

provided, that the requirements of law respecting registration, when applicable, have been complied with by such person. \* \* \*

SECTION 2. This act shall take effect when passed and published.

Approved May 27, 1913.

No. 190, S.]

[Published May 29, 1913.

### CHAPTER 336.

AN ACT to amend section 4086 of the statutes, relating to the taking of depositions.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 4086 of the statutes is amended to read: Section 4086. Depositions may be taken in the manner and according to the regulations provided in this chapter to be used before any court, including the supreme court, magistrate or any other person authorized to examine witnesses or hear testimony in any action or proceeding or any motion therein, or in any other civil matter or proceeding. In all criminal or quasi criminal cases in courts of record the defendant, on notice to 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 who is without the state; and the state on notice to the defendant's attorney, if an attorney shall have entered his appearance of record for the defendant, or to the defendant personally in any event, may so apply for leave to take the deposition of any witness within the state who is in imminent danger of death; and if it appears to the satisfaction of the court or judge that due diligence has been used in making such application, that such witness is material, and is in such danger or without the state and that his attendance cannot, by the use of due diligence, be procured upon the trial, such leave may 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; but in case the deposition is to be taken on behalf of the state, the defendant at the time of the service of the notice required by section 4102, of the statutes, shall be notified that he is required to personally attend at the taking of such deposition and that in event of his failure so to do such failure shall constitute a waiver of his right to meet face to face the witness whose deposition is to be taken, and such failure shall constitute such waiver unless the court be satisfied when the

*deposition is offered in evidence that the defendant was physically unable to attend; and in case the defendant be not then in jail he shall be paid, to cover his expense of travel and attendance at the taking of the deposition, such sum as will equal witness fees for such travel and attendance; but in case the defendant be confined in jail the sheriff at the request of the district attorney shall at the expense of the county convey the defendant to and have him in attendance at the taking of such deposition. In case the defendant is destitute of means to employ counsel the court shall on being satisfied thereof before such deposition is taken appoint counsel to defend at the expense of the county in time to enable such counsel to attend at the taking of such deposition; and the court may allow compensation at the rate of \$10 per day and traveling expenses for such attendance in addition to the compensation permitted by section 4713 of the statutes.*

SECTION 2. This act shall take effect upon passage and publication.

Approved May 26, 1913.

No. 244, S.]

[Published May 29, 1913.

## CHAPTER 337.

AN ACT to create sections 1636—202 to 1636—211, inclusive, of the statutes, relating to certified public accountants, and appropriating certain revenues and providing penalties.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There are added to the statutes ten new sections to read: Section 1636—202. 1. The governor shall, within thirty days after the passage of this act, appoint three suitable persons, residents of the state of Wisconsin, who are hereby constituted a board by the name and style of "The Wisconsin State Board of Accountancy." The members of said board, with the exception of the members first to be appointed, shall be the holders of certificates issued under the provisions of sections 1636—202 to 1636—211, inclusive, shall hold office for a term of three years and until their successors are appointed and qualified.

2. Of the members of the board first to be appointed, one shall be a professor of economics, finance, accountancy, or business administration and commercial law in a school of higher learning, and two shall be skilled public accountants who shall, for not less than three consecutive years, have been actually engaged in practice as public accountants. Such members shall hold office one for a term of one year, one for a term of two years, and one