

No. 321, A.]

[Published June 21, 1907.

CHAPTER 266.

AN ACT to create section 1636p of the statutes, relating to the health and comfort of occupants of sleeping car berths.

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

SECTION 1. There is added to the statutes a new section to read:

* * * * *

Approved June 19, 1907.

(In effect July 1, 1907.)

No. 261, A.]

[Published June 21, 1907.

CHAPTER 267.

AN ACT to amend section 4041a, of the statutes, as created by chapter 397, laws of 1901, providing for compensation for guardian ad litem.

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

SECTION 1. Section 4041a, of the statutes, as created by chapter 397, laws of 1901, is amended to read:

* * * * *

Approved June 19, 1907.

(In effect July 1, 1907.)

evidence that the notice of appeal has been given to the adverse party shall have been filed in the circuit court the appeal may be brought to trial in the same manner as actions originally brought therein, and the court shall proceed to the trial and the determination of the matter according to the rules of law, allowing a trial by jury of all questions of fact, in cases where such trial may be proper; and such court may direct an issue to be made up between the parties in a brief form, when it shall be deemed necessary, and appeals may be taken to the supreme court as in other cases.

(Ch 593, 1907.)

Infant's guardian for will or descent; sources of compensation. SECTION 4041a. 1. Any court of record, in contests arising therein, upon application for the probate of any will, in its discretion, may allow to the proponent of such will a reasonable attorney's fee, to be paid out of the estate of the decedent and may also in its discretion, allow to the contestant if successful in the circuit court a reasonable attorney's fee out of said estate for services in such contest in said circuit court.

2. *A guardian ad litem appointed for an infant who is a necessary party to a proceeding to probate a will, or in a proceeding or action to construe a will, or in a proceeding in the settlement of an estate, may be allowed compensation for his services and for his necessary expenditures in the litigation, to be fixed by the court, in which such proceedings or litigation is had, and paid out of the body of the estate or property in controversy, if the infant has no available property out of which such payment can be directed by the court.*

(Ch. 267, 1907.)

[SECTION 4041a changed to section 4041b by Sec. 9, Ch. 660, 1907.]

Security and judgment for costs. SECTION 4042. In all cases mentioned in * * * sections 4011, 4011a and 4011b, the county court may, in its discretion, require the claimant, or contestant, or other person to give security for costs. Such security shall be a written undertaking, in such sum and with such surety as shall be approved by the county court, to the effect that such surety will pay all costs that may be awarded by such court in such proceeding against the claimant or contestant. A judgment for costs against the claimant or contestant may also be rendered against the surety in such undertaking.

(Ch. 660, 1907.)