

No. 253, S.]

[Published July 7, 1955.

## CHAPTER 322

AN ACT to amend 316.23 (1) of the statutes, relating to attorney fees allowed in the sale of estates.

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

316.23 (1) of the statutes is amended to read:

316.23 (1) The executor or administrator shall make prompt return of his doings upon the order of sale to the court. The court shall examine the proceedings and may examine the executor, administrator or any other person on oath touching the same. If the court shall be of the opinion that the proceedings were unfair or that the sum obtained is disproportionate to the value of the land sold and that a greater sum, exclusive of the expense of a new sale, may be obtained, said court may vacate such sale and direct another to be had, as provided in s. 316.17. If it shall appear to the court that the sale was legally made and fairly conducted and that the sum bid thereon was not disproportionate to the value of the property sold, or if disproportionate that a greater sum cannot be obtained, said court shall confirm such sale and direct conveyances to be executed. The executor or administrator may expend usual and customary broker's *and attorney's* fees, as well as necessary expenditures for abstracting, title insurance, survey, revenue stamps and other necessary costs and expenses in connection with the sale, all subject to review and approval by the court.

Approved June 22, 1955.

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