

maintain him and his family, or to educate the ward when a minor; or when it appears that it would be for the benefit of the ward that his real estate or any part thereof should be sold, and the proceeds thereof put at interest or invested in other real estate, in first mortgages on real estate, or bonds of the United States or of this state, or municipal or school district bonds of this state, or in the improvement or protection of any other real estate of the ward.

Sec. 2. **Petition for license.**—That Section 7348 of the General Statutes of 1913, be, and the same hereby is amended so as to read as follows:

“Section 7348. To obtain a license to sell, mortgage, or lease for more than one year, the representative shall present a verified petition to the court appointing him, setting forth what personal estate has come into his hands; the disposition thereof; how much, if any, remains undisposed of, the debts outstanding against the decedent or ward, so far as can be ascertained, and, if it be the estate of a decedent, the legacies unpaid, if any; a description of all the real estate other than the homestead of a decedent, and the condition and value of the several tracts; the names and residences, so far as known, of all persons interested therein, and, if unknown, a statement of that fact; and facts showing grounds for such sale, mortgage or lease; *if a sale of a homestead is petitioned for the petition shall set forth the grounds and reasons why it will be for the best interests for all persons interested in said homestead that the same be sold.* The Court is empowered to license the representative to mortgage the decedent's homestead to pay off existing incumbrances, but in such case the petition to mortgage must be executed, or assented to in writing by the surviving spouse and the remaindermen or their guardian in case they are minors.

Sec. 3. **Application.**—This act shall be retrospective in its operation and shall apply to all estates wherein a final decree has not been made.

Approved April 13, 1921.

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CHAPTER 269—S. F. No. 1015.

*An act to amend Section 17, Chapter 344, General Laws of Minnesota, 1917, relating to the exercise by court commissioner of certain duties of the judge of probate.*

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

Section 1. **Court commissioner to act for Judge of Probate in certain cases.**—That Section 17, Chapter 344, General Laws of Minnesota, 1917, be and the same hereby is amended so as to read as follows:

"Section 17. Whenever the judge of probate is unable to act from any cause or reason upon any petition concerning an alleged defective the court commissioner shall perform all his duties in such case and the authority herein granted to the judge of probate shall be exercised by the said court commissioner."

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

Approved April 13, 1921.

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#### CHAPTER 270—S. F. No. 1023.

*An act entitled "An act fixing the salary of county attorneys and providing for the employment of stenographic help by such county attorneys and for the compensation thereof, in counties having an area of more than 2,500 square miles and a population of more than 23,000 inhabitants according to the last preceding state or federal census and containing no city or village having a population of more than 3,000 inhabitants according to such census."*

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

Section 1. **Salary of county attorney in certain counties.**—**Salary of County Attorneys in Particular Counties:** In each county of this state now or hereafter having an area of more than twenty-five hundred (2,500) square miles and a population of more than twenty-three thousand (23,000) inhabitants, according to the last preceding state or federal census, and containing no city or village having a population of more than three thousand (3,000) inhabitants, according to such census, the County Attorney shall receive an annual salary of \$3,000; provided, however, that in such county the Board of County Commissioners by resolution duly entered in the minutes at any regular or special meeting of such Board, may increase the salary of such County Attorney for any year to an amount not exceeding the sum of \$4,000 per year. Such salary shall be paid in equal monthly installments out of the county treasury upon the warrant of the county auditor, in the same manner as other county officers are paid.

Sec. 2. **Stenographic help—Salaries.**—Stenographic help not to exceed \$1,200 per Annum: In such counties the County Attorney may employ stenographic help to be paid by the county, not to exceed \$1,200 per annum, which shall be paid in monthly installments out of the county treasury upon a warrant of the county auditor in favor of the person entitled thereto and upon order of the county attorney accompanied by his certificate that the service has been rendered. No allowance for hire of such