

No. 83, S.]

[Published May 26, 1951.

**CHAPTER 250.**

AN ACT to repeal and recreate 237.09 of the statutes, relating to certificate of heirship.

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

237.09 of the statutes is repealed and recreated to read:

237.09 CERTIFICATE OF HEIRSHIP. (1) PETITION. If a person dies intestate owning real estate in this state, the court may upon petition so showing issue a certificate of heirship. The petition shall be made to the county court of the county of which the deceased was a resident at the time of his death, if he was a resident of this state, or to the county court of the county in which any real estate of the deceased is situated, if he was a nonresident.

(2) CERTIFICATE. If it appears that the deceased died intestate and that no inheritance tax is owing or that the tax has been paid, the court may issue a certificate so showing; the certificate shall give the names of the heirs, a description of the real estate and the interest of each heir in the real estate. The certificate or a certified copy thereof when recorded in the office of the register of deeds of the county in which such real estate is situated shall be prima facie evidence of the facts therein recited. The notice requirements of section 318.06 (7) shall not apply to proceedings under this section.

Approved May 23, 1951.

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