

CHAPTER 39.

[Published February 23, 1876.]

AN ACT to amend section one (1), of chapter one hundred and sixty-eight (168), of the general laws of 1871, and to regulate the teacher's school month.

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

SECTION 1. Section one (1), of chapter one hundred and sixty-eight (168), of the general laws of 1871, is hereby amended by striking out the word "twenty-two," from said section wherever it occurs, and substituting in the place thereof, the word "twenty," so that the section when amended, will read as follows: Section one (1). Hereafter in all settlements for wages between teachers and school boards, or other employers of teachers in the public schools, on all contracts that may be entered into subsequent to the passage of this act, twenty days shall be understood as constituting a school month, unless it be otherwise specified in the contract; *provided*, that in all such settlements, on the basis of twenty days to a month, all legal holidays occurring on regular school days, shall be counted and included, although no school be taught; *and provided, further*, that teaching on Saturdays shall not be counted or included.

Amended.

Twenty days to constitute school month.

Proviso

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

Approved February 18, 1876.

CHAPTER 40.

[Published February 23, 1876.]

AN ACT to provide for taking depositions in county courts in probate matters.

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

SECTION 1. When a witness, whose testimony is material to be used before any county court, shall reside out of this state, the judge may issue a com-

When witness resides outside of State.

mission to one or more competent persons to take the testimony of such witness. Such commission shall be signed by the judge, and such depositions shall be taken and returned in the same manner that depositions are taken and returned in the circuit court.

Depositions—
how to be taken and used.

SECTION 2. Depositions of witnesses residing within this state may be taken in any matter pending in the county court, for the same reason, and in the same manner, and on the like notice as the same might be taken in any civil action pending in a court of record of this state, and all depositions taken according to the provisions of law for taking depositions to be used on the trial of civil actions, may be used on the trial of any question before the county court where such testimony may be proper.

Service of notice.

SECTION 3. Notice upon the attorney of the opposite party shall be a sufficient notice where an attorney has appeared in the matter. Service of notice upon an executor, administrator or guardian, shall be sufficient if there be more than one. If the party to be served reside out of the state, and has not appeared in the matter, service of such notice may be made on such party by publication thereof for two weeks successively before the time of taking such deposition, in some newspaper of general circulation, to be designated by the county judge, in the county where the matter is pending, if there be such newspaper in the county; if not, then in such newspaper as shall be designated by the county judge.

Where depositions may be used.

SECTION 4. Depositions so taken may be used on the trial and hearing of all matters in the county court when sitting as a court of probate, and on the trial and hearing of all matters before commissioners appointed by the county court to hear and adjust claims, and before the county judge on the trial and adjusting of claims against the estates of deceased persons. Such depositions shall be filed before the commencement of the hearing or trial in which they are taken, and if the opposite party appear on the day of hearing, he shall be notified of the filing of such deposition, and all objections to the validity of any deposition, or its admissibility in evidence shall be made before entering on the trial, not afterwards; but any deposition may be suppressed afterwards, or any matter not appearing in the deposition which is sufficient to authorize its suppression.

When to be filed.

May be suppressed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved February 18, 1876.

CHAPTER 41.

[Published February 23, 1876.]

AN ACT to legalize the official acts of Robert Goodfellow, as notary public for Brown county.

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

SECTION 1. The official acts of Robert Goodfellow, ^{Acts legalized.} a notary public residing in Brown county, done and performed between the twelfth day of November, 1874, and the twenty-seventh day of April, 1875, being the interval between the expiration of his commission and new appointment, are hereby declared to be as legal and effective to all intents and purposes as if the same had been done within the legal life-time of his said notarial appointments, and under and by virtue of his notarial commissions, or either of them.

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

Approved February 18, 1876.

CHAPTER 42.

[Published February 29, 1876.]

AN ACT to regulate the times of holding the circuit court in Dane county.

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

SECTION 1. The terms of the circuit court for the county of Dane shall hereafter be held on the first ^{When terms to be held.} Monday next succeeding the first Tuesday of April, and on the second Tuesday in July, and on the second Monday of November in each year. All writs, pro-