

consent may be given by the mother, if she is living and has not abandoned such child; provided, that unless the living parent or parents of a minor consent to such adoption *or shall have abandoned such child* it shall be the duty of the court having jurisdiction of the proceedings, upon the filing of any petition for adoption, by order to appoint a time and place for hearing such petition and cause notice of such time and place to be given to such parent or parents, by personal service of said notice on such parent or parents at least ten days before the hearing or, if to the satisfaction of the court personal service cannot be obtained, by publication thereof in a newspaper in the county at least three weeks successively prior to said hearing, and when notice is duly given as herein provided the parent of any minor shall be bound by the order of adoption as fully as though he had consented thereto. And in case such child has arrived at the age of twenty-one years such consent may be given by such child alone, and the consent of no other person in behalf of such child shall be required.

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

Approved May 11, 1925.

No. 74, A.]

[Published May 12, 1925

CHAPTER 108.

AN ACT to create subsection (6) of section 3940 (318.06) of the statutes, relating to the disposal of legacies.

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

SECTION 1. A new subsection is added to section 3940 (318.06) of the statutes to read: (Section 3940) (318.06) (6) In case a legatee or distributee shall refuse or fail to accept and receipt for his share, or where the personal representative is unable to ascertain the whereabouts of any such legatee or distributee, the court may authorize such personal representative to deposit such share with a local trust company or the public administrator, and such depository shall be authorized to accept and receive the same, and pay over such amount together with any interest

accumulations thereon to the designated legatee or distributee upon his application, upon his giving such depository a receipt and release for the same, and upon such personal representative filing with the court the receipt and acceptance of any such depository of any such fund, the said personal representative and his sureties may, by order, be relieved and discharged from all further liability therefor. Should any such legatee or distributee fail to apply for and receive such sum within seven years from the time of such deposit, then any other person upon showing an interest in or a right thereto may make application to the court for further action as to the distribution of such fund. If no further application by any person interested therein is made within fifteen years from the date of such deposit, then the said fund shall become the property of, and a part of the general fund of the county, and if held by a trust company or bank, shall then be paid over to the county.

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

Approved May 11, 1925.

No. 110, S.]

[Published May 12, 1925.

CHAPTER 109.

AN ACT to amend subsection (4) of section 5.26 of the statutes, relating to the number of signers on nomination papers for certain offices.

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

SECTION 1. Subsection (4) of section 5.26 of the statutes is amended to read: (5.26) (4) Such nomination papers shall be signed, if for a candidate to be voted for throughout the state, by at least one thousand voters thereof; if for a candidate, *other than a judicial candidate*, to be voted for throughout a county, district, or other division less than the state, or within a city or ward, by at least three per centum and not more than five per centum of the whole number of electors voting therein for governor at the last preceding general election, but in no case by less than fifteen voters. Provided, however, that for candidates