

CHAPTER LXI.

Feb'y 11, 1870.

An Act to amend Section Twenty-One, of Chapter Fifty-Nine, of the General Statutes, entitled "Guardian and Ward."

SECTION 1. Amendment to Section Twenty-One (21) of Chapter Fifty-Nine (59) of the General Statutes. Guardian may assent to partition.

2. When act to take effect.

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

SECTION 1. That section twenty-one, of chapter fifty-nine, of the general statutes, entitled "guardians and wards," be and the same is hereby amended so as to read as follows :

Sec. 21. Whenever real property is owned by any ward or wards in this state jointly or in common with any other person or persons, the guardian of such ward or wards may have partition thereof, either by proceedings in court for that purpose, or, except when he has an adverse interest to that of the ward in the estate to be divided, by amicable agreement with the adult joint owner or owners, and upon such amicable agreement for partition the guardian shall have the right to release and quit-claim to such joint or common owner or owners, all the right, title and interest of such ward or wards in and to the portion of the property to be taken by such joint or common owner pursuant to such agreement; upon receiving from such joint or common owner a like release and quit-claim to such ward or wards of all his right, title and interest in and to the portion of the property to be taken by them, and may also assign and set out dower in his ward's estate to any widow entitled thereto. And whenever any guardian shall think it for the interest of his ward to lay out and plat the property of such ward or any part thereof, as a part of an addition to any town or city, he may cause the same to be done pursuant to the chapter

Guardian may
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tion.

relating to "town plats," but shall execute such plat as such guardian, and when so executed and filed for record it shall have the same force and effect as if executed and recorded by such ward if under no disability. A guardian duly appointed in any other state, for a ward or wards, owning property in this state, upon filing with the probate judge of any county in this state where such property is situated, a certified copy of his or her appointment as such guardian, shall have the same power and authority over the property of the ward in such county as if duly appointed in this state.

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

Approved February 11, 1870.

CHAPTER LXII.

An Act to amend Section Seven, of Chapter Forty-Nine, of the General Statutes, relating (to) Proceedings in Probate Courts. March 1, 1870.

SECTION 1. Amendment to Section Seven (7) of Chapter Forty-Nine (49) of the General Statutes. Manner of taking depositions without this State.

2. When act to take effect.

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

SECTION 1. That section seven, of chapter forty-nine, of the general statutes, be and the same is hereby amended by adding thereto the following :

The deposition of any witness without this state may be taken under a commission issued to any competent person in any state or country by the probate court in which the evidence is wanted, whether said evidence be in respect of matters pending before the court or before commissioners appointed by the court in the settlement of

Depositions how
taken out of this
State.