

Funds may be used to purchase site.

and disposal of the property aforesaid, to complete the purchase of the site so selected by said commissioners and to erect thereon such buildings, and cause to be made thereon such improvements, as they may deem proper or necessary for the uses and purposes of said school; but the aggregate amount so paid, expended and incurred, shall not exceed the aggregate amount for which said property may be sold and disposed of as aforesaid.

When act to take effect.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 7, 1887.

## CHAPTER 201.

[S. F. No. 163.]

### AN ACT TO PROVIDE FOR AND TO FACILITATE GIVING OF BONDS REQUIRED BY LAW.

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

Bonds may be guaranteed by organized company.

SECTION 1. Whenever any state or county officer, depository of the public funds or any other person, firm, company or corporation who may be required or permitted by law now or hereafter to make, execute, and give a bond or undertaking with security conditioned for the faithful performance of any duty, or for the doing or not doing of anything specified in said bond or undertaking; any board of auditors or of commissioners, or any person or persons who are now or shall hereinafter be required to approve the sufficiency of any such bond or undertaking may in their discretion accept such bond or undertaking and approve the same whenever the conditions of such bond or undertaking are guaranteed by a company duly organized, or authorized to do business under the laws of this state, and authorized to guarantee the fidelity of persons holding positions of public or private trust and all such corporations are hereby vested with full power and authority to guarantee such bonds and undertakings. The penal sum of all bonds given under this act by depositories of the public funds shall at all times be sufficient to cover the full amount of funds to be deposited with such depository, but this act shall not prevent a justification on the part of such company through its officers as required by law of

other sureties. *Provided*, that nothing herein contained shall apply to bonds given in criminal cases.

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

When act to  
take effect.

Approved March 8, 1887.

## CHAPTER 202.

[S. F. No. 359]

AN ACT DEFINING THE FORCE AND EFFECT OF WILLS HERETOFORE ADMITTED TO RECORD AND TO LIMIT THE TIME WITHIN WHICH THE SAME MAY BE QUESTIONED.

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

SECTION 1. That any will duly executed and which has heretofore been actually admitted to probate by any probate court within this state, whether proper notice thereof had previously been given or not; and which will or a certified copy thereof has been of record in the office of the register of deeds of the county where the real estate thereby affected was at the time of the making of such record, or is situate, for a period of not less than ten (10) years from the passage of this act may be read in evidence in any court within this state and shall have the same force and effect as if the proper notice of probate of such will had been given, and no right, title or estate in lands situate within this state derived under such will shall be held invalid or set aside by reason of any defect in such notice, unless the action in which the validity of such title shall be called in question, be commenced or the defense alleging its invalidity be interposed within ten (10) years after the actual recording of such will as aforesaid; *provided*, that persons under disability by reason of being minors, insane persons, idiots, persons in captivity, or in any country with which the United States were at war when such record was made, may commence action or interpose such defense at any time within ten (10) years after the removal of such disability; *provided*, further, that such action shall be commenced with reasonable diligence in all cases.

Wills—time in  
which same  
may be ques-  
tioned.

SEC. 2. That nothing herein contained shall be construed to apply to any action or proceedings now pending in which the validity of such probate is involved.

SEC. 3. This act shall take effect and be in force from and after the first day of January, A. D. 1888.

When act to  
take effect.

Approved March 3, 1887.