

tate, heretofore duly made and executed, ~~and~~ where such instrument has been acknowledged, as provided by law, but the notarial seal affixed thereto, did not bear the name of the County in which the Notary resided, are hereby validated and legalized and the recording thereof, in cases where such mortgages on real estate or satisfactions of mortgages on real estate, have heretofore been recorded, are hereby validated and legalized.

Sec. ~~2~~ <sup>1</sup> ~~Not to affect pending actions.~~ Nothing herein contained shall affect any action now pending or commenced within ~~6~~ months from and after the passage of this ~~act~~ <sup>section,</sup> to determine the validity of any instrument validated hereby.

~~Approved April 8, 1939.~~

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#### CHAPTER 152—S. F. No. 553

*An act abolishing dower and curtesy and statutory interest in lieu of dower and curtesy in all lands conveyed prior to January 1, 1920, and limiting the time for the commencement of actions for the recovery of estates in dower or by the curtesy or estates in lieu of dower or by the curtesy, and limiting the time for the commencement of actions by any person claiming as heir of any person who has conveyed land claimed as a homestead at the time of the conveyance where such conveyance was made prior to January 1, 1920.*

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

**Section 1. Dower and curtesy abolished.**—All inchoate estates in dower and curtesy, and all inchoate estates or statutory interests in lieu of dower and curtesy, are hereby abolished in all lands in this state which have been conveyed prior to January 1, 1920, by the husband or wife of the one entitled to such inchoate dower or curtesy, or statutory interest, by a conveyance in writing.

**Sec. 2. Limitations of actions.**—No action for the recovery of real property, or of any right therein, or the possession thereof, shall be maintained by any person having any estate in dower or by the curtesy or any estate or statutory interest in lieu of dower or by the curtesy therein, or by anyone claiming, by, through or under any such person, where it appears that the husband and wife of such person conveyed such real property, or any interest therein, by a conveyance in

writing, prior to the first day of January, 1920; and no action shall be maintained for the recovery of real property, or of any right therein, or the possession thereof, by any person claiming as heir of any person who has conveyed land claimed as a homestead at the time of the conveyance and where such conveyance was made prior to January 1, 1920, unless such action shall be commenced on or prior to the first day of December, 1939, and notice thereof filed for record at the time of the commencement of said action in the office of the Register of Deeds in the county where said real property is situate.

Approved April 8, 1939:

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CHAPTER 153—S. F. No. 686

*An act to amend Mason's Minnesota Statutes of 1927, Section 659, providing for the filling of vacancies occurring in county offices by the county board so as to provide for the performance of the functions of the office in which vacancy occurs by the chief deputy or first assistant until the vacancy is filled by the county board.*

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

Section 1. **Vacancies.** — Mason's Minnesota Statutes of 1927, Section 659 is hereby amended so as to read as follows :

"Section 659. . Whenever a vacancy occurs in the office of county auditor, county treasurer, register of deeds, sheriff, county attorney, county surveyor, coroner, or county superintendent, the county board shall fill the same by appointment. For that purpose it shall meet at the usual place of meeting, upon one day's notice from the chairman or clerk, which shall be served personally upon each member in the same manner as a district court summons is authorized to be served. The person so appointed shall give the bond and take the oath required by law, and shall hold for the remainder of the unexpired term, and until his successor qualifies; *provided, that whenever such vacancy occurs in any of the offices hereinbefore mentioned in which office there is a chief deputy or first assistant, then the said chief deputy or first assistant is empowered and authorized to perform all of the duties and functions of the said office until such time as the same is filled by appointment by the said county board.*"

Approved April 8, 1939.