

No. 1030. A.]

[Published July 12, 1907.]

**CHAPTER 547.**

AN ACT to create section 2873m of the statutes, relating to bills of exceptions.

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

SECTION 1. There is added to the statutes a new section to read:

\* \* \* \* \*

Approved July 10, 1907.

(In effect from and after date of publication.)

No. 635, A.]

[Published July 12, 1907.]

**CHAPTER 548.**

AN ACT to amend section 1497a of the statutes, relating to the duties and salary of the superintendent of fisheries.

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

SECTION 1. Section 1497a of the statutes is amended to read:

\* \* \* \* \*

Approved July 10, 1907.

(In effect from and after date of publication.)

ceedings against any garnishee upon the ground that the indebtedness of the garnishee or any property held by him is exempt from execution against such defendant or for any other reason is not liable to garnishment; or upon any ground upon which a garnishee might defend the same; and may participate in the trial of any issue between the plaintiff and garnishee for the protection of his interests. And the garnishee may, at his option, defend the principal action for the defendant, if the latter does not, but shall be under no obligation so to do.

2. Whenever any garnishee shall elect to defend the principal action as provided for in this section, he shall thereby become a party defendant in said action and shall be so entered of record by the clerk of the court, and as such defendant, shall be liable only for the costs in said action as in case of defendants in other actions.

(Ch. 161, 1907.)

**Submission to jury: omitted essential fact.** SECTION 2858m. Whenever any special verdict shall be submitted to a jury and there is omitted therefrom some controverted matter of fact not brought to the attention of the trial court by request but essential to sustain the judgment, such matter of fact shall be deemed determined by the court in conformity with its judgment and the neglect or omission to request a finding by the jury on such matter shall be deemed a waiver of jury trial pro tanto and a consent that such omitted fact be determined by the court. The finding or determination of such omitted fact by the court may be reviewed on appeal without any exception thereto.

(Ch. 346, 1907.)

**Bill of exceptions; contents.** SECTION 2873m. The bill of exceptions shall include all the testimony set forth by question and answer as shown by the transcript of the reporter's notes, unless the parties to the action stipulate otherwise.

(Ch. 547, 1907.)

**Referee: court to fix and allow fees.** [SECTION 2930.]  
 \* \* \* The fees and expenses of \* \* \* a referee shall be fixed *and allowed* by the court in which the action is pending upon the coming in of the report, and \* \* \* paid by the county, \* \* \* a court of which ordered the reference, in