

SECTION 2. The town of Clayton shall not be, and the town of Winchester and overseer of said road district number one shall be, liable for any damage sustained on said road, by reason of any insufficiency or want of repairs of said road, or of any bridge or sluiceway therein, as provided by sections 120 and 121 of chapter 19 of the revised statutes.

Liability of town of Winchester.

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

Approved February 24, 1863.

CHAPTER 24.

[Published March 16, 1863.]

AN ACT to amend section 55 of chapter 137 of the revised statutes, entitled "of evidence."

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

SECTION 1. Section fifty-five of chapter one hundred and thirty-seven of the revised statutes, is hereby amended, so as to read as follows: "The examination provided for in the last section, may be had either on the trial of the action, or at any time before trial, at the option of the party claiming it, before a judge of the court, or county judge, on a previous notice to the party to be examined, and any other adverse party, of at least five days, unless, for good causes shown, the judge order otherwise. The party sought to be examined may be compelled to attend in the same manner as other witnesses, and the examination shall be taken and filed by the judge, in like manner, and may be read by either party on the trial. When such examination is had at the trial, the examination shall be oral, and shall be taken in the same manner that the examination of other witnesses at the trial is taken; and the party so examined or testifying, shall be entitled to demand and receive the same fees for travel and attendance as other witnesses."

When and before whom examination may be taken.

Attendance of party may be compelled.

Manner of examination.

Approved March 10, 1863.