

bonds and determining the validity of the warrants to be funded thereby, which determination shall be conclusive on such county as to such validity.

✓ Approved April 15, 1933.

CHAPTER 259—H. F. No. 1024

An act relating to procedure in connection with the administration of trusts.

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

Section 1. Appointment of trustee.—Upon petition of any person appointed as trustee of an express trust by any will or other written instrument, or upon petition of any beneficiary of such trust, the district court of the county where in such trustee resides or has his place of business, shall consider the application to confirm the appointment of the trustee and specify the manner in which he shall qualify. Thereafter such district court shall have jurisdiction of such trust as a proceeding in rem.

Sec. 2. Trustee to file inventory.—Any trustee whose appointment has thus been confirmed shall file with the clerk of said district court an inventory containing a true and complete list of all property received by the trustee belonging to the trust estate. Thereafter such trustees shall render to such court at least annually a verified account containing a complete inventory of the trust assets and itemized principal and income accounts.

Sec. 3. May apply to court for instructions.—Any trustee whose appointment has thus been confirmed, at any time thereafter may petition the court for instructions in the administration of the trust or for a construction of the trust instrument, or upon or after the filing of any account, for the settlement and allowance thereof. Upon the filing of such petition the court shall make an order fixing a time and place for hearing thereof, unless hearing has been waived in writing by the beneficiaries of such trust. Notice of such hearing shall be given by publishing a copy of such order one time in a legal newspaper of such county at least 20 days before the date of such hearing, and by mailing a copy thereof to each party in interest then in being, at his last known address, at least 10 days before the date of such hearing or in such other manner as the court shall order and if such court shall deem further notice necessary it shall be given in such manner as may be specified in such

order. Upon such hearing the court shall make such order as it deems appropriate, which order shall be final and conclusive as to all matters thereby determined, and shall be binding in rem upon the trust estate and upon the interests of all beneficiaries, vested or contingent, except that appeal to the Supreme Court may be taken from such order within 30 days from the entry thereof, by filing notice of appeal with the clerk of district court, who shall mail a copy of such notice to each adverse party who has appeared of record.

Sec. 4. Guardian may be appointed.—If any person upon whom the court has ordered that personal service be made is a minor or otherwise incompetent to act in his own behalf and has no general guardian within the state, or if any party in interest is unascertained or not in being, or unknown to the trustee or outside the State of Minnesota, the court itself shall be deemed to represent such person or persons, but may, upon the application of the trustee or any other person interested therein, appoint a guardian ad litem for any such minor or incompetent person.

Sec. 5. Application.—This Act shall not apply to trusts in the nature of mortgages or to trusts commonly known as voting trusts. The word "person" as used herein shall refer to an artificial as well as to a natural person.

Sec. 6. Not to limit jurisdiction of court.—Nothing in this Act contained shall be deemed to limit or abridge the power or jurisdiction of the district court over trusts and trustees.

Approved April 15, 1933.

CHAPTER 260—H. F. No. 1054

An act authorizing cities of the third class to reimburse persons, firms, or corporations who have heretofore deposited with or paid to such municipality a certified check or other negotiable instrument and such check or negotiable instrument has been declared forfeited.

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

Section 1. Cities to reimburse persons for forfeited checks in certain cases.—That all cities of the third class are hereby authorized to reimburse persons, firms or corporations who have heretofore deposited with, or paid to such municipality, a certified check or other negotiable instrument in conjunction with a bid submitted by such person, firm or corporation to secure a contract