

invalid provision or application, and to this end the provisions of this section are declared to be severable.

(9) UNIFORMITY OF INTERPRETATION. This section shall be so construed as to make uniform the law of those states which enact it.

(10) SHORT TITLE. This section may be cited as Uniform Act Governing Secured Creditors' Dividends in Liquidation Proceedings.

SECTION 2. This act shall take effect January 1, 1942, but shall not apply to contracts and transactions already existing upon that date.

Approved June 23, 1941.

No. 661, A.]

[Published June 25, 1941.

CHAPTER 283.

AN ACT to create 235.72 of the statutes, relating to the risk of the vendor and purchaser under a land contract and to make uniform the law with reference thereto.

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

SECTION 1. A section of the statutes is created to be numbered and to read:

235.72 UNIFORM VENDOR AND PURCHASER RISK ACT.

(1) RISK OF LOSS AS BETWEEN VENDOR AND PURCHASER OF LAND. Any contract hereafter made in this state for the purchase and sale of realty shall be interpreted as including an agreement that the parties shall have the following rights and duties, unless the contract expressly provides otherwise:

(a) If, when neither the legal title nor the possession of the subject matter of the contract has been transferred, all or a material part thereof is destroyed without fault of the purchaser or is taken by eminent domain, the vendor cannot enforce the contract, and the purchaser is entitled to recover any portion of the price that he has paid.

(b) If, when either the legal title or the possession of the subject matter of the contract has been transferred, all or any

part thereof is destroyed without fault of the vendor or is taken by eminent domain, the purchaser is not thereby relieved from a duty to pay the price, nor is he entitled to recover any portion thereof that he has paid.

(2) UNIFORMITY OF INTERPRETATION. This section shall be so construed as to make uniform the law of those states which enact it.

(3) SHORT TITLE. This section may be cited as the Uniform Vendor and Purchaser Risk Act.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 23, 1941.

No. 662, A.]

[Published June 25, 1941.

CHAPTER 284.

AN ACT to create 237.10 of the statutes, providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

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

SECTION 1. A section of the statutes is created to be numbered and to read:

237.10 UNIFORM SIMULTANEOUS DEATH ACT. (1) Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons have died otherwise than simultaneously, the property of each person shall be disposed of as if he had survived, except as provided otherwise in this section.

(2) Where two or more beneficiaries are designated to take successively by reason of survivorship under another person's disposition of property and there is no sufficient evidence that these beneficiaries have died otherwise than simultaneously, the property thus disposed of shall be divided into as many equal portions as there are successive beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each designated beneficiary had survived.