

No. 542, S.]

[Published June 21, 1907.

CHAPTER 270.

AN ACT to amend section 435 of the statutes, granting school district boards or boards of education the power to authorize the use of the school buildings for public entertainments under the auspices of the school authorities, and charge an admission fee thereto.

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

SECTION 1. Section 435 of the statutes, is hereby amended to read:

* * * * *

Approved June 19, 1907.



No. 540, S.]

[Published June 21, 1907.

CHAPTER 271.

AN ACT to amend section 4068 of the statutes, relating to the examination of parties, their agents and employes at trial.

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

SECTION 1. Section 4068 of the statutes, is amended to read:

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Approved June 19, 1907.

(In effect July 1, 1907.)

Correction of county court records: notice of hearing.

SECTION 4047. Upon verified application in writing to any county court by any person interested, praying that the records of such court, in any matter transacted therein, may be amended, corrected or perfected, and specifying the amendments desired, it shall be the duty of the court to cause notice to be given to all persons concerned of the time and place of hearing such application by publication in a newspaper as provided in section 4045, for three successive weeks prior to the time fixed for such hearing. * * *

(Ch. 660, 1907.)

County court fees. SECTION 4051. Fees in the county court shall be allowed: (1). To appraisers, not less than one dollar nor more than three dollars per day, the amount of * * * such compensation to be fixed by the court;

(2). To commissioners * * * to make partitions, or to assign dower or homestead against deceased persons, three dollars per day;

(3). In all cases, travel, * * * four cents per mile each way;

(4). *To jurors, interpreters and witnesses the same fees as provided in circuit court;*

(5). In cases not provided for, a reasonable compensation shall be allowed by the court.

(Ch. 660, 1907.)

Corporation agents and employees; power to cross-examine. SECTION 4068. No person shall be disqualified as a witness in any action or proceeding, civil or criminal, by reason of his interest in the event of the same, as a party or otherwise; and every person shall be in every such case a competent witness, except as otherwise provided in this chapter. But such interest or connection may be shown to affect the credibility of the witness. Any person to the record in any civil action or proceeding, or any person for whose immediate benefit any such action or proceeding is prosecuted or defended, or the president, secretary or other principal officer or general managing agent, or any other agent or employe of any corporation which is such a party or for whose benefit the action or proceeding is prosecuted or defended may be examined upon the trial of any such action or proceeding as if under cross-examination, at the instance of the adverse party or parties or any of them, and for that pur-

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.*