

court for an order directing the payment to him (in whole or in part) of such attorney's fees out of the estate. Upon payment by the representative of the whole amount allowed his attorney by the court the representative shall be fully released and discharged from all liability on account of such attorney's services.

When any person named as executor in a will or codicil defends it or prosecutes any proceedings in good faith and with just cause, for the purpose of having it admitted to probate, whether successful or not, or if any person successfully oppose the allowance of any will or codicil, he shall be allowed out of the estate his necessary expenses and disbursements in such proceedings together with such compensation for his services and those of his attorneys as the court shall deem just and proper.

**Sec. 2. [525.491] Attorney's lien.** When any attorney at law has been retained to appear for any heir, devisee, or legatee, such attorney may perfect his lien upon the client's interest in the estate for compensation for such services as he may have rendered respecting such interest, by serving upon the representative before the decree of distribution, is made, a notice of his intent to claim a lien for his agreed compensation, or the reasonable value of his services, and by filing such notice with proof of service thereof. The perfecting of such a lien, as herein provided, shall have the same effect as the perfecting of a lien as provided in section 481.13, and such lien may be enforced and the amount thereupon determined in the manner therein provided.

**Sec. 3.** Minnesota Statutes 1957, Sections 525.49 and 525.491, are hereby repealed.

Approved April 10, 1961.

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## CHAPTER 266—H. F. No. 244

[Not Coded]

*An act relating to educational television; reappropriating money appropriated by Extra Session Laws 1959, Chapter 48.*

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

**Section 1. Educational television, reappropriation.** The

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

unexpended balances remaining on June 30, 1961, of moneys appropriated by Extra Session Laws 1959, Chapter 48, are reappropriated and made available for the biennium beginning July 1, 1961, notwithstanding the provisions of Extra Session Laws 1959, Chapter 48, Section 3, to the contrary.

Approved April 10, 1961.

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#### CHAPTER 267—H. F. No. 339

*An act authorizing the temporary assignment of a probate judge or retired probate judge to serve and perform the duties of another judge; providing for the payment of judges on temporary assignment; and amending Minnesota Statutes 1957, Section 525.051, as amended by Extra Session Laws 1959, Chapter 60.*

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

Section 1. Minnesota Statutes 1957, Section 525.051, as amended by Extra Session Laws 1959, Chapter 60, is amended to read:

**525.051 Temporary assignment of judges.** Except for the reasons prescribed by Minnesota Statutes 1957, Section 525.05 relating to disqualification of a probate judge, if for any other reason it is necessary to assign a judge to perform the duties of the probate judge of any county, the chief judge of the district court of the judicial district in which the county is situated, upon the petition of any person, may assign any probate judge to serve and discharge the duties of the probate judge in any such county at such times as the chief judge shall determine. *Such Whenever by reason of disqualification, absence, illness, incapacity or other cause, the probate judge of any county is unable to act, or whenever the interest of the public or of any person interested in any matter requires that such probate judge should not act, any other probate judge, or probate judge who has retired as a probate judge, and who consents so to act, may be assigned to serve and discharge the duties of such probate judge in his stead at such times or for such purposes as may be directed, by order of such probate judge or in the event of his death or his refusal, failure, or inability so to order as determined by the chief judge of the district court of the judicial district in which the county is situated, by order of such chief judge. Any probate judge or retired probate judge temporarily as-*

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