

(3) It is the intent of the legislature that the provisions of this act are separable and if any provision shall be held unconstitutional, such decision shall not affect the remainder of this act.

Approved May 19, 1947.

No. 58, A.]

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### CHAPTER 150.

AN ACT to amend 310.05 (2) and to create 311.16 (3) of the statutes, relating to foreign heirs not represented diplomatically and duties of the public administrator.

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

SECTION 1. 310.05 (2) of the statutes is amended to read:

310.05 (2) If the application for letters testamentary or of administration shall show or if it shall subsequently appear that any heir, devisee or legatee is a resident of a foreign country, the court shall cause the notice of hearing of such application or of such subsequent proceeding as may then be pending to be given to a consul, vice consul or consular agent of such foreign country by mailing a copy of the notice in a sealed envelope, the postage prepaid, addressed to such consul, vice consul or consular agent at his post-office address, at least 20 days previous to the day appointed for hearing. If it shall be shown to the court that there is no such consul, vice consul or consular agent of such foreign country, the court may direct that such notice be so mailed to the public administrator. The notice required by this subsection is not jurisdictional.

SECTION 2. 311.16 (3) of the statutes is created to read:

311.16 (3) When notice has been given to the public administrator as specified by section 310.05 (2) that a resident of a foreign country, not represented by a consul, vice consul or consular agent, is interested in an estate, the public administrator shall appear for such foreign resident and be allowed his compensation and necessary expenditures in the same manner as a guardian ad litem.

Approved May 19, 1947.