

CHAPTER 256—H. F. No. 316.

An act to amend Section 7211, General Statutes of Minnesota for the year 1913, relating to the incidental powers of probate courts.

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

Section 1. Incidental duties of probate court.—That section 7211 of the General Statutes of Minnesota for the year 1913, be amended so as to read as follows:

“7211. In addition to their general powers under the Constitution, probate courts shall have the same powers as District Courts in the following matters:

“1. To examine witnesses and parties on oath, to compel their attendance, to preserve order during any proceedings before it, and to punish contempts;

“2. To issue citations, subpoenas, and attachments, to make orders, judgements, and decrees, to issue all necessary executions, warrants, or processes to enforce them, and to issue commissions to take depositions of witnesses whose testimony is wanted in any matter pending in such court, when the witness, is without the state, or is within the State and lives more than one hundred miles from the place of holding such Court; or is about to go out of the State, not intending to return in time for the hearing; or is so sick, infirm or aged as to make it probable that he will not be able to attend the hearing. Provided, that if a deposition so taken is to be used in any matter on which there is a contest, then notice to the taking of the deposition and the time and place thereof, shall be given to the adverse party, the same as provided for the giving of notice for the taking of depositions to be used in any other Court of record;

“3. To adjourn any hearing from time to time, provided that when objection is made the adjournment shall be only for cause, shown by affidavit or otherwise;

“4. To correct, modify or amend its records to conform to the facts and to correct its final decrees so as to include therein property omitted from the same or from administration.”

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

Approved April 13, 1923.

CHAPTER 257—H. F. No. 303.

An act to amend Section 9099, General Statutes of Minnesota for 1913, relating to Grand Juries.

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

Section 1. Grand juries—When to be drawn—Who liable.—That Section 9099, General Statutes 1913, be and the same is hereby amended so as to read as follows;

"9099. A grand jury shall be drawn and summoned for any general term of the district court, whenever the judge of such court shall so direct by an order made and filed with the clerk of court fifteen days before the term begins. If such order is not made the judge, in his discretion, by an order filed with the clerk may cause a grand jury to be summoned and convened at any time during the term. In districts composed of but one county, with a population exceeding 100,000 inhabitants, wherein but one term is held annually, the court may prescribe by written order that a grand jury shall be drawn to attend at any specified time and for any designated period.

Approved April 13, 1923.

CHAPTER 258—H. F. No. 1029.

An act entitled an act authorizing the county board of any county, now or hereafter having property of an assessed valuation of not less than \$125,000,000, and not more than \$250,000,000, to acquire, improve, and equip one, or more tracts of land within such county but outside the limits of any city or village located within said county, for use as a park, bathing beach, picnic or recreational ground and to pay for same out of any moneys in the county treasury not otherwise appropriated or by issuing, not to exceed \$50,000 bonds of any such county.

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

Section 1. **County Board to acquire lands for recreational grounds.**—The County Board of any county, now or hereafter having property of an assessed valuation of not less than One Hundred and Twenty-five Million Dollars. (\$125,000,000), and not more than Two Hundred and Fifty Million Dollars (\$250,000,000), is hereby authorized to acquire by gift, purchase or otherwise, and improve, and equip one, or more, tracts of land within the county, for use as a park, bathing beach, picnic or recreational grounds. The acquiring of such land, its improvement as aforesaid and equipping same, may be paid for out of any moneys in the county treasury of any such county not otherwise appropriated, or by issuing bonds of the county in a sum not to exceed Fifty Thousand Dollars (\$50,000).

Sec. 2. **Bond issue authorized.**—Whenever the Board of County Commissioners of any such county shall deem it advisable to acquire, improve, and equip one, or more, tracts of land within any such county but outside the limits of any city or village therein for use as a park, bathing beach, picnic or recreational grounds, it may sell and issue the certificates of indebtedness, or bonds of such county to defray the cost thereof, in an amount not to exceed Fifty Thousand Dollars (\$50,000), without submission to a vote of