

[No. 196, S.]

[Published April 24, 1889.]

## CHAPTER 496.

AN ACT to amend chapters 114 and 165, of the revised statutes of 1878, entitled, "of county courts," and "of the proof and payment of debts and legacies."

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

SECTION 1. Chapter 114, of the revised statutes of 1878, is hereby amended by adding after section 2454 thereof, the following: Section 2454a. Except as provided in section 2455, of the revised statutes, no judge of any county court, while holding such office, or his clerk, or any person employed by such judge in or about his office, shall charge for drawing any papers necessary for the settlement and distribution of any estate or any papers necessary for the commencement or prosecution of any action, proceeding or matter in any of the county courts of this state, except for certified copies and returns on appeals, and no executor or administrator, guardian or other person shall be allowed to pay any judge of any county court or the clerk or any person employed by such judge, in or about his office, any compensation whatever, either directly or indirectly, for drawing any such papers, or for any service whatever, rendered to such executor, administrator, guardian or other person, except for certified copies and returns on appeals, in any action, proceeding, matter or settlement of any estate in any of the county courts of this state; and no judge of any county court shall allow any items of disbursement except as above provided, in the adjustment and settlement of any accounts of such executor, administrator, guardian or other person, incurred either directly or indirectly, for such services; and any county judge who shall knowingly violate the provisions of this act, shall be liable to a fine of not less than five hundred dollars and impeachment. This act shall not apply to counties that at the time of the taking of

Amending sec.  
2454, R. S.  
county judge,  
clerk, or any  
person em-  
ployed by,  
to charge  
for drawing  
papers neces-  
sary, except  
certified copies,  
etc.

Penalty for  
violation.

the last state or United States census, had less than five thousand inhabitants.

Amending sec.  
2457, R. S.

Testimony of  
witnesses  
sworn to be  
reduced to  
writing, when.

SECTION 2. Section 2457, of the revised statutes of 1878, is hereby amended so as to read as follows: Section 2457. When any witness is sworn and examined in any contested matter or proceeding in any county court, the judge thereof shall cause the testimony of the witness to be reduced to writing and filed with the other papers in the matter or proceeding.

Amending sec.  
3840, R. S.

Notice to cred-  
itor's order for  
to be published  
within fifteen  
days from date.

SECTION 3. Section 3840, of chapter 165, of the revised statutes of 1878, is hereby amended by inserting next after the word, "months," where the same occurs in the fourth line of said section, the words, "from the date of said order, and such order shall be first published within fifteen days from the date thereof," so that said section when amended shall read as follows: Section 3840. The county court shall allow such time as the circumstances of the case shall require for the creditors to present their claims for examination and allowance, which time shall not in the first instance exceed one year, nor be less than six months from the date of said order, and such order shall be first published within fifteen days from the date thereof. Such time may be enlarged or extended before or within the two months after the expiration of the time previously limited has expired, for good cause shown, upon application of a creditor, upon reasonable notice to the executor or administrator if any, and otherwise to such parties in interest as the court shall direct, but not so that the whole time will exceed two years from the time of granting letters testamentary or of administration; such claims shall be heard by the court or commissioners as the court shall direct.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 18, 1859.