

No. 44, S.]

[Published May 3, 1893.]

CHAPTER 287.

AN ACT to amend section 3982, Revised Statutes, as amended by chapter 27, laws of 1891, relating to guardians and wards.

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

SECTION 1. Section 3982, Revised Statutes, as amended by chapter 27, laws of 1891, is hereby amended by adding thereto the following: "If the general guardian of any person who has been adjudged insane in this state, shall petition the county court of the county wherein such insane person resides, alleging that his said ward is insolvent, and giving a statement of the property of his said ward, and an itemized statement of his debts, so far as known to said guardian, thereupon the said court shall take proofs, and if upon such proofs the court finds that said insane person is insolvent, the court shall forthwith issue an order to the creditors of said insane person to file their claims for adjustment, and after such finding of insolvency, the same proceedings shall be had as are now had in county courts for settlement of the debts of a deceased person, as provided in chapter 165, Revised Statutes, as amended," so that said section 3982, Revised Statutes, as amended by chapter 27, laws 1891, when so amended, shall read as follows: Section 3982. Every guardian appointed under the provisions of this chapter, whether for a minor or any other person, shall pay the just debts of the ward out of his personal estate and the income of his real estate, if sufficient, and if not, then out of his real estate, upon being licensed to sell, and selling the same as provided by law; such guardian shall also settle all accounts of the ward and may demand, sue for, collect and receive all debts due to him, or may, with the approbation of the county court, compound and discharge the same on receiving a fair and just div-

Amends sec.
3982, R. S., as
amended.

Guardian to
pay debts of
ward, settle
accounts, etc.

ident from the debtor's estate, and he shall appear for and represent his ward in all actions and proceedings, except where another person is appointed for that purpose. Such guardian may also, with the approval of the county judge, adjust, compromise and discharge any and all claims for damages, which his ward may have, and any compromise and discharge of such claims heretofore made by any such guardian in good faith, with the approval of the county judge, is hereby legalized and declared valid. If the general guardian of any person who has been adjudged insane in this state, shall petition the county court of the county wherein such insane person resides, alleging that his said ward is insolvent and giving a statement of the property of said ward, and an itemized statement of his debts, so far as known to said guardian, thereupon the said court shall take proofs, and if upon such proofs the court finds that said insane person is insolvent, the court shall forthwith issue an order to the creditors of said insane person, to file their claims for adjustment, and after such finding of insolvency, the same proceedings shall be had as are now had in the county courts for settlement of the debts of a deceased person, as provided in chapter 165, Revised Statutes, as amended; provided, that nothing in this act shall authorize the sale of the homestead of such insane person.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1893.

Insolvency of
insane ward,
proceedings to
determine.