

same. He shall be allowed all necessary expenses in the care and management of the estate, and for his services one dollar per day, and such further compensation as the county court shall judge reasonable.

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

Approved April 9, 1895.

No. 208, S.]

[Published April 11, 1895.

CHAPTER 165.

AN ACT to amend section 3788, of the revised statutes, relating to probate of wills.

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

SECTION 1. Section 3788, of the revised statutes of Wisconsin, is hereby amended so as to read as follows: Section 3788. If no person appear to contest the probate of a will at the time fixed for that purpose, the court may, in its discretion, grant probate thereof on the testimony of one of the subscribing witnesses only, if such witness shall testify that such will was executed in all particulars as required by the statutes of this state and that the testator was of a sound mind at the time of the execution thereof. If none of the subscribing witnesses shall reside in this state at the time fixed for proving the will, or if any one or more of the subscribing witnesses shall have gone to parts unknown and the court shall be satisfied that such witness, after due diligence used, cannot be found, the court may, in its discretion, admit the testimony of other witnesses to prove the sanity of the testator, and the execution of the

How probate
may be
granted.

will, and may admit proof of the handwriting of the testator and of the subscribing witnesses.

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

Approved April 9, 1895.

No. 199, S.]

[Published April 12, 1895.

CHAPTER 166.

AN ACT to amend sections 3908 and 3910, of chapter 167, of Sanborn and Berryman's annotated statutes of Wisconsin, relating to the conveyance of lands of deceased persons in pursuance of contract.

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

Conveyance of lands of deceased persons, how effected.

SECTION 1. Section 3908, of Sanborn and Berryman's annotated statutes of Wisconsin, is hereby amended so as to read as follows: Section 3908. On the presentation of a petition by any person claiming to be entitled to such conveyance from any executor or administrator, setting forth the facts upon which such claim is predicated, the county court shall appoint a time and place of hearing such petition, and shall order notices of the pendency thereof, and of the time and place of hearing, to be published in a newspaper as provided in section four thousand and forty-five, at least three successive weeks before the day fixed for such hearing. The last publication shall not be more than twenty days before the day so fixed.

County court to have full hearing of case

SECTION 2. Section 3910, of Sanborn and Berryman's annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 3910. After a full hearing upon such peti-