

shall be entitled to all the rights and privileges of regularly appointed teachers in such city. Time spent in teaching in such annexed territory prior to the annexation thereof shall be credited to each such teacher as time spent in teaching in such city.

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

Approved June 10, 1925.

No. 438, S.]

[Published June 13, 1925.

CHAPTER 286.

AN ACT to amend sections 270.39 (2869) and 270.49 (2878) of the statutes, relating to appeals.

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

SECTION 1. Sections 270.39 (2869) and 270.49 (2878) of the statutes are amended to read: 270.39 (2869) In any trial by jury if an exception be taken it may be reduced to writing at the time, signed by the judge, without seal, and filed as part of the record; or it may be entered in the judge's minutes and afterwards settled by the judge separately in like manner or in a bill of exceptions. * * * *It shall not be necessary to except to errors in the charge to the jury or to the findings of fact and conclusions of law made by the court or to the judge's refusal to charge the jury as requested but the same shall be reviewed by the appellate court without exception; provided that no finding of fact and conclusions of law or charge to the jury shall be subject to review which was expressly requested by the party seeking the review.*

270.49 (2878) (1) The judge before whom the issue is tried, may, in his discretion, entertain a motion to be made on his minutes, to set aside a verdict and grant a new trial upon exceptions or because the verdict is contrary to law or contrary to evidence, or for excessive or inadequate damages or in the interests of justice; but such motion if heard upon the minutes must be made and heard within sixty days after the verdict is rendered, unless the court by order shall extend such time for cause. When such motion is heard and decided upon the minutes of the judge and an

appeal is taken from the decision, a bill of exceptions must be settled in the usual form, upon which the argument of the appeal must be had. If such motion be made, but not decided during said sixty days or within such time as the court shall have fixed in such extension, then such motion shall be taken as overruled, and an exception to such constructive denial of the same shall be allowed in the bill of exceptions.

(2) *The failure to impose or the imposition of costs as a condition of the granting of a new trial, shall in no manner raise a presumption that such new trial was granted for error occurring in the conduct of the trial or that it was granted in the exercise of judicial discretion. Trial courts may or may not allow costs at the time of granting a new trial, whether such new trial is granted because of error occurring in the conduct of a trial or in the exercise of judicial discretion. An order made by a court in its discretion shall not be affected by the allowance or disallowance of costs.*

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

Approved June 10, 1925.

No. 318, S.]

[Published June 13, 1925.

CHAPTER 287.

AN ACT to amend section 230.14 (2038) of the statutes relating to the limit of suspension of the absolute power of alienation of real and personal property.

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

SECTION 1. Section 230.14 (2038) of the statutes is amended to read: 230.14 (2038) Every future estate shall be void in its creation which shall suspend the absolute power of alienation for a longer period than is prescribed in this chapter; such power of alienation is suspended when there are no persons in being by whom an absolute fee in possession can be conveyed. *Limitations of future or contingent interests in personal property are subject to the rules prescribed in relation to future estates in real property; provided, however, that this limitation upon interests in per-*