

phic notes, or if the said Judge is satisfied by any other means that he can pass upon such motion, or allow and sign a true Bill of Exceptions, shall pass upon said motion and allow and sign such Bill of Exceptions; and his ruling upon such motion and allowance and signing of such Bill of Exceptions shall be as valid as if such ruling and allowance and signing of such Bill of Exceptions had been made by the Judge before whom such cause was tried; but in case said Judge is satisfied that owing to the fact that he did not preside at the trial, or for any other cause, that he can not fairly pass upon said motion, and allow and sign said Bill of Exceptions, then he may in his discretion grant a new trial to the party moving therefor.

New trial
granted—when.

Approved March 10, 1937.

CHAPTER 44.

AN ACT

[S. B. 36]

To amend Section 3870, Compiled Laws of Alaska, 1933, relating to trials in actions of an equitable nature.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Section 3870 of the Compiled Laws of Alaska, 1933, be amended to read as follows: Amendment.

Section 3870. Findings of Fact by Court in Actions of an Equitable Nature. All issues of fact in actions of an equitable nature may be tried by the Court, and if tried by the Court, the evidence shall be presented and the trial conducted in the same manner as other actions; provided, the Court may, in its discretion,

Findings of
Fact in actions
of an equitable
nature.

refer the case to a referee pursuant to the provisions of this title. In all such actions the Court, in rendering its decisions therein shall set out in writing its findings of fact upon all material issues of fact presented by the pleadings, together with its conclusions of law thereon; but such findings of fact and conclusions of law shall be separate from the judgment, and shall be filed with the Clerk, and shall be incorporated in, and constitute a part of, the judgment roll of the case; and such findings of fact shall be subject to review by the appellate tribunal, and may be amended to conform to the evidence. Exceptions may be taken during the trial to the ruling of the Court, and also to its findings of fact, and a statement of such exceptions prepared and settled as in an action and within the same time.

Approved March 10, 1937.

CHAPTER 45.

AN ACT

[S. B. 38]

To amend Section 2883, Compiled Laws of Alaska, 1933, relating to duration of mortgage liens.

Be it enacted by the Legislature of the Territory of Alaska:

Amendment.

Section 1. That Section 2883, Compiled Laws of Alaska, 1933, be amended to read as follows:

Duration of
Chattel Mort-
gage lien.

Section 2883. Duration of Mortgage Liens; Renewal. Every mortgage of personal property or conveyance intended to operate as a mortgage of personal property shall be void as against creditors of the person making the same and against subsequent purchasers or mort-