

and subsequent purchasers and mortgagees of the property in good faith.

No mortgage of personal property shall be notice of any fact as against the creditors of the mortgagor, or subsequent purchasers or mortgagees of the property in good faith, unless the same is attested by two (2) witnesses and acknowledged before some officer authorized to take acknowledgments.

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

Approved April 6, 1901.

S. F. No. 340.

### CHAPTER 147.

Amendment.  
Probate  
court.

*An act to amend section 252 of chapter 46 of the General Laws of 1889, as amended by chapter 27 of the General Laws of 1899, relating to appeals from probate court.*

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

SECTION 1. Section 252 of chapter 46 of the General Laws of 1889, as amended by chapter 27 of the General Laws of 1899, is hereby amended so as to read as follows:

Causes for  
appeals to  
Dist. court.

Section 252. An appeal may be taken to the district court from a judgment order or decree of the probate court in the following cases:

1. An order admitting a will to probate and record or refusing the same.
2. An order appointing an executor, administrator or guardian, or removing him, or to make such appointment or removal.
3. An order directing or refusing to direct real property to be sold, mortgaged or leased, or confirming or refusing to confirm such sale, mortgaging or leasing.
4. An order allowing any claim of any creditor against the estate, in whole or in part, to the amount of twenty (20) dollars or more.
5. An order disallowing any claim of any creditor against the estate, in whole or in part, to the amount of twenty (20) dollars or more.
6. An order or decree by which a legacy or distributive share is allowed or payment thereof directed, or such allowance or direction refused when the amount in controversy exceeds twenty (20) dollars.
7. An order setting apart property, or making an allowance for the widow and child, or refusing the same.

8. An order allowing an account of an executor, administrator or guardian, or refusing to allow the same when the amount allowed or disallowed exceeds twenty (20) dollars.

9. An order vacating or refusing to vacate a previous order, judgment or decree made and rendered, alleged to have been procured by fraud, misrepresentation, or through surprise or excusable inadvertence or neglect.

10. An order or decree directing or refusing a conveyance of real estate.

11. A final judgment or decree assigning the residue of the estate of a decedent.

12. An order denying an application for the restoration to capacity of any person under guardianship.

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

Approved April 6, 1901.

#### CHAPTER 148.

S. F. No. 366.

*An act to amend sections one and three of chapter 352 of the General Laws of 1899, entitled "An act to encourage and better the condition of the public schools."*

Amendment.  
Public  
schools.

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

SECTION 1. That section 1 of chapter 352 of the General Laws of 1899 be and the same is hereby amended to read as follows:

Section 1. The superintendent of public instruction, the president of the University of Minnesota, ex officio, and a superintendent or principal of any high school in the State of Minnesota, to be appointed by the governor, subject to confirmation by the senate, are hereby constituted a board of commissioners on graded and preparatory schools for the encouragement of higher education in this state. Said board shall be called the "state high school board," and shall perform the duties and exercise the powers hereinafter mentioned.

State high  
school  
board.

The members of said board shall serve without compensation, but shall be entitled to their actual and necessary expenses.

SEC. 2. That section 3 of said chapter 352 be and the same is hereby amended so as to read as follows:

Section 3. The state high school board shall have power to establish any necessary and suitable rules and regulations relating to examinations, reports, acceptances of schools, courses of study and other proceedings in con-

Power of  
board.