

No. 154, A.]

[Published May 16, 1919.

CHAPTER 161.

AN ACT to amend subsection 1 of section 925—52w of the statutes, relating to police pensions in cities of the fourth class.

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

SECTION 1. Subsection 1 of section 925—52w of the statutes is amended to read: (Section 925—52w) 1. Any city of the fourth class, in this state, incorporated under the general charter law or under special charter, may at its option, by ordinance, duly passed and adopted by the common council thereof, make provision annually and from time to time as may be needed for the pensioning, out of the general fund or otherwise, of members of the police department, who have served upon such police force, for a term of twenty years or more and shall have reached the age of fifty-five years; and also for the pensioning of disabled and superannuated members of said department and the widows and orphans of the deceased members thereof.

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

Approved May 13, 1919.

No. 162, A.]

[Published May 16, 1919.

CHAPTER 162.

AN ACT to amend sections 3874, 3875, 3876 and 3881 of the statutes, relating to the raising of money to pay claims against estates.

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

SECTION 1. Sections 3874, 3875, 3876 and 3881 of the statutes are amended to read: Section 3874. When the personal estate of any deceased person in the hands of his executor or administrator shall be insufficient to pay the expenses of administering his estate, expenses of his last sickness and funeral, and all his debts, or if the sale of the personal property would be inimical to the interests of the estate, his executor and administrator, for the purpose of such payment, may mortgage, lease or sell his real estate, other than his homestead, and also his homestead when that is subject to or charged with any part of such expenses or debts, on obtaining a license therefor and proceeding therein in the manner provided in this chapter.

Section 3875. In order to obtain such license the executor or administrator shall present a petition verified by himself to the county court from which he received his appointment, setting forth the amount of personal estate that has come to his hands and how much thereof, if any, remains undisposed of; the amount of the expenses of administration, of the expenses of the last sickness and funeral, and of the debts outstanding against the deceased so far as such expenses and debts can be ascertained; *or if it is alleged that the sale of the personal property would be inimical to the interests of the estate, a general statement of how*; a description of all the real estate of which the testator or intestate died seized and the condition and value of the respective parcels thereof; and the names of the heirs, designating those that are minors, if any, and if there be unknown heirs, stating the fact.

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 in full the expenses and debts specified in section 3874, *or if the court finds that the sale of the personal property would be inimical to the interests of the estate*, and that it is necessary to sell or incumber the whole or part of the real estate for the payment thereof, or of some part 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.

Section 3881. The court shall make no order for the mortgaging, leasing or sale of the real property of the deceased until upon examination it shall appear to said court:

(1) That the executor or administrator making such application has fully complied with the preceding provisions of this chapter;

(2) That the debts or expenses, or both, for the purpose of satisfying which the application is made are justly due and owing;

(3) That the personal estate of the deceased is insufficient for the payment of such debts or expenses, or such debts and expenses as the case may be, *or that the sale of the personal property would be inimical to the interests of the estate.*

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

Approved May 13, 1919.