

Laws of Minnesota for the year one thousand eight hundred ninety-three (1893), and all subsequent amendments thereto, it shall be the duty of the clerk of court of any such new county to transcribe and copy into the records of his office from the judgment dockets and records of the county or counties from which such new county was detached or set off, all the docket entries of judgments requiring the payment of money, rendered and docketed in said old county or counties within ten years immediately prior to the creation and organization of such new county up to the date of such organization; or in the case of counties heretofore created and organized as aforesaid, within ten years immediately prior to the passage and approval of this act and up to the date of the organization and creation of such new county; and such transcription when so made for such new county, shall be the legal records thereof, and shall have the same effect as a transcript made by the clerk of court of such old county and filed in the new county, would have; for such transcribing the clerk of court of such new county shall receive the sum of fifteen cents for each entry of judgment transcribed, which shall be paid out of the treasury of such new county.

The clerk of court of the county from which such records are transcribed as aforesaid shall furnish the clerk of court of such new county all reasonable and proper facilities to enable him to so copy and transcribe such records; all judgments so rendered and docketed shall survive, and the lien thereof continue, for a period of ten years and no longer.

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

Approved April 13, 1901.

## CHAPTER 275.

S. F. No. 273.

*An act to determine the heirship to the government homestead of a deceased homestead settler, in cases where the heirs make the final proof, and to assign the homestead land and make a record thereof.*

Heirship to government homestead, and record thereof.

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

SECTION 1. Whenever a person holding a homestead under the laws of the United States shall have died before making final proof, and such final proof is made by any of the heirs of said deceased homesteader and patent is

Heirs to petition probate court.

issued by the United States government to the heirs of the said deceased homestead settler, any heir of such deceased homestead settler may petition the probate court of the county in which such homestead land, or some part thereof, is situated, to determine who are the heirs of such deceased homestead settler, what are their respective rights and interests in the homestead land of such deceased, and to assign said land to the parties legally entitled to the same.

SEC. 2. Such petition shall be verified and contain the name of the deceased homesteader, his last place of residence, the names, ages, and last places of residence of all his heirs, their relationship to the deceased, and a full description of the homestead.

Probate  
court to fix  
time for  
hearing.

SEC. 3. Upon the presentation of such petition it shall be the duty of the probate judge to make an order fixing a time and place for hearing said petition at the term of such court, and cause notice thereof to be given by a publication of said order for five (5) successive weeks in a newspaper published in the county where such homestead is situated, and it may cause such other or further notice to be given to any persons interested as it may deem proper.

To hear  
evidence and  
final decree  
and record.

SEC. 4. At the time fixed for hearing, or at any time to which such hearing has been adjourned to, the judge of probate shall proceed to hear the evidence in support of the matters stated in the petition, and if it appears to the satisfaction of the court who are all the heirs of such deceased homestead settler, and what are their respective rights, the court shall, by its decree, find and determine the same, and shall, by said decree, assign said homestead land to the parties entitled to the same by law.

A certified copy of any such decree shall be recorded, in the office of the register of deeds in the county where such homestead is situated, and such decree, or a certified copy thereof, shall be taken and held in all legal proceedings in this state as prima facie evidence of all the facts found in said decree.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 13, 1901.