

No. 701, S.]

[Published November 28, 1953.

CHAPTER 661

AN ACT to repeal 311.05 (2) of the statutes, as created by chapter 551, laws of 1953, and to renumber and amend 311.05 (1) of the statutes, as renumbered by chapter 551, laws of 1953, relating to small estates.

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

SECTION 1. 311.05 (1) of the statutes, as renumbered by chapter 551, laws of 1953, is renumbered 311.05 and amended to read:

311.05 SUMMARY SETTLEMENT OF SMALL ESTATES. Whenever it is established that the estate, exclusive of an exempt homestead, does not exceed the selections and allowances of the widow and minor children, and the amounts required for funeral expenses and last illness and the expenses of administration, the executor or administrator (regular or special) may under the directions of the court pay such allowances and preferred claims and distribute such estate accordingly. And such executor or administrator shall thereupon file his final account, the heirship shall be determined, the exempt homestead be assigned forthwith, and further proceedings in the estate ordered discontinued. *Where there is no real estate it is not necessary to determine heirship.*

SECTION 2. 311.05 (2) of the statutes, as created by chapter 551, laws of 1953, is repealed.

Approved November 20, 1953.