

CHAPTER 28.

[Published February 6, 1860.]

AN ACT to enable foreign executors and administrators to sue in the State of Wisconsin.

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

SECTION 1. When an executor, administrator or guardian, shall be appointed in any other state or foreign country, on the estate of any person not a resident of this State at the time of his or her decease, and no executor or administrator thereon shall be appointed in this State, the foreign executor or administrator shall, upon filing an authenticated copy of his appointment, in the probate court of any county in this state, be authorized to bring and prosecute, in the proper courts, in such county, civil actions to recover any property situate in this State, and all demands, debts or claims, belonging to the estate of such decedant, from any person or persons in possession of or claiming such property, or owing such demands, debts or claims : *Provided*, that any court, in which such actions may be commenced, may require such executors or administrators to give security for the costs therein.

SEC. 2. Such foreign executor, administrator or guardian, shall allege, in the complaint in such action, that he has filed an authenticated copy of his appointment in some county in this state, specifying such county by name, and such allegation shall be taken to be true ; and no proof of such allegation shall be required, unless the defendant shall, by affidavit, or by an allegation contained in the answer to such complaint, verified in the manner now required by law, deny such allegation.

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

Approved February 3, 1860.