

CHAPTER 74.

[Published March 4, 1865.]

AN ACT amendatory to chapter seven of the general laws of extra session, 1862, entitled "an act to authorize commissioned officers to take acknowledgment of deeds, affidavits and depositions, in certain cases."

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

SECTION 1. Section two of chapter seven of the general laws of the extra session of the year 1862, entitled "an act authorizing commissioned officers to take acknowledgment of deeds, affidavits and depositions, in certain cases," is hereby amended, so as to read as follows: "Depositions taken under the foregoing section, shall be taken as in other cases where the witness resides out of this state, except so far as the law and practice are altered by this act; and no such deposition shall be rejected or excluded by the court for the reason that it has been taken at a different time or at a place different from that set forth in the notice. The party desiring such deposition, shall serve on the opposite party a notice specifying the name of the witness, the commissioned officer or officers (any one of whom may act) who is to take the deposition, and a copy of the interrogatories. Such party shall, if he think fit, serve his adversary with cross interrogatories within ten days thereafter. The party serving the notice shall thereafter transmit the direct and cross interrogatories to the officer or officers named in the notice, who shall take and certify such deposition, and inclose it to the judge, clerk of the court or justice of the peace before whom the cause or matter is pending, in the same manner as if authorized by a commission issued for this purpose."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 25, 1865.