

No. 77, A.]

[Published June 7, 1907.

CHAPTER 168.

AN ACT to amend section 4600, statutes of 1898, as amended, relating to sale of adulterated articles.

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

SECTION 1. Section 4600, statutes of 1898, as amended by chapter 207, laws of 1905, is amended to read:

* * * * *

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 6, 1907.



No. 178, S.]

[Published June 7, 1907.

CHAPTER 169.

AN ACT to create section 3840m, and to amend section 3844, of the statutes, relating to the claims of creditors in the county court.

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 new section to read:

* * * * *

SECTION 2. Section 3844 is amended to read as follows:

* * * * *

Approved June 6, 1907.

(In effect July 1, 1907.)

the estate or its administration prior to the time fixed for the examination and adjustment of claims, such claims shall, in the discretion of the court, be allowed.

(Ch. 419, 1907.)

Presentation of claims against estates of decedents.

SECTION 3840. At the time of granting letters testamentary or of administration or at any time thereafter, the county court, by order, shall fix a time not less than six months nor more than one year thereafter, as the circumstances of the case may require, within which creditors shall present their claims for examination and allowance. For good cause shown and upon such notice to the executor or administrator or other parties in interest as the court may direct, and on the application of a creditor filed not later than sixty days after the expiration of the time fixed as aforesaid, such time may be extended, but not beyond two years from the date of the letters. The court shall fix also by said order a time after the presentation of claims for the examination and adjustment of any claims presented. Notice of the time within which creditors may present their claims and of the time when the same will be examined and adjusted by the court shall be given by publication as provided in section 4050 for four consecutive weeks, or in such other manner as the court may direct, the first publication to be made within fifteen days of the date of said order. At the time so fixed for examining and adjusting claims the court may, if necessary, adjourn the hearing to such other time and from time to time thereafter as may be convenient until the examination and adjustment be completed.

(Ch. 660, 1907.)

Presentation of claims; order for; notice of time.

Section 3840m. If at any time in a matter of probate it appear that any order of publication or publication thereunder required in section 3840, statutes of 1898, has not been made, the county court shall thereupon make the order and give the notice as provided in said section.

(Ch. 169, 1907.)

Statute of limitations. SECTION 3844. Every person having a claim against a deceased person, proper to be allowed by the court, who shall not after notice given as required by sections * * * 3840 and 3840m, exhibit his claim to the court

within the time limited for that purpose, shall forever be barred from recovering such demand or from setting off the same in any action. * * *

(Ch. 169, 1907.)

Decedents' estates: present value of interests; insurance commissioner to compute. SECTION 3871a. The present value of every estate, annuity or interest of beneficiaries in the estate of a deceased person, shall, upon order of the county judge having jurisdiction therein, be computed by the commissioner of insurance in accordance with the American experience table of mortality, and interest at the rate of five per cent. per annum. Provided, however, that when it is impracticable to use the American experience table of mortality, the Northampton table may be used. In all cases the sum of the present value of the several parts, estates or interests of the several beneficiaries shall equal the net value of the entire estate. The necessary statement of facts shall be submitted to said commissioner of insurance in such form as he may prescribe.

(Ch. 420, 1907.)

Sale of realty; order for hearing. SECTION 3876. If it shall appear by such petition that the personal estate in the hands of the executor or administrator is insufficient to pay the debts of the deceased * * * or the expenses of the administrator, or both, and that it is necessary to sell or encumber the whole or part of the real estate for the payment thereof, the county court shall make an order fixing the time and place, to be therein named, not less than * * * *three* * * * weeks from the time of making such order, when and where such petition will be heard.

(Ch. 660, 1907.)

Executors, etc.: notices of realty sale. SECTION 3891. When a sale is ordered notice of the time and place of holding the same shall be posted in three of the most public places in the town or ward in which the land is situated and shall be published in a newspaper, as provided in section 4045, *once in each week* for three successive weeks before the day fixed for the sale, and the *first insertion* * * * shall not be more than * * * *thirty* days before such day, in which notice the lands to be sold shall be described with reasonable certainty.

(Ch. 660, 1907.)