

Spans, piers, construction, materials, navigation, height.

SECTION 2. The superstructure of said bridge shall be a truss consisting of fixed spans not less than one hundred and fifty feet each in length, supported by suitable and proper piers, and shall be constructed in good, substantial and workmanlike manner, and of such suitable materials as will render the same safe and permanent: the open space between the piers to be **free** from obstructions, and the said piers shall be so located and constructed as not to unnecessarily impede navigation for logs, lumber or rafts on said river. Said superstructure shall be at least thirty feet above usual low water mark in said river.

Draw span: legislature may require. SECTION 3. Such bridge so constructed of fixed spans and without any draw span, shall be deemed a lawful structure, and said railway company, its successors and assigns, are authorized and empowered to keep, maintain, replace and repair the same when necessary; but the legislature may at any time require a suitable draw to be constructed in said bridge.

Amendment and repeal reserved. SECTION 4. The right to amend or repeal this act is reserved.

Approved June 24, 1907.

(In effect July 1, 1907.)

No. 844, A.]

[Published June 25, 1907.]

CHAPTER 346.

AN ACT to create section 2858m, of the statutes, relating to special verdicts:

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 section to read:

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Approved June 24, 1907.

(In effect July 1, 1907.)

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