

Minnesota now or hereafter having a population of over fifty thousand inhabitants, shall, in addition to all other powers now possessed by it, have, and it is hereby given, power and authority to accept in trust, gifts, devises and bequests of money or property, whether the same be donated, devised or bequeathed prior or subsequent to the passage of this act, for the purpose of founding, establishing and maintaining free medical dispensaries for the benefit of the poor of any such city or of the county in which any such city is situated, and for the purpose of founding, establishing and maintaining free public libraries for the use and benefit of the inhabitants of any such city or of the county in which any such city is situated.

Sec. 2. Donor may designate officials to administer trust.—Any such city is hereby authorized and empowered to administer any gift, devise or bequest to it in trust for the purposes aforesaid, by such officials, officers or trustees as the donor or testator may designate for that purpose in the will or instrument creating the trust, and in accordance with the terms of such will or instrument, and any officers or officials of any such city or of any county in which any such city is situated, as may be designated to administer any such trust by any will or other instrument creating the trust in any such municipality for either of the purposes aforesaid, are hereby empowered to administer, and are hereby charged with the duty of administering, such trust in accordance with the terms of the will or instrument creating the same.

Sec. 3. Application.—This act shall apply to cities having a population of over fifty thousand inhabitants now or hereafter operating under a home rule charter adopted pursuant to Section 36, Article 4 of the Constitution of the State of Minnesota.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 9, 1913.

CHAPTER 233—S. F. No. 593.

An Act to provide for the entry of new and confirmatory decrees by probate courts in certain cases.

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

Section 1. New and confirmatory decree provided for.—In any case where a decree affecting the title to real estate has heretofore been made by a probate court without due notice being given as required by law, any person interested in the property affected by such decree, whether as heir, devisee, grantee, or otherwise, may apply to such probate court, by petition, to enter a new and confirmatory decree assigning such property to the

person or persons to whom the same was assigned by such former decree, according to the terms of such former decree.

Sec. 2. Public notice and hearing.—Upon the filing of such petition, the court shall by order or citation appoint a time for hearing said petition; notice of which shall be given by three weeks' publication of a copy of said order in the manner provided by law for the publication of other notices of proceedings in the probate court. The court in its discretion may require other or further notice of such hearing to be given to such persons as it may deem proper.

Sec. 3. Order of court.—If upon such hearing the court shall be satisfied that the person or persons to whom such property was assigned by such former decree were in fact the persons entitled thereto, it shall enter a new decree assigning such property to the persons to whom the same was assigned by such former decree, in the proportions and upon the conditions specified therein; subject, however, to the rights of all persons claiming under any person named in such former decree, as owner, mortgagee, or otherwise. Such former decree shall be prima facie evidence of the truth of the recitals contained therein, and of the fact that the persons named therein were entitled to the property therein mentioned, in the proportions and upon the conditions therein specified. Provided, however, that this act shall not be construed to authorize the entry of a new and confirmatory decree in any case where it shall be made to appear that the dispositions made by such former decree were erroneous in fact or in law.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 9, 1913.

CHAPTER 234—S. F. No. 668.

An Act regulating the pleading and practice in the municipal court of the city of Stillwater, Minnesota, in reference to offers of judgment and the effect thereof.

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

Section 1. Offer and acceptance of judgment in Stillwater municipal court.—At least five (5) days before the first day of the term at which any civil case shall stand for trial in the municipal court of the city of Stillwater, the defendant may serve on the adverse party an offer to allow judgment to be taken against him for the sum or property, or to the effect therein specified, with costs then accrued. If on or before the second day of said term such party shall give notice that the offer is accepted he may file the same with proof of such notice and thereupon