

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, 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 or tree-claim 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 or tree-claim or part thereof 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 March 11, 1902.

CHAPTER 13.

An act defining the force and effect of final decrees issued by the probate courts of this state, and recorded in the office of the register of deeds, and to legalize certain of the same, and to limit the time within which their validity may be questioned.

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

SECTION 1. That any final decree of distribution, made by any probate court of this state, in the matter of the estate of an intestate, when the order for hearing of the application for such decree has been actually published in a proper newspaper, but has not been published the requisite length of time [(or when no such order was published),] and which decree, or a certified copy therefor, has been of record in the office of the register of deeds of the county where the real estate thereby affected was at the time of the making of such record, or is situate, for a period not less than ten years prior to the passage of this act, may be read in evidence in any court within this state and shall have the same force and effect as if publication of the order for hearing had been had the proper length of time, and no right, title or estate in lands situate within this state, derived under such decree, shall be held invalid or set aside by reason of any defect in such notice, unless the action in which the validity of such title shall be called in question be commenced, or the defense alleg-

Copy of decree.

S. F. No. 44.

Probate courts.

Final decree of distribution. Publication and limitation.

ing its invalidity be interposed, within ten years after the actual recording of such decree as aforesaid.

SEC. 2. That nothing herein contained shall be construed to apply to any action or proceeding now pending in which the validity of such decree is involved.

SEC. 3. This act shall take effect and be in force from and after the first day of April, A. D. 1902.

Approved March 11, 1902.

B. F. No. 21.

CHAPTER 14.

Conveyances.

An Act to amend chapter two hundred and forty-nine (249) of the General Laws of 1901, entitled "An act to legalize conveyances of real property made by husband direct to wife, and the records of such conveyances."

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

From man
to wife.
Jan. 1850 to
Aug. 1873.

SECTION 1. That chapter two hundred and forty-nine (249) of the Laws of 1901, be amended so as to read as follows: That all conveyances of real property within this state made between the first day of January, eighteen hundred and fifty (1850) and the second day of August eighteen hundred and seventy-three (1873), in which a married man has conveyed real property directly to his wife shall be and the same are hereby declared to be legal and valid, and the records of all such conveyances heretofore actually recorded in the office of the proper county shall be in all respects valid and legal, and such conveyances and records thereof shall have the same force and effect in all respects for the purpose of notice, evidence or otherwise as are or may be provided by law in regard to conveyances in other cases. Provided, that the provisions of this act shall not apply to any action or proceeding now pending in any of the courts of this state; provided, further, that this act shall not be construed to extend to any case where vested rights in any such property have been acquired by third parties.

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

Approved March 11, 1902.