

dian shall be in writing, after being first authorized to do so by an order of the probate court, and shall be endorsed on the instrument of *the* conveyance. Without the approval of the guardian, a conveyance by *the* husband or wife *does* not affect the rights of the insane or incompetent spouse.

Subd. 2. Where no guardian has been appointed of the person or estate of such insane or incompetent spouse and such insanity or incompetency has existed or may exist for three years subsequent to the adjudication of the insanity or incompetency of the insane or incompetent spouse, the husband or wife of *the* insane or incompetent person may convey any real estate, the title to which is in *the* husband or wife, as fully as he or she could do if unmarried.

Subd. 3. This section *does* not authorize the conveyance of a homestead unless the guardian of the person or estate of *the* insane or incompetent person appointed by the probate court of the proper county *consents* in writing to *the* conveyance by endorsement thereon after being first authorized so to do by order of the probate court.

Subd. 4. The provisions of *subdivision 2 and 3* do not apply to a nonresident insane or incompetent person.

Subd. 5. *In all cases where the probate court has directed a sale of the interest of an insane or incompetent person in real estate, the sale includes the inchoate interest of the person in any share or part of the real estate owned by such person's spouse whether or not specifically mentioned in the proceedings or conveyance, when the interest of the spouse is also conveyed to the same grantee.*

Subd. 6. *No conveyance of the homestead is valid unless made by both spouses in a joint deed or by separate deeds.*

Approved March 29, 1955.

CHAPTER 244—S. F. No. 794

An act relating to the state reformatory for men at St. Cloud, providing for the use of a portion thereof and the facilities thereat for the care of mentally deficient persons, and amending Minnesota Statutes 1953, Section 640.34.

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

Section 1. Minnesota Statutes 1953, Section 640.34, is amended to read as follows:

640.34 Site, management. *Subdivision 1.* The state reformatory shall be continued at its present site, in Sherburne county, and be under the general management of the commissioner of public welfare. *A portion of the state reformatory shall be set apart for the care of mentally deficient persons.*

Subd. 2. Any committed mentally deficient person may be placed at this facility if in the judgment of the commissioner of public welfare it is in the best interests of that person to receive care and training at this facility.

Approved March 29, 1955.

CHAPTER 245—S. F. No. 840

[Not Coded]

An act relating to the permanent improvement revolving fund of certain cities; amending General Laws of Minnesota for 1895, Chapter 8, Section 90, as amended.

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

Section 1. General Laws of Minnesota for 1895, Chapter 8, Section 90, as amended by Laws 1911, Chapter 49 and Laws 1913, Chapter 184, is amended to read:

Sec. 90. **Local improvements paid out of permanent improvement fund, limitation on certificates.** There shall be created, if necessary, and maintained in the city treasury, if the city council shall so direct by ordinance, a fund to be designated as the permanent improvement revolving fund, into which shall be paid all accounts realized from the sale of certificates of indebtedness issued on account of such fund, and the principal sum of all special assessments and benefits assessed and levied on account of any local improvements, as well as all taxes levied on account of such fund, and there shall be paid out of such fund that portion of all local improvements for which special assessments are levied, also that portion of all local improvements which must be paid out of the permanent improvement fund in anticipation of taxes levied for that purpose, and such amount of excess assessment as may in any instance be refunded, and for no other purpose whatever. And the city shall maintain such fund sufficient to meet the expenses of all such improvements as the same become payable, as in this act provided. And the city council may from time to time by ordinance by a three-fourths vote, issue, negotiate and sell certificates of indebtedness for the creating or maintaining of such fund, and such certificates shall not be sold for less