

CHAPTER LVII.

AN ACT TO AMEND SECTIONS TWO AND FOUR OF CHAPTER FIFTY-FOUR OF THE GENERAL STATUTES OF MINNESOTA, RELATING TO THE CONVEYANCE OF REAL ESTATE BY EXECUTORS AND ADMINISTRATORS IN CERTAIN CASES.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section two of chapter fifty-eight of the general statutes of Minnesota, be and the same is hereby amended so as to read as follows :

Sec. 2. On the presentation of a petition by any person claiming to be interested in causing such conveyance from any executor or administrator to be made, setting forth the names, ages and residences, if known, of all persons interested in the estate to be conveyed, and the facts upon which such claim is predicated, the judge of probate shall appoint a time and place for hearing such petition, and notice thereof shall be given to those interested, in the same manner provided for in sections three and four of chapter fifty-seven of the general statutes.

Time of hearing shall be appointed and notice given.

Sec. 2. That section four of said chapter fifty-eight be and the same is hereby amended so as to read as follows :

Sec. 4. After a full hearing upon such petition, and examination of the facts and circumstances of such claim, if the judge of probate is satisfied that a conveyance of the real estate described in the petition should be made according to the provisions of this chapter, he shall thereupon make a decree, authorizing and directing the executor or administrator to make and execute a conveyance thereof to the person or persons entitled thereto, otherwise he shall dismiss such petition.

Decree shall be made—when.

Sec. 3. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 24, 1875.

CHAPTER LVIII.

AN ACT TO AMEND SECTION FOURTEEN OF CHAPTER SIXTY-TWO OF THE GENERAL STATUTES, RELATING TO DIVORCE, BEING SECTION THIRTY-ONE OF CHAPTER THIRTY-SEVEN OF BISSELL'S STATUTES.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. Section fourteen of chapter sixty-two of the general statutes, being section thirty-one of chapter thirty-seven of Bissell's statutes at large, is hereby amended so as to read as follows :

Proceedings in
default and
after issue
joined.

Sec. 4. If after service duly made and proved, the defendant does not appear, the court, at a general or special term, or the judge out of term, may proceed to hear and determine the action. When issue is joined, like proceedings shall be had as in civil actions.

When act to
take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1875.

CHAPTER LIX.

AN ACT TO AMEND SECTION ONE HUNDRED AND SIXTY OF CHAPTER SIXTY-SIX OF THE GENERAL STATUTES OF MINNESOTA, RELATING TO GARNISHMENT.

Be it enacted by the Legislature of the State of Minnesota :

Garnishee
action to be
transferred
with original
action.

SECTION 1. That section one hundred and sixty of chapter sixty-six of the general statutes of Minnesota, be amended by adding thereto the following : And in case such original action pending in any court not a court of record, shall, under the provision of law, be transferred to any other court except by appeal, any garnishee action, the judgment in which is conditioned on the judgment in such original action, shall be also transferred with such original action, and written notice of such transfer shall be served on the garnishee defendant or defendants, by the plaintiff in such action, specifying the court to which such transfer is made, and the time when such garnishee action will be heard, which shall not be less than two days from the service of such notice ; and such garnishee action so transferred shall carry with it all proceedings already had and any disclosure already made therein.

When act to
take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 12, 1875.