

No. 102, A.]

[Published May 12, 1925.

CHAPTER 106.

AN ACT to amend subsection (3) of section 2270 (237.01) of the statutes, relating to descent.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (3) of section 2270 (237.01) of the statutes is amended to read: (Section 2270) (237.01) (3) If he shall leave no lawful issue nor widow nor father nor mother his estate shall descend in equal shares to his brothers and sisters and to the * * * *lineal descendants* of any deceased brother or sister by right of representation.

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

Approved May 11, 1925.

No. 103, A.]

[Published May 12, 1925.

CHAPTER 107.

AN ACT to amend section 4022 (322.02) of the statutes, relating to adoption of children.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 4022 (322.02) of the statutes is amended to read: Section 4022. (322.02) No such adoption shall be made without the written consent of the living parents of such child unless the court shall find that one of the parents has abandoned the child or gone to parts unknown, when such consent may be given by the parent, if any, having the care of the child. In case where neither of the parents is living, or if living are unknown or mentally incompetent or have abandoned the child, such consent may be given by the guardian of such child, if any. If such child has no guardian such consent may be given by any of the next of kin of such child residing in this state or, in the discretion of the court, by some suitable person to be appointed by the court. In case of a child not born in lawful wedlock such

consent may be given by the mother, if she is living and has not abandoned such child; provided, that unless the living parent or parents of a minor consent to such adoption *or shall have abandoned such child* it shall be the duty of the court having jurisdiction of the proceedings, upon the filing of any petition for adoption, by order to appoint a time and place for hearing such petition and cause notice of such time and place to be given to such parent or parents, by personal service of said notice on such parent or parents at least ten days before the hearing or, if to the satisfaction of the court personal service cannot be obtained, by publication thereof in a newspaper in the county at least three weeks successively prior to said hearing, and when notice is duly given as herein provided the parent of any minor shall be bound by the order of adoption as fully as though he had consented thereto. And in case such child has arrived at the age of twenty-one years such consent may be given by such child alone, and the consent of no other person in behalf of such child shall be required.

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

Approved May 11, 1925.

No. 74, A.]

[Published May 12, 1925

CHAPTER 108.

AN ACT to create subsection (6) of section 3940 (318.06) of the statutes, relating to the disposal of legacies.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new subsection is added to section 3940 (318.06) of the statutes to read: (Section 3940) (318.06) (6) In case a legatee or distributee shall refuse or fail to accept and receipt for his share, or where the personal representative is unable to ascertain the whereabouts of any such legatee or distributee, the court may authorize such personal representative to deposit such share with a local trust company or the public administrator, and such depository shall be authorized to accept and receive the same, and pay over such amount together with any interest