

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.

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## 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.

estates. The party desiring said deposition shall apply to the probate court by petition for said commission, and if by said petition it appears that the testimony of any witness not residing in this state is material respecting any matter pending before said probate court or commission, the probate court may, in its discretion, order said commission to issue upon written interrogations, copies of which shall be served on any adverse party who has appeared in the matter, or his attorney, and upon cross-interrogations to be filed by said adverse party. And such interrogatories and cross-interrogatories may be settled before the judge of probate upon notice as in the district court, and the notices to be given and time for filing interrogatories and cross-interrogatories, the form of the commission, and the manner of executing and returning the same, shall conform substantially and as near as may be to the practice adopted in the district courts relative to the taking of depositions of witnesses without this state, or such deposition may be taken upon stipulations in writing as in the district court. And depositions taken as provided in this section may be used in all matters between the parties thereto, pending before such probate court or commissioners appointed by it in the settlement of estates.

When act to take  
effect.

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

Approved March 1, 1870.