

How convey-
ance to be made

adding thereto the following: Section 27. It shall be lawful for any Protestant Episcopal church incorporated within the state, by its trustees, officers or agents, now holding or who may hereafter hold the temporalities thereof, to convey them for or without a valuable consideration to the trustees of the funds and property of the Episcopal church, however called, acting within this state, to be held, sold or conveyed, according to the direction of the diocesan convention or council of the Episcopal church in the state: *provided*, that such conveyance shall not be made except upon notice and order of the court or judge, as required in case of sale of real estate.

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

Approved March 21, 1872.

CHAPTER 68.

[*Published April 4, 1872.*]

AN ACT to authorize the taking of depositions in certain cases.

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

May take depo-
sition of non-
resident witness.

SECTION 1. When the testimony of any person shall be necessary in any civil action or proceeding pending in any court of record in this state, and such person shall not be a resident of this state, the deposition of such person may be taken before any justice or judge of any of the courts of the United States, justice or judge of any court of record of a state, or before any court commissioner, notary public or justice of the peace of any state or territory of the United States, not being of counsel or attorney for either of the parties: *provided*, that notice of the time and place of taking such deposition be given to the opposite party, or if such party has appeared by attorney, to his attorney, which notice shall be served at least ten days before the day of taking the deposition, and one day additional for every thirty miles for the first three hundred miles

and beyond that, one day additional for every one hundred miles of the distance of the place of taking the deposition from the residence or place of business of the party or attorney notified.

SECTION 2. Every person whose deposition shall be so taken shall be first duly sworn or affirmed, to testify the whole truth and nothing but the truth, and shall subscribe the testimony by him or her given, after the same be reduced to writing, which shall be done only by the officer taking the same or by the witness in his presence. And the deposition so taken shall be retained by such officer until he deliver the same with his own hand to the clerk of the court for which the same was taken, or shall send the same carefully sealed to such clerk, by mail, accompanied in either case by his certificate, showing the time and place of taking the same, who was present at the taking thereof, and who examined and cross-examined the witness, the oath that was administered to the witness, who reduced the deposition to writing, that the same was subscribed by the witness in his presence, and what notice was given, or that notice was waived by stipulation in writing.

How deposition
to be taken and
returned.

SECTION 3. This act shall take effect from and after its publication.

Approved March 21, 1872.

CHAPTER 69.

[Published April 3, 1872.]

AN ACT to amend sections five and six of chapter forty-five of the revised statutes, entitled "of marks and brands, and filing chattel mortgages."

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

SECTION 1. Sections five and six of chapter forty-five of the revised statutes, entitled "of marks and brands, and filing chattel mortgages," are hereby amended so as to read as follows: Section 5. Every such mortgage shall cease to be valid as against the

Amended.

When validity
of mortgage to
cease.