

educator may enter any mortuary, funeral home or undertaking establishment at all reasonable hours for the purpose of inspection, and shall be paid a salary and necessary expenses fixed by the board out of the appropriation made by subsection (6) of section 20.43. \* \* \*

SECTION 3. This act shall take effect upon passage and publication.

Approved June 30, 1931.

No. 327, A.]

[Published July 3, 1931.

### CHAPTER 425.

AN ACT to repeal and recreate subsection (19) of section 272.18 ; and to amend section 246.09 of the statutes, relating to exemptions.

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

SECTION 1. Subsection (19) of section 272.18 of the statutes is repealed.

SECTION 2. A new subsection is added to section 272.18 of the statutes to be numbered and to read: (272.18) (19) If a policy of insurance, whether heretofore or hereafter issued, is effected by any person on his own life or on another life, in favor of a person other than himself, or, except in cases of transfer with intent to defraud creditors, if a policy of life insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such insurance, or his executors or administrators, shall be entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting the same, whether or not the right to change the beneficiary is reserved or permitted, and whether or not the policy is made payable to the person whose life is insured if the beneficiary or assignee shall predecease such person; provided, that, subject to the statute of limitations, the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall inure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before

such payment the company shall have written notice, by or in behalf of a creditor, of a claim to recover for transfer made or premiums paid with intent to defraud creditors, with specifications of the amount claimed; and all moneys or other benefit, charity, relief or aid to be paid, provided or rendered by any mutual beneficiary or fraternal corporation, society, order or association providing insurance on the assessment plan and authorized to do business in this state, shall be exempt against the creditors of a number thereof or of his beneficiary or beneficiaries to the amount of five thousand dollars in all cases where the insured pays the premiums or assessments or any part thereof; but if some other person pays such premiums or assessments the insurance shall be absolutely exempt.

SECTION 3. Section 246.09 of the statutes is amended to read: 246.09 (1) Any married woman may, in her own name or in the name of a third person as her trustee, with his assent, cause to be insured for her sole use the life of her husband, son or other person for any definite period or for the natural life of such person; and any person, whether her husband or not effecting any insurance on his own life or on the life of another may cause the same to be made payable or assign the policy to a married woman or to any person in trust for her or her benefit; and every such policy, when expressed to be for the benefit of or assigned or made payable to any married woman or any such trustee, shall be the sole and separate property of such married woman and shall inure to her separate use and benefit and that of her children, and in case of her surviving the period or term of such policy the amount of the insurance *and all proceeds and avails therefrom* shall be payable to her or her trustee for her own use and benefit, free from the control, disposition or claims of her husband and of the person effecting or assigning such insurance and from the claims of their respective representatives and creditors, *whether or not the right to change the beneficiary was reserved or permitted by the terms of the policy.*

(2) \* \* \* *Provided, that, subject to the statute of limitations, the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall inure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before*

*such payment the company shall have written notice, by or in behalf of a creditor, of a claim to recover for transfer made or premiums paid with intent to defraud creditors, with specifications of the amount claimed.* The amount of any such insurance may be made payable, in case of the death of such married woman before the period at which it becomes due, to her children or to their guardian for their use, if under age, or to any other person as shall be provided in the policy. In such case the receipt of such married woman or of such children, or of their guardian if minors, shall discharge the insurance corporation from all further liability therefor. The provisions of this section shall apply to all insurance on lives effected before the passage of these statutes.

SECTION 4. This act shall take effect upon passage and publication.

Approved June 30, 1931.

No. 475, A.]

[Published July 3, 1931.]

#### CHAPTER 426.

AN ACT to create sections 72.50 to 72.61 of the statutes, relating to the minimum inheritance tax.

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

SECTION 1. Eleven new sections are added to the statutes to read: 72.50 TAX IMPOSED. In addition to the taxes imposed by sections 72.01 to 72.26, an estate tax is hereby imposed upon the transfer of all estates which are subject to an estate tax under the provisions of the United States revenue act of 1926, and amendments thereto, where the decedent at the time of his decease was a resident of this state. The amount of said estate tax shall be equal to the extent, if any, of the excess of the credit of not exceeding eighty per cent, allowable under said United States revenue act, over the aggregate amount of all estates, inheritance, transfer, legacy and succession taxes paid to any state or territory or the District of Columbia, in respect to any property in the estate of said decedent. Provided, that such estate tax hereby imposed shall in no case exceed the extent to which its payment will effect a saving or diminution in the amount of the United States estate tax payable by or out of the estate of the decedent had sections 72.50