

## CHAPTER 318—S. F. No. 536

[Section 2 Not Coded]

*An act relating to fees for publication of legal notices; amending Minnesota Statutes 1945, Section 331.08.*

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

Section 1. Minnesota Statutes 1945, Section 331.08, is amended to read as follows :

331.08. **Fees for publication of legal notices.** The fee for publication of a legal notice in any legal newspaper in this state shall be \$1.20 per folio for the first insertion and 60 cents per folio for each subsequent insertion of a notice. The fees for the publication of the delinquent tax fee list shall be the same as now provided by section 279.07; provided that in all cases where a notice for publication contains tabular matter in whole or in part, or what is termed "price and one-half" or "double price" composition, an additional fee of 40 cents per folio shall be paid for all such price and one-half and double price composition matter for the first insertion of a notice; and in the publication of official ballots for elections in the counties and the state the same shall be measured as though the entire space occupied is that of solid brevier or eight-point type, and no additional fee shall be allowed on account of tabular matter.

Sec. 2. **Effective date.** This act shall be and remain in force until June 30, 1949.

Approved April 14, 1947.

## CHAPTER 319—S. F. No. 712

[Coded as Sections 507.291 to 507.294]

*An act relating to powers of attorney granted by persons in or present with the armed forces of the United States, and others.*

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

[507.291] **Power of attorney by person in armed services.**  
Section 1. No agency created by a power of attorney in writ-

ing given by a principal who is at the time of execution, or who, after executing such power of attorney, becomes, either

(a) a member of the armed forces of the United States, or

(b) a person serving as a merchant seaman outside the limits of the United States, included within the 48 states and the District of Columbia; or

(c) a person outside said limits by permission, assignment or direction of any department or official of the United States government, in connection with any activity pertaining to or connected with the prosecution of any war in which the United States is then engaged, shall be revoked or terminated by the death of the principal, as to the agent or other person who, without actual knowledge or actual notice of the death of the principal, shall have acted or shall act, in good faith, under or in reliance upon such power of attorney or agency, and any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees, or personal representatives of the principal.

[507.292] **Affidavit by attorney-in-fact.** Sec. 2. An affidavit, executed by the attorney-in-fact or agent, setting forth that he has not or had not, at the time of doing any act pursuant to the power of attorney, received actual knowledge or actual notice of the revocation or termination of the power of attorney, by death or otherwise, or notice of any facts indicating the same, shall, in the absence of fraud, be conclusive proof of the non-revocation or non-termination of the power at such time. If the exercise of the power requires execution and delivery of any instrument which is recordable under the laws of this State, such affidavit (when authenticated for record in the manner prescribed by law) shall likewise be recordable.

[507.293] **"Missing in action" construed.** Sec. 3. No report or listing, either official or otherwise, of "missing" or "missing in action", as such words are used in military parlance, shall constitute or be interpreted as constituting actual knowledge or actual notice of the death of such principal or notice of any facts indicating the same, or shall operate to revoke the agency.

[507.294] **Construction.** Sec. 4. This act shall not be construed so as to alter or affect any provisions for revocation or termination contained in such power of attorney.

Approved April 14, 1947.