

property of the debtor municipality will equitably bear the amount of the claim or judgment.

(6) This section does not create any liability against a county for any act of the sheriff where such liability is prohibited by article VI, section 4 of the state constitution.

Approved May 26, 1947.

No. 202, A.]

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CHAPTER 184.

AN ACT to repeal 69.33 (1a); to amend 69.33 (1); to repeal and recreate 69.33 (7) and (9); and to create 69.24 (1) (e) and 69.336 of the statutes, relating to adoption proceedings.

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

SECTION 1. 69.24 (1) (e) of the statutes is created to read:
69.24 (1) (e) The state registrar shall collect a filing fee of \$1 for new certificates filed in accordance with sections 69.33 and 69.336.

SECTION 2. 69.33 (1) of the statutes is amended to read:
69.33 (1) On being advised pursuant to section 322.05 of the adoption of any child whose birth has previously been registered or pursuant to section 245.36 of the legitimation of any child by the marriage of the parents, the state registrar of vital statistics shall file a new birth certificate filled out and signed by himself or his authorized representative. In this new certificate reference shall be made to this section by number only. In all other respects the certificate shall be the same as other birth certificates and shall contain nothing else to differentiate it therefrom. *In case such adopted child was born elsewhere in the United States, a new certificate may be filed as herein provided if the adoptive parent shall file with the state registrar a certified copy of the original birth certificate or satisfactory proof that the birth was not recorded. The place of birth may be given as the place where the adoption order was made and the date of birth shall be taken from the original certificate, or, in the absence thereof, from the adoption order.*

SECTION 3. 69.33 (1a) of the statutes is repealed.

SECTION 4. 69.33 (7) and (9) of the statutes are repealed and recreated to read:

69.33 (7) Whenever a child born in the United States shall have been adopted in another state by resident of this state, the adoptive parent may file an authenticated copy of the order or judgment of adoption with the state registrar, together with a certified copy of the original birth certificate, if any. Thereupon the state registrar shall proceed as provided in subsections (1), (2) and (5) so far as the same may be applicable. The residence of the adoptive parents may be recorded as the place of birth.

(9) Whenever the state registrar is notified of a judgment entered pursuant to section 166.11 (2) he shall in his discretion either make and file a new certificate, following the provisions of this section so far as applicable, or correct the old certificate in the manner provided in section 69.335.

SECTION 5. 69.336 of the statutes is created to read:

69.336 (1) SAME: COURT PROCEEDINGS. Whenever any court pursuant to section 328.39 shall adjudge a child born in wedlock to be illegitimate, the clerk of court shall report the facts to the state registrar, who shall issue a new birth certificate showing the correct facts as found by the court, and shall dispose of the original, with the court's report attached, as provided in section 69.33 (5). He shall notify local registrars as provided in section 69.33 (6).

(2) Whenever the certificate originally filed shall be substantially incorrect, the person whose birth is recorded or his parent or guardian may petition any court of record in the county of his residence or, if a nonresident, the county of his birth, for a determination of the true facts. The court may take testimony and shall direct the clerk of court to report to the state registrar wherein the original certificate is incorrect and what are the true facts, so far as can be determined. No finding shall be required as to paternity if the birth was illegitimate. The state registrar shall proceed as provided in section 69.33 (5).

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