

CHAPTER 336—S. F. No. 1051

An act to amend subdivision 1, Section 2585, General Statutes 1923, relating to the establishment of cartways, and providing for assessments against persons who are benefited thereby.

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

Section 1. **Cartways.**—That Subdivision 1, Section 2585, General Statutes 1923, be and the same is hereby amended to read as follows :

“2585. Sub. 1. Any town board may establish a cartway two rods wide and not more than three rods wide on petition of not less than five voters, freeholders of such town. All their proceedings shall be the same as provided in this act establishing town roads. The cost and expense thereof and the damage awarded for lands taken therefor, shall be paid by the town, as in the case of town roads, and a record of such cartway shall be filed with the town clerk; provided, that, when a road or cartway is established which will not be a continuous road from one highway to another *not more than* one half of the damages to the land through which it passes *may be assessed against the person or persons benefited thereby.*”

Approved April 24, 1929.

CHAPTER 337—S. F. No. 1064

An act to amend Section 8836 of the General Statutes of 1923, relating to the mortgaging, sale and disposal of realty including homestead of decedent by representatives.

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

Section 1. **Petition for license.**—That Section 8836 of the General Statutes of 1923, be and the same hereby is amended so as to read as follows :

“Sec. 8836. To obtain a license to sell, mortgage, or lease the real estate of a decedent including the homestead of such decedent for more than one year, the representative shall present a verified

petition to the court appointing him, setting forth what personal estate has come into his hands; the disposition thereof; how much, if any, remains undisposed of, the debts outstanding against the decedent or ward, so far as can be ascertained, and, if it be the estate of a decedent, the legacies unpaid, if any; a description of all the real estate including the homestead of a decedent, and the condition and value of the several tracts; the names and residences, so far as known, of all persons interested therein, and, if unknown, a statement of that fact; and facts showing grounds for such sale, mortgage or lease; if a sale, mortgage or lease of a homestead is petitioned for the petition shall set forth the grounds and reasons why it will be for the best interests of all persons interested in said homestead that the same be sold, mortgaged or leased. The court is empowered to license the representative, or representatives to renew or extend an existing incumbrance or to mortgage the decedent's homestead to pay off existing incumbrances, interest, penalties, liens and costs, but in such case the petition to mortgage must be executed, or assented to in writing by the surviving spouse, if any, and the majority in interest of the remaindermen by themselves, or their guardian, or guardians in case they are minors, or their representative or representatives in case they are deceased.

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

Approved April 24, 1929.

CHAPTER 338—S. F. No. 1070

An act to amend Sections 874 and 875, General Statutes 1913, as amended by Chapter 135, General Laws 1915, as amended by Chapter 472, General Laws 1917, as amended by Section 2, Chapter 304, General Laws 1919, as amended by Section 2, of Chapter 336, General Laws 1921, as amended by Section 2 of Chapter 307, General Laws 1923, as amended by Chapter 372, General Laws 1925, as amended by Section 2, Chapter 420, of the General Laws 1927, relating to the salaries of certain county officers and employees in all counties in this state having or which may hereafter have a population of not less than 220,000 and not more than 330,000 inhabitants.

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