

No. 235, S.]

[Published June 2, 1949.

CHAPTER 192.

AN ACT to amend 316.02 and 316.51 of the statutes, relating to sales of land of decedents.

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

316.02 and 316.51 of the statutes are amended to read:

316.02 PETITION FOR LICENSE. The executor or administrator shall present a verified petition to the county court, setting forth the amount of personal estate that has come to his hands and how much thereof is available and remains undisposed of; the amount of the expenses of administration, and of the funeral, and of the debts outstanding against the decedent, so far as such expenses and debts can be ascertained; or if it is so alleged then a statement showing how the sale of the personal property would be inimical to the interests of the estate *or how the sale of the real estate would be for the best interests of the estate or the heirs*; a description of all the real estate of which the decedent died seized and the condition and value of the respective parcels thereof; and the names of the heirs or legatees and devisees, designating those that are minors or incompetents, and if there be unknown parties interested stating the fact.

316.51 SALES VALIDATED. No sale of lands in proceedings pursuant to this chapter made since the repeal of sections 316.39 to 316.44 of the statutes of 1927 shall be held invalid if such sale would have been valid had said sections been in force at the time of the sale; and no such sale shall be held invalid because not made at public vendue. *No sale of lands for the best interests of the estate or the heirs made prior to the date of amendment of section 316.02 in 1949 shall be held invalid.* This is a curative act, the purpose of which is to validate titles acquired upon sales in county court under this chapter, whenever such titles may be questioned upon the ground that since said repeal there was no authority in the court to authorize private sales.

Approved May 28, 1949.