

SEC. 12. If the party, receiving the notice mentioned in Same subject. the tenth section of this act, shall not be a resident of the territory, he may proceed to take out a commission for obtaining his testimony, in the same manner that commissions are taken out for obtaining the testimony of foreign witnesses, according to the rules and practice of the courts. A deposition properly taken under this section, produced at the trial, shall be admitted as testimony.

SEC. 13. The twenty-ninth section of an act of the revised statutes of Wisconsin, entitled "an act concerning proceedings of courts of record," shall be so taken and construed as to permit special pleas, demurrers and pleadings at the option of either party, plaintiff, or defendant. Special pleas allowed.

SEC. 14. All notices required by this act, may be given by, Notices, how served. or to the attorney of the party.

SEC. 15. The fifty-seventh section of the act, entitled "an act concerning testimony and depositions," is hereby repealed. Revised statutes, page 242.

SEC. 16. This act shall take effect, and be in force, from and after its passage.

Approved, February 19th, 1841.

No. 6.

AN ACT to amend an act to provide for the punishment of offences against Private Property.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

[Sec. 1.] If any person shall wilfully and maliciously set on fire, or cause to be set on fire, any woods, or prairie, or other grounds, within this territory, other than his own, or shall intentionally, or by neglect, permit the fire to pass his own prairie or grounds, to the injury of any other person or persons, every person so offending shall, on conviction thereof, for every such Penalty for setting woods or prairies.

Justices of the
peace to have
jurisdiction.

offence, be fined in a sum not exceeding fifty dollars, nor less than five dollars, and stand committed until fines and costs are paid, and shall be liable to the action of the party injured, for damages, which he, she, or they may have sustained in consequence of such fire; and all justices of the peace shall have jurisdiction of offences, committed under this act: *Provided*, that nothing in this act shall operate as a repeal of the fortieth section of the act to provide for the punishment of offences against private property.

Approved, February 5th, 1841.

No. 7.

AN ACT to amend an act of the revised Statutes of Wisconsin Territory, entitled "An act concerning Judgments and Executions."

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

Judgments in
district courts
a lien on lands
of debtor in e-
very county in
the territory in
case.

SEC. 1. That judgments in the district courts of this territory, shall have the operation of, and shall be liens upon the real estate of the person or persons against whom such judgments may be rendered, from the day of the rendition thereof, in the county within which such judgments may be rendered, and the county or counties thereto attached for judicial purposes; and it shall be the duty of the clerk of any such court, when applied to by any person or persons interested in any judgment rendered in any such aforesaid court, to make out and deliver to such applicants an attested copy of the docket or record of such judgment, authenticated by the seal of such court; which attested copy may be by such person or persons filed in the office of the clerk of any district court within this territory; and when so filed, the said clerk in whose office the same may be filed, shall enter the same on the judgment docket by him to be kept, and preserve the said copy among the files