

## CHAPTER 463—H. F. No. 1050.

*An Act to amend Chapter 163, General Laws of 1905, entitled "An act to provide for the appointment of a State Highway Commission and defining its powers and duties, and providing for the construction and repair of public highways by extending state aid for that purpose to the several counties therein, and the levying of a tax therefor."*

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

**State not to pay for more than one-third of cost.**—Section 1. That section 12, chapter 163, General Laws of 1905 be amended so as to read as follows:

"Section 12. The word 'road' or 'highway' whenever used in this act shall be construed to include all bridges upon, or which form a part of, the road or highway to be improved or constructed, *provided*, that in no case shall more than one-third (1-3) of the cost of constructing any road or bridge be paid by the state from such fund."

Approved April 23, 1909.

## CHAPTER 464—H. F. No. 1064.

*An Act regulating the acceptance of gifts of real property by the state and their use.*

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

**Governor to issue certificate of acceptance of gift.**—Section 1. Whenever any real property or rights or estates therein may be or may have been granted or conveyed or assigned or turned over as a gift by any person or municipality to the state of Minnesota, to be owned, held, occupied or used by the state in connection with the capitol, or any state institution, or the grounds of the same, or any of them, the governor shall issue in duplicate under the great seal of the state a certificate of acceptance, and shall cause all the conditions of such gift to be performed, and the property so given to be improved, maintained and ornamented in the method and so far as the legislature may appropriate money therefor.

**Not to be deemed an abandonment or forfeiture.**—Sec. 2. Whenever any corporation, municipal or otherwise, shall convey, assign or turn over to the state any rights it may have obtained by condemnation, the use of the land in which such rights were obtained by the state in any of the ways, or for any of the purposes hereinbefore mentioned, shall not be deemed an abandon-

ment of nor work a forfeiture of the rights obtained by condemnation, but shall be considered a use incidental to and within the purposes of such condemnation.

**To be filed with secretary of state and register of deeds.—**Sec. 3. The certificate of acceptance shall be executed in duplicate and one filed in the office of the secretary of state, and the other filed for record in the office of the register of deeds of the county in which the land is situated, and after being recorded, kept with the records of the institution in connection with which the land is used. Upon said certificates of acceptance being so filed the conveyance and transfer of the rights, interests and estates involved shall be deemed complete.

Approved April 23, 1909.

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#### CHAPTER 465—H. F. No. 1071.

*An Act to amend "An act defining the status of a purchase money mortgage with reference to the inchoate or contingent right of the husband or wife in land thereby mortgaged," approved February 26, 1909.*

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

**Mortgagees' right superior to that of surviving spouse.—**Section 1. An act defining the status of a purchase money mortgage with reference to the inchoate or contingent right of the husband or wife in land thereby mortgaged; approved February 26, 1909, is hereby amended so that section 1 of such act shall read as follows :

When a husband or wife purchases land during coverture, and mortgages his or her estate in such land to secure the payment of the purchase price or any portion thereof, the surviving spouse shall not be entitled to any inchoate or contingent right in such land as against the mortgagee or those claiming under the mortgagee although such survivor did not join in such mortgage.

Approved April 23, 1909.