

No. 356, S.]

[Published June 28, 1941.

**CHAPTER 306.**

AN ACT to create 358.065 and 358.12 (7) and (8) of the statutes, relating to new trials and writs of error in criminal cases.

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

SECTION 1. A section of the statutes is created to read:

358.065 EFFECT OF GRANTING NEW TRIAL.

When a new trial is granted, such new trial shall proceed in all respects as if no former trial had been had. On the new trial the defendant may be convicted of any offense charged in the indictment or information irrespective of the verdict or finding on the former trial. The former verdict or finding shall not be used or referred to in evidence or argument on the new trial.

SECTION 2. Subsection (7) and (8) of section 358.12 of the statutes are created to read:

(358.12) (7) From a judgment and sentence of a trial court rendering a sentence not authorized by law.

(8) From rulings and decisions adverse to the state upon all questions of law arising on the trial, with the permission of the presiding judge, in the same manner and to the same effect as if taken by the defendant.

Approved June 25, 1941.

No. 381, S.]

[Published June 28, 1941.

**CHAPTER 307.**

AN ACT to amend 144.53 (3) of the statutes, relating to the chemical treatment of waters for the suppression of algae, aquatic weeds, swimmer's itch and other nuisance producing plants and organisms.

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

SECTION 1. Subsection (3) of section 144.53 of the statutes is amended to read:

(144.53) (3) To conduct scientific experiments, investigations, and research to discover economical and practicable