

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 21, 1903.

No. 99, A.]

[Published May 26, 1903.

## CHAPTER 390.

AN ACT, amendatory of section 2858 of the statutes of 1898, relating to special verdicts.

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

**Special verdict.** SECTION 1. Section 2858 of the statutes of 1898, is amended by striking out the words "at or before the close of the testimony and before any argument to the jury is made or waived" where said words appear in lines 2 and 3 of said section 2858 and inserting in lieu thereof the words "before the introduction of any testimony in his behalf," so that said section when so amended shall be and read as follows: "Section 2858. The court, in its discretion, may, and when either party, before the introduction of any testimony in his behalf, shall so request, the court shall direct the jury to find a special verdict. Such verdict shall be prepared by the court in the form of questions, in writing, relating only to material issues of fact and admitting a direct answer, to which the jury shall make answer in writing. The court may also direct the jury, if they render a general verdict, to find in writing upon any particular questions of fact, to be stated as aforesaid. In every action for the recovery of money only or specific real property the jury may, in their discretion, when not otherwise directed by the court, render a general or a special verdict."

**Conflicting laws repealed.** SECTION 2. All acts or parts of acts contravening or in any manner conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 21, 1903.