

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,

made for the necessary maintenance of such children until they arrive at the age of ten years, of such part of the personal estate as would have been allowed to their mother if living; and in addition thereto such sum as the probate court deems necessary.

*Fourth.*—If on the return of the inventory of any intestate estate, it appears that the value of the whole estate does not exceed the sum of three hundred dollars, the probate court shall by a decree for that purpose, assign for the use and support of the widow, or widow and children of such intestate, or for the support of the children under the age of ten years, if there be no widow, the whole of such estate—after the payment of the funeral charges, and expenses of administration. Whole estate.

*Fifth.*—If the personal estate amounts to more than the allowances mentioned in the preceding subdivisions of this section, the excess thereof shall, after the payment of the funeral charges, and expenses of administration, be applied to the payment of the debts of the deceased. Application to payment of debts

*Sixth.*—The residue, if any, of the personal estate, shall be distributed in the same proportion, and to the same person, and for the same purpose, as prescribed for the descent and disposition of real estate.

*Seventh.*—All of the foregoing provisions shall apply as well to a surviving husband as to a surviving wife or widow. Surviving husband.

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

Approved March 1, 1876.

### CHAPTER XLIII.

AN ACT TO AMEND SUBDIVISION EIGHT OF SECTION TWO HUNDRED AND SEVENTY-NINE, OF TITLE TWENTY-THREE OF CHAPTER SIXTY-SIX OF THE GENERAL STATUTES, REVISION OF 1866, IN RELATION TO THE EXEMPTION OF CERTAIN PERSONAL PROPERTY FROM ATTACHMENT AND SALE.

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

SECTION 1. That subdivision eight of section two hundred and seventy-nine, of title twenty-three of chapter sixty-six of general statutes of 1866, (being section two hundred and twenty-one of title eleven of chapter forty-one of Bissell's revision of the statutes), be and the same is hereby amended by adding thereto the following words :