

XL.

AN ACT TO AMEND SECTION 8, OF CHAPTER 72, OF THE GENERAL STATUTES OF 1866, RELATING TO ACKNOWLEDGMENTS.

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

SECTION 1. Section 8, of chapter 72, of the general statutes of 1866, is hereby amended so as to read as follows :

Sec. 8. Judges of the supreme and district courts and courts of probate, the clerks of said courts, notaries public, justices of the peace, registers of deeds, court commissioners and county auditors, are authorized to take the acknowledgments of deeds and other instruments in writing, within their several and respective jurisdictions, and whenever any officer having or using a seal of office takes an acknowledgment, he shall affix his seal to the instrument so acknowledged ; and all instruments heretofore acknowledged before any of the officials named, are hereby legalized and declared as valid as though such officials had at the time of taking such acknowledgments been so authorized to do.

Acknowledgments—by whom to be taken.

Approved March 1, 1876.

CHAPTER XLI.

AN ACT TO ENABLE FOREIGN EXECUTORS AND ADMINISTRATORS TO FORECLOSE MORTGAGES BY ADVERTISEMENT.

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

SECTION 1. Any executor or administrator duly appointed in any other state or country, may foreclose by advertisement any mortgage of land in this state, belonging to the estate represented by him, in the same manner and under like restrictions as a resident appointed in this state may do.

Provided, that before commencing any such foreclosure an authenticated copy of his appointment as such executor or administrator is filed for record in the office of the register of deeds of the county in which such foreclosure is to be commenced.

When act to take effect.

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

Approved February 10, 1876.

CHAPTER XLII.

AN ACT TO AMEND SECTION 1, OF CHAPTER 51, OF THE GENERAL STATUTES, ENTITLED "ADMINISTRATION AND DISTRIBUTION OF THE ESTATES OF INTESTATES," AS AMENDED BY CHAPTER 64, OF THE GENERAL LAWS FOR THE YEAR 1873, AND CHAPTER 55, OF GENERAL LAWS, FOR THE YEAR 1875.

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

SECTION 1. That section 1, of chapter 51, of the general statutes, as amended by chapter 64, of the general laws for the year 1872, and chapter 55, of the general laws for the year 1875, be and the same is hereby amended so as to read as follows :

Disposition of personal estate.

Sec. 1. When any person dies possessed of any personal estate, or of any right or interest therein, not lawfully disposed of by his last will and testament, the same shall be applied and distributed as follows :

To widow.

First.—The widow, if any, shall be allowed: 1st. All her articles of apparel and ornament, and all the wearing apparel of her deceased husband. 2d. His household furniture to be selected by her, not exceeding in value five hundred dollars. 3d. Other personal property to be selected by her, not exceeding in value three hundred dollars; and such allowances shall be made as well when the widow receives the provisions made for her in the will of her husband, as when he dies intestate.

Widow and children.

Second.—The widow, or widow and children, constituting the family of the deceased, shall have such reasonable allowance out of the personal estate as the probate [court] deems necessary for her or their maintenance during the progress of the settlement of the estate, according to her or their circumstances, which in the case of an insolvent estate shall not be longer than one year after granting administration, nor in any case after the share of the widow in the residue of the personal estate mentioned in subdivision sixth hereof, shall have been assigned to her.

To young children.

Third.—When a person dies leaving children under the age of ten years, having no mother, or when the mother dies before, the children arrive at the age of ten years, an allowance shall be,