

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 562, A.]

[Published May 7, 1901.

CHAPTER 296.

AN ACT to amend section 2877 of the statutes of 1898, relative to the settlement of bills of exceptions after the death, incapacity or removal of the judge.

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

Settlement before expiration of period limited by statute; settlement after expiration; on prejudice of judge. SECTION 1. Section 2877 of the statutes of 1898, is hereby amended so as to read as follows: Section 2877. Whenever the judge before whom the issues in an action or special proceeding shall have been tried, shall die, remove from the state or for any cause become incapacitated to act, after judgment in such action or special proceeding, and before the expiration of the period limited by statute, rule, stipulation or order for serving a bill of exceptions, the same may be settled and made a part of the record by stipulation of the parties, with the same effect as if duly settled and signed. If the parties cannot agree on such bill of exceptions, then the judge of said court where the action was tried, shall settle such bill of exceptions, and may, if he deem it necessary, take testimony and determine any disputed question of fact which may arise between the parties relative to the proceedings had on the trial in which such bill is to be settled. In case of the death, removal from the state or incapacity of such judge, after the time limited by statute, rule, stipulation or order for serving a bill of exceptions shall have expired, the judge of said court where said action was tried may in his discretion upon notice, and on such terms as shall be just, extend the time for settling the bill of exceptions in the same manner as the judge before whom said action was tried might have done. If the judge of said court where the action was tried shall have been on account of prejudice or other cause, disqualified from

trying the action when the same was tried, then such judge shall not settle the bill of exceptions therein but the party proposing such bill of exceptions may designate a judge of an adjoining circuit who shall settle the same in the manner prescribed herein where the same is settled by the judge of the court where the action was tried, or such judge where the action was tried may in his discretion, upon application of the party proposing the bill of exceptions, grant a new trial in said action, provided application for a new trial be made at the first term of the court in the county where the action was tried, succeeding the death, removal from the state or incapacity of such judge, accompanied by the affidavit of said party, his agent or attorney, that said application is made in good faith and not for the purpose of delay, upon condition that the party applying for a new trial pay the cost taxed in the judgment in said action.

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

Approved May 4, 1901.

No. 248, S.]

[Published May 7, 1901.

CHAPTER 297.

AN ACT to provide for a state board of commissioners for the St. Louis World's Fair, at St. Louis, Missouri, and to make an appropriation therefor.

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

Commission, number of members. SECTION 1. A commission is hereby constituted to be known as the state board of managers of the St. Louis World's Fair, to be held in St. Louis, Missouri, in 1903, to consist of five persons, residents of Wisconsin.

Governor to appoint; organization of; removal of member. SECTION 2. The members of such board shall be appointed by the governor, within thirty days after the passage and publication of this act. Said board shall hold its first meeting at such time and place as the governor shall appoint, shall organize by the election of a president, vice-president, secretary and treasurer and by the adoption of such by-laws and regulations as may be