

*and bridge purposes; provided for tax levies to pay such certificates of indebtedness and interest thereon.*

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

**Section 1. Certificates of indebtedness, roads and bridges, certain towns.** The Board of Supervisors of any town having more than 3,000 inhabitants, exclusive of incorporated villages or cities therein, and an assessed valuation, exclusive of money and credits, of more than \$10,000,000 may issue and sell certificates of indebtedness without a vote of the electors for the purchase of equipment and for road and bridge purposes in an amount not to exceed \$114,100 during the year 1955 and expend such sums in addition to other town road and bridge funds. The proceeds from the sale of these certificates shall be paid into the road and bridge fund. Interest on these certificates for the first two years shall be payable in the years 1956 and 1957 and the certificates shall be payable in five equal installments commencing in 1958 plus the interest due thereon for each of said years. The tax levies to pay such certificates of indebtedness and all interest thereon shall be within the limitation now provided by law.

Approved March 29, 1955.

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#### CHAPTER 243—S. F. No. 777

*An act relating to conveyance by a husband or wife of insane or incompetent person; amending Minnesota Statutes 1953, Section 507.04.*

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

**Section 1.** Minnesota Statutes 1953, Section 570.04, is amended to read:

**507.04 Conveyance, spouse of insane or incompetent person.** *Subdivision 1.* The husband or wife of any person who is adjudged by a court of competent jurisdiction to be insane or incompetent to transact his or her business or manage his or her estate, and for whose person or estate, or both, a guardian is appointed by a probate court of this state, may, with the guardian's approval, by separate deed convey any real estate, the title to which is in such husband or wife, as fully as he or she could do if unmarried. A duly certified copy of the letters of guardianship of the guardian shall be recorded in the office of the register of deeds of the county in which the real estate is situated. The approval of the conveyance by the guar-

dian shall be in writing, after being first authorized to do so by an order of the probate court, and shall be endorsed on the instrument of *the* conveyance. Without the approval of the guardian, a conveyance by *the* husband or wife *does* not affect the rights of the insane or incompetent spouse.

*Subd. 2.* Where no guardian has been appointed of the person or estate of such insane or incompetent spouse and such insanity or incompetency has existed or may exist for three years subsequent to the adjudication of the insanity or incompetency of the insane or incompetent spouse, the husband or wife of *the* insane or incompetent person may convey any real estate, the title to which is in *the* husband or wife, as fully as he or she could do if unmarried.

*Subd. 3.* This section *does* not authorize the conveyance of a homestead unless the guardian of the person or estate of *the* insane or incompetent person appointed by the probate court of the proper county *consents* in writing to *the* conveyance by endorsement thereon after being first authorized so to do by order of the probate court.

*Subd. 4.* The provisions of *subdivision 2 and 3* do not apply to a nonresident insane or incompetent person.

*Subd. 5.* *In all cases where the probate court has directed a sale of the interest of an insane or incompetent person in real estate, the sale includes the inchoate interest of the person in any share or part of the real estate owned by such person's spouse whether or not specifically mentioned in the proceedings or conveyance, when the interest of the spouse is also conveyed to the same grantee.*

*Subd. 6.* *No conveyance of the homestead is valid unless made by both spouses in a joint deed or by separate deeds.*

Approved March 29, 1955.

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#### CHAPTER 244—S. F. No. 794

*An act relating to the state reformatory for men at St. Cloud, providing for the use of a portion thereof and the facilities thereat for the care of mentally deficient persons, and amending Minnesota Statutes 1953, Section 640.34.*

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

Section 1. Minnesota Statutes 1953, Section 640.34, is amended to read as follows: