

a certified copy or transcript of judgment in any action so commenced with the state highway commission, the money shall be paid by said commission to the clerk of said court to be distributed in accordance with the judgment. After payment of the money to the clerk of the court, any and all liability on the part of the state to any person, firm or corporation making claim to all or any part of such money shall cease. In the event no action is commenced within the time hereinbefore provided, the state highway commission may determine who is entitled to said money and notify all claimants and the contractor in writing as to its determination in said matter. Unless an action is then commenced by a dissatisfied claimant or claimants or by the contractor, in the manner hereinbefore provided, within 20 days after mailing of said notice, the state highway commission may pay out the money in accordance with its decision in the matter, and the liability of the state to any person, firm or corporation making claim to all or any part of such money shall thereupon cease. As to contracts completed and accepted prior to the enactment of this subsection, the 3 months' period for which provision is herein made shall commence on the effective date of this subsection. As to judgments of which notice of entry has been made to the state highway commission as herein provided prior to the enactment of this subsection, the 10-day period for which provision is herein made shall commence on the effective date of this subsection. This subsection shall supersede any prior legislation inconsistent herewith.

Approved July 7, 1943.

No. 648, A.]

[Published July 9, 1943.]

CHAPTER 476.

AN ACT to amend 49.26 (4) of the statutes, relating to old-age assistance liens on real property and claims against deceased beneficiaries having priority.

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

49.26 (4) of the statutes is amended to read:

49.26 (4) All old-age assistance paid to any beneficiary under sections 49.20 to 49.51, including medical and funeral expense

paid as old-age assistance, shall become and constitute a lien as hereafter provided and shall remain a lien until it is satisfied. When old-age assistance is granted to any person under sections 49.20 to 49.51, the name and residence of the beneficiary, the amount of assistance so granted, the date when such assistance is granted, the name of the county granting the assistance, and such other information as the state pension department shall require, shall be entered upon a certificate, the form of which shall be prescribed by the state pension department. The county judge of the county granting old-age assistance shall cause such certificate, or a copy thereof, to be filed in the office of the register of deeds of every county in the state in which real property of the beneficiary may be situated. From and after the time of such filing in the office of the register of deeds the lien herein imposed shall attach to any and all real property of the beneficiary presently owned or subsequently acquired, including joint tenancy interests, in any county in which such certificate is filed for any amounts paid or which thereafter may be paid under sections 49.20 to 49.51, and shall remain such lien until it is satisfied. Such lien shall take priority over any other lien subsequently acquired or recorded except tax liens *and except that the amounts allowed by the court in the estate of any deceased beneficiary and remaining unpaid after all funds and personal property in the estate have been applied according to law, for administration and funeral expense for hospitalization, nursing and professional medical care furnished such decedent during his last sickness, not to exceed \$300 in the aggregate, shall be charges against all real property of such deceased upon which an old-age assistance lien shall have attached, and shall in such order be paid and satisfied prior to such lien out of the proceeds derived from such real property upon liquidation of such old-age assistance lien.* The certificate herein provided need not be recorded at length by the register of deeds, but upon the filing thereof all persons shall thereby be charged with due notice of the lien and of the rights of the county thereunder. The register of deeds shall keep a separate book, properly indexed, in which shall be entered an abstract of every certificate so filed which shall show the time of filing, the name and residence of the beneficiary, the date of the certificate, the name of the county granting old-age assistance to such beneficiary, and a record of any releases and satisfactions. No fee shall be charged for the filing of such cer-

tificate or the entry of the abstract thereof except in counties wherein the register of deeds is compensated otherwise than by salary, and in such counties a fee of 25 cents shall be paid to the register of deeds by the county filing the certificate. Such lien shall be enforceable by the county filing the certificate after transfer of title of the real property by sale, succession, inheritance, or will, in the manner provided by law for the enforcement of mechanics' liens upon real property. Provided, however, that no such lien and no claim under section 49.25 shall be enforced against the homestead of the beneficiary while it is occupied by a surviving spouse or by any surviving minor children of the beneficiary; and provided, also, that whenever the county judge of the county in whose favor such lien exists is satisfied that the collection of the amount paid as old-age assistance will not thereby be jeopardized or that the release of the lien in whole or in part is necessary to provide for the maintenance or support of the beneficiary, his spouse, or minor children, he may release the lien hereby imposed with respect to all or any part of the real property of the beneficiary, which release shall be filed in the office of the register of deeds of the county in which the certificate is filed. The beneficiary, his heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount thereof to the treasurer of the proper county who, with the approval of the county judge, shall execute a proper satisfaction which shall be duly filed with the register of deeds.

Approved July 7, 1943.

No. 652, A.]

[Published July 9, 1943.]

CHAPTER 477.

AN ACT to amend 22.10 (2) and to create 22.105 of the statutes, relating to liability for damage to property used in civilian defense.

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

SECTION 1. 22.10 (2) of the statutes as created by chapter 9, laws of 1943, section 4, is amended to read:

22.10 (2) Neither the state nor any political subdivision of the state, nor except in cases of willful misconduct, the agents or