

When guardians
may convey real
estate belonging
to their wards.

have according to law located the route of its road upon and across any lands belonging to infant heirs or other wards it shall be lawful for the guardian of such heirs or wards to convey to such railroad company the necessary right of way upon and across such lands together with grounds for depots, engine and station houses, where the same shall be necessary, subject only to the approval and confirmation of the probate court of the county having jurisdiction of the matter of the guardianship of such heirs or wards.

When act to
take effect.

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

Approved March 5, 1869.

CHAPTER LXIII.

March 4, 1869.

An Act to enable foreign executors, administrators and guardians to discharge judgments and mortgages of lands within this State, and to release any lands within this State from the lien of any such judgment or mortgage.

- SECTION 1. What to be considered evidence of the appointment of any executor, administrator or guardian of a foreign country.
2. Any such executor, administrator or guardian may release or discharge any judgment or mortgage belonging to the estate or to minor children.
 3. May act by his attorney in fact thereto by him duly appointed, by a power of attorney.
 4. Repeal of former acts.
 5. When act to take effect.

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

SECTION 1. That an exemplification of the record of the appointment of any executor, administrator or guardian,

in another State or in a foreign country may be filed and recorded in the office of the register of deeds of any county in this state; and such record in the register's office, or a transcript thereof duly certified, shall in all cases be *prima facie* evidence of such appointment.

Foreign executors, &c., to file copy of appointment.

SEC. 2. That any such executor, administrator or guardian, may release and fully discharge of record any judgment or mortgage of land in this state belonging to the estate or to the minor children represented by him, and may also release and fully discharge any land in this state, from the lien of such judgment or mortgage.

Power of such executor, &c.

SEC. 3. That any such executor, administrator or guardian may act by his attorney in fact thereto by him duly appointed, by a power of attorney executed and acknowledged in the same manner as is required for a conveyance of real estate, and recorded in the office of the register of deeds of the county in this state in which such act may be performed.

May act by attorney.

SEC. 4. That chapter seventy of the general laws of this state for the year one thousand eight hundred and sixty-seven, be and the same is hereby repealed.

Repeal of inconsistent acts.

SEC. 5. This act shall take effect and be in force from after its passage, and shall be retroactive in its operation as well as prospective.

When act to take effect.

Approved March 4, 1869.