in addition to the foregoing, the examination of the president, secretary or other principal officer of such corporation, or of the person who was such president, secretary, officer, agent or employe, at the time of the occurrence of the facts made the subject of the examination, otherwise than as a witness on a trial, may be taken by deposition at the instance of the adverse party in any action or proceeding, at any time after the commencement thereof and before judgment.