

stream, which lien may be enforced as the leans of mechanics and laborers.

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

Approved March 23, 1881.

[No. 19, S.]

[Published March 24, 1881.]

CHAPTER 165.

AN ACT relating to depositions and amendatory of section four thousand and eighty-six of chapter one hundred and seventy-six of the revised statutes, entitled, "of evidence."

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

Depositions
may be taken.

SECTION 1. Section four thousand and eighty-six of the revised statutes, is hereby amended by adding thereto the following: And in all criminal or quasi criminal cases in courts of record, the defendant on notice of the district attorney, may apply to the court or the presiding judge thereof, for leave to take the deposition of any material witness within the state, who is in imminent danger of death, or, of any material witness who is without the state. And if it appears to the satisfaction of the court or presiding judge, that due diligence has been used in making such application, and that such witness is material, and is in such imminent danger, or without the state, and that his attendance cannot by the use of due diligence be procured upon the trial, then such leave may, in the discretion of such court or judge, be granted; and such court or judge shall determine whether such deposition be taken on verbal or written interrogatories and cross interrogatories, and the same when so taken may be used on the trial in the same manner as in civil cases.

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

Approved March 23, 1881.

[No. 142, S.]

[Published March 26, 1881.]

CHAPTER 166.

AN ACT to revise the charter of the city of Prairie du Chien.

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

Official oaths
and bonds.

SECTION 1. Section one of sub-chapter three of chapter fifty-nine of the laws of 1873, is hereby amended

so as to read as follows: Section 1. Every person elected or appointed to any office under this act shall, before he enters upon the duties of his office, take and subscribe an oath of office and file the same duly certified by the officer taking the same, with the clerk of the city; and the treasurer, clerk and such other officers as the common council may direct, shall severally, before they enter upon the duties of their respective offices, execute to said city a bond with such sureties as shall be approved by the common council; each such surety shall justify as to his worth over and above all debts, liabilities and exemptions, and the amount in the aggregate of the worth of such sureties when they shall have so justified, as shown by such justification; shall be double the penalty specified in such bond; and the common council may from time to time require new or additional bonds, and remove from office any officer refusing or neglecting to give the same.

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

Approved March 23, 1881.

[No. 128, S.]

[Published March 26, 1881.]

CHAPTER 167.

AN ACT to authorize loans and extensions of loans from the trust funds of this state.

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

SECTION 1. In addition to the investments permitted by existing laws, the commissioners of public lands are hereby authorized, in their discretion, to invest the school fund, the university fund, the normal school fund and the agricultural college fund, from time to time, as moneys belonging to those funds may be in the state treasury, in loans to towns, villages, cities and counties, within this state, as hereinafter provided; and every town, village, city and county in this state, is hereby empowered to borrow of said commissioners, from said funds, or either of them, such sum or sums of money, for such time and upon such conditions and terms, as may be agreed upon by and between said commissioners and the town, village, city or county applying for a loan, subject, however, to the limitations, restrictions and conditions hereinafter set forth.

Trust funds
may be loaned.

SECTION 2. The loans provided for in this act may be made for any term not exceeding twenty years, may

Loans, how
made.