

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

Section 1. **Law amended.**—Mason's Supplement 1940, Section 9455-9, is amended to read as follows:

“9455-9. **Issues of fact may be tried.**—When a proceeding under this Act involves the determination of an issue of fact, such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending; *provided, that any issue of fact for which a jury trial is not required may be brought on for trial at any special term of the court in like manner as an issue of law unless there is a general term of the court at which such issue of fact may be tried as soon as at such special term.*”

Filed February 10, 1943.

CHAPTER 26—S. F. No. 70

An act legalizing conveyances of real property heretofore made by a married man or married woman directly to his or her spouse, and the record of such conveyance.

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

Section 1. **Certain conveyances to spouses legalized.**—All conveyances of real property heretofore made in which a married man or married woman has conveyed real property directly to his or her spouse, are hereby declared to be legal and valid and the records of such conveyances heretofore actually recorded and if not recorded, the register of deeds is hereby authorized to record the same on or before September 1, 1943, in the office of the register of deeds of the proper county, shall be valid and legal. Such conveyances and the records thereof shall have the same force and effect in all respects as conveyances of title and for the purpose of notice, evidence, or otherwise as may be provided by law in regard to conveyance and their records in other cases. The provisions of this act shall not apply to any action or proceeding now pending in any courts of this state.

Filed February 10, 1943.

CHAPTER 27—S. F. No. 159

(AMENDING SECTION 101.28 MINNESOTA STATUTES 1941.)

An act relating to wild animals and the taking of turtles, amending Mason's Supplement 1940, Section 5588.

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

Section 1. **Law amended.**—Mason's Supplement 1940, Section 5588, is hereby amended to read as follows :

“5588. **Turtles and tortoises.**—Turtles and tortoises may be taken, possessed, bought, sold and transported in any manner at any time, provided, that every net, trap, or other device used in the taking of turtles or tortoises in any of the public waters of this state shall be so constructed as freely to permit the escape of fishes through openings having at least diameter of not less than three and one-half inches, or, in case of a net, having a mesh of not less than three and one-half inches bar measure or seven inches extension measure; provided further, that any fish which may be caught in any such net, trap, or other device shall be promptly released and returned to the water unharmed. *The director of game and fish, however, may, by duly published order, prohibit the taking of turtles during such periods as he may deem necessary from any waters of the state in which he is conducting operations in aid of the fish propagation program.*”

Filed February 10, 1943.

CHAPTER 28—S. F. No. 13

(AMENDING SECTIONS 259.10 AND 259-11 MINNESOTA
STATUTES 1941.)

An act relating to change of name and amending Mason's Minnesota Statutes of 1927, Section 8633 and Laws 1941, Chapter 178, Section 1.

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

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 8633 is hereby amended to read as follows :

“8633. **Change of name—procedure—penalty.**—A person who shall have resided in any county for one year may apply to the district court thereof to have his name changed in the manner specified in Sections 8633 and 8634. He shall state in his application the name and age of his wife and each of his children, if any, and shall describe all lands in the state in or upon which he claims any interest or lien, and shall appear personally before the court and prove his identity by at least two witnesses. If he be a minor, his guardian or next of kin shall also appear. Every