

CHAPTER XXIX.

March 7, 1867. *An Act to provide for dower in school and agricultural college lands sold but not deceded by the State.*

SECTION 1.—Rights of widows.

2.—Assent of widow required to certain acts.

3.—Widow to pay interest.

4.—Duty of executors.

5.—Provides for payments.

6.—When act shall take effect.

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

Rights of widow

SECTION 1. That the widow of any deceased person shall be entitled to dower in any school lands or agricultural college lands held by the husband at the time of his death, either as purchaser from the state or as assignee of such purchaser or as purchaser upon a sale thereof, upon execution, decree or mortgage, although the state may not have made a deed thereof, the same as though the husband had died seized in fee of said lands, and that such dower be assigned, ad-measured and set off in the same manner as now provided by law in other cases.

Sales, how con-
ducted

SEC. 2. All sales, transfers and assignments by the heirs of the deceased person who died leaving a widow, of any interest in the school lands, or agricultural college lands held by such deceased person, shall be void unless the assent of the widow be given thereto in writing executed and acknowledged as required by law for the conveyance of real estate.

Widow to pay
interest

SEC. 3. The widow shall pay one-third of the interest due to the state on all the lands out of which her dower was assigned, and the executor, administrator or heirs shall pay the other two-thirds; *Provided*, That when the portion assigned to the widow consists of a separate subdivision, so that the interest can be paid thereon separately, she may pay the interest on the part so assigned to her, and the executor, admin-

istrator or heirs shall pay upon the balance; and in no case shall the widow be required to pay on any more lands than necessary to include that assigned as her dower.

SEC. 4. In cases where the interest cannot be paid upon such lands in subdivisions, as provided in section three of this act, then it shall be the duty of the executor or administrator, until the estate of the deceased is settled, and thereafter the heirs, to pay the whole amount of interest due annually on such lands; and the widow shall refund to such executor, administrator or heirs the one-third part thereof, and if she shall fail so to do for the term of one year, her right of dower in such lands shall be forfeited. Duty of executor

SEC. 5. When the executors, administrators or heirs fail to pay the interest in cases provided for in the last preceding section, on or before the first day of June of each year, the widow may pay the same, and shall have a lien upon the lands for two-thirds of the whole amount paid, with interest on such amount at twelve per cent. per annum until refunded; and if the same shall not be refunded with the interest thereon, within one year after the youngest heir shall become of age, all the rights and interest of the deceased therein at the time of his death, shall revert to and be conferred upon such widow. Lien

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March, 7, 1867.