

least six hundred (600) feet from the place where the voters of such village hold their elections.

SEC. 2. Upon receiving said petition the supervisors of such town shall within two (2) weeks thereafter procure a suitable place within said village and publish and cause to be published notice thereof by posting said notice upon the front door of the building where the last election was held, and a copy of such notice upon the front door of the new voting place at least thirty (30) days prior to election, and by publishing in at least one (1) newspaper of general circulation, printed in the English language, and published in the county in which such township is located, at least two weeks before election. Should said supervisors fail in procuring a suitable place as provided herein then and in that case the election shall be held where the last election was held.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.

S. P. No. 618.

CHAPTER 240.

An act to amend section four thousand four hundred and seventy-two (4472) of the general statutes of one thousand eight hundred and ninety-four (1894), the amendment providing for an extension of the time within which the surviving spouse may renounce and refuse to accept the provisions of the will in certain cases.

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

Amendment.

SECTION 1. That section four thousand four hundred and seventy-two (4472) of the general statutes of one thousand eight hundred and ninety-four (1894) is hereby amended so as to read as follows:

Sec. 4472. When a parent dies testate, having in and by a last will and testament made provision for a surviving husband or wife, in lieu of any right or interest secured to such survivor by statute in the estate of such deceased person, unless such surviving husband or wife, by an instrument in writing made and filed in the probate court in which such will is proved, and within six months after the probate thereof, shall renounce and refuse to accept the provisions so made in such will, such surviving husband or wife shall be deemed to have elected to make (take) under the will and in accordance with the terms and conditions thereof; *provided*, that

Supervisors to procure place and publish notice.

Extension of time for surviving spouse to reject provisions of will.

no devise or bequest in any last will or testament to a surviving husband or wife shall be taken to be in addition to the right or interest secured to such survivor by statute in the estate of such deceased person, unless such clearly appears from the contents of the will to have been the intention of the testator or testatrix; *and provided, further*, that when in any case the homestead of the deceased is in litigation, so that the title thereto is not settled as a part of his or her estate, and said litigation is not ended and said title settled within the six months hereinbefore allowed the surviving spouse for election, then, in that case, said surviving spouse shall have until thirty days after the termination of said litigation to make said selection and to renounce provision under a will, or accept same.

Sec. 2. This act shall take effect and be in force from and after its passage and apply to suits now pending, and all acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

Approved April 23, 1897.

CHAPTER 241.

S. F. No. 486.

An act to amend section two (2) of chapter eighty-four (84), of the general statutes of one thousand eight hundred and seventy-eight (1878), relating to the jurisdiction of justices of the peace in forcible entry and unlawful detainers.

Jurisdiction of justices of the peace in forcible entry and unlawful detainers.

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

SECTION 1. That section two (2), chapter eighty-four (84), of the general statutes of one thousand eight hundred and seventy-eight (1878), be amended so as to read as follows:

"Sec. 2. Any justice of the peace has authority to inquire, as hereinafter directed, as well against those who may make unlawful or forcible entry into lands or tenements and detain the same, as against those who, having lawful or peaceful entry into lands or tenements, unlawfully and forcibly detain the same; and if it is found upon such inquiry that an unlawful or forcible entry has been made, and that said lands or tenements are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, such justice shall cause the party complaining to have restitution thereof. All acts or parts of acts inconsistent with this section are hereby repealed.