

bility imposed upon such stockholders by the laws of this state, and the superintendent of banks may notify and direct the board of directors of such bank to collect such assessment and may require payment thereof within sixty (60) days after the receipt of such notice and direction.

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

Approved April 20, 1897.

CHAPTER 157.

H. F. No. 445.

An act to determine the descent of real estate in certain cases and to assign the same and make a record thereof.

Descent and assignment of real estate.

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

SECTION 1. When any person shall die intestate, seized of an estate of inheritance in any lands in this state, and where administration shall not have been granted in this state after five years from the death of such decedent, any heir or grantee of any such heirs of such decedent entitled to any interest in such lands may apply to the probate court of the county in which such decedent was last resident, or, if such decedent was not an inhabitant of this state, to the probate court of any county in which such lands, or some part thereof, are situated, to determine the descent of such lands, and to assign the same to such persons as may be entitled thereto by law.

Heirs may apply to probate court.

SEC. 2. Such application shall be by a verified petition, which shall show as particularly as known, or can be with due diligence ascertained:

Verified petition.

First—The time and place of the death and last place of residence of such decedent, and the other facts which authorize the proceedings, according to the provisions of section one (1) of this act.

Second—The names, ages, residences and relationship to the decedent of all the heirs and their grantees entitled to any interest in said lands.

Third—A description of all such lands.

SEC. 3. The court shall, by an order, fix a time and place of hearing such petition at a term of such court and cause notice thereof to be given by a publication of said order for three (3) successive weeks as is provided for publication of notices of said court, and it may

Court shall order hearing.

cause such other or further notice to be given to any persons interested as it may deem proper. Guardians ad litem shall be appointed for all minors or other persons under disability for whom no general guardian has been appointed.

SEC. 4. At or before the time fixed for hearing, any person interested may appear and answer such petition and set up any proper defense to the same or any part thereof, or intervene to assert and protect any interest he may have.

SEC. 5. Any question as to advancement in real estate alleged to have been made by such decedent to any heir may be heard and determined by the probate court as upon the assignment of the residue of a settled estate.

After hearing the evidence, if it shall appear to the satisfaction of the court who are all the heirs of such decedent, and what are the respective rights and interests of the parties in the title of such decedent in such lands, the court shall, by its decree, find and determine the same, and shall, by said decree, assign said lands to the parties entitled to the same by law.

SEC. 6. In such decree the court shall name the persons and the proportions to which each is entitled, and give a description as near as may be of the land to which each is entitled, and a certified copy of any such decree may be recorded in the office of the register of deeds in any county in this state in which are situated any of the lands described in such decree; and such register shall enter in his reception book the name of the decedent as grantor and the names of the heirs as grantees.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 20, 1897.

Decree of
court.

H. F. No. 235.

CHAPTER 158.

An act for the relief of Fred N. Corey, and to appropriate money therefor.

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

SECTION. 1. That the sum of two thousand (2,000) dollars be and the same is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the relief of Fred N. Cory for personal in-

\$2,000 ap-
propriated
for relief of
Fred N.
Corey.