

## CHAPTER 345.

H. F. No. 556.

*An act to prohibit the issuing of summons or process or service of the same from courts of justice of the peace, in cities having a population of two hundred thousand (200,000) inhabitants, or over, and having a regularly constituted municipal court.*

Cities with  
200,000 pop-  
ulation. Is-  
sue of sum-  
mons or  
process.

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

SECTION 1. That no justice of the peace shall have jurisdiction to issue any summons or any other process, except executions, in any civil action, to be served within any city having a population of two hundred thousand (200,000) inhabitants, or over, having a regularly constituted municipal court, and any service of any such summons or process from a justice of the peace made within such city shall be void.

SEC. 2. This act shall take effect from and after April 7, 1901.

Approved April 13, 1901.

## CHAPTER 346.

H. F. No. 562.

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

Real estate,  
descent of.

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

SECTION 1. Whenever it shall appear by the petition of any person claiming any interest in real property, to the probate court of any county, wherein said real property is situated, that more than five years have passed since the death of any person, who died owning said real property or some interest therein and that no will has been probated and no administration granted in this state upon the estate of such decedent, it shall be the duty of the probate court to issue its order for hearing on such petition, and the same shall be served and published as provided by law for the service and publication of notice for hearing of petitions for final decrees in said court, and such petitions shall be heard in like manner with petitions for such final decrees.

Order for  
hearing,  
when no  
administra-  
tion or will,  
after 5  
years.

SEC. 2. Such petition shall contain the name and the time and place of the death of such decedent and a statement of his last will and testament, if he left any, and the names and residences of the heirs and devisees, if any,

of such decedent, all according to the best information of the petitioner and a description of the real property to be affected, and the interest of the decedent therein. Any person interested shall have the right to answer said petition in writing and be heard at the hearing thereof.

Petition to contain.  
Action by probate court.

SEC. 3. Upon the hearing of such petition, if it shall appear that such decedent died testate, his last will and testament shall be admitted to probate, upon like proofs as now required by law, and in all cases coming within the provisions of this act, the probate court shall proceed to hear and determine the facts upon such petition, and shall make and enter its decree, assigning and distributing all such real property to the persons thereunto entitled under such decedent, and such decree shall have a like force and effect with any final decree of the probate court, and be subject to appeal to the district court in like manner. 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 parties to whom such lands are assigned and distributed as grantees.

Repealed.

SEC. 4. Chapter 157 of General Laws of 1897 is hereby repealed, but this act shall not affect any action or proceeding heretofore had or now pending under the terms of said chapter 157 of General Laws of 1897, and all decrees heretofore entered or hereafter to be entered pursuant to the provisions of chapter 157, General Laws of 1897, shall have like force and effect as decrees that shall be entered pursuant to the terms hereof.

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

Approved April 13, 1901.

H. F. No. 563.  
Amendment.  
Corpora-  
tions. Cap-  
ital stock.

## CHAPTER 347.

*An act to amend section two thousand seven hundred ninety-seven (2797) of the General Statutes of one thousand eight hundred ninety-four (1894), relating to corporations.*

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

SECTION 1. That section 2727 of the General Statutes of 1894, be amended so as to read as follows:

“Section 2797. Capital Stock—Par Value of Shares.