

Shall file bond SEC. 4. The commissioners of such unorganized county before entering upon the duties of their office or receiving any moneys under or pursuant to this act, shall make and file with the board of county commissioners, to which such unorganized county is attached, a bond, running to said commissioners, with two or more sufficient sureties, to be approved by a judge of the district court of the judicial district in which such unorganized county is situated, in an amount double the amount of such school, road, and bridge tax levy; and shall with such county commissioners also file a certificate from the governor or state auditor showing that they have been duly appointed or elected commissioners of such unorganized county; and all orders on the treasurer for moneys to be paid pursuant to this act [shall] be signed by two of such commissioners.

Compensation. SEC. 5. The compensation of such county commissioners of unorganized counties shall be two (2) dollars per day, while performing their duties under the provisions of this act, payable out of the one (1) mill road and bridge tax levy heretofore provided for. *Provided*, That such services shall not exceed in the aggregate one hundred (100) days in each year.

SEC. 6. All acts or parts of acts inconsistent with this act are hereby repealed.

When act to take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved Feb. 21, 1887.

CHAPTER 190.

[H. F. No. 240.]

AN ACT TO DISCHARGE EXECUTORS AND ADMINISTRATORS AND CANCEL THEIR BONDS.

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

Executors and administrators

SECTION 1. That in all cases where any executor or administrator has heretofore resigned his trust, and the same has been accepted and his final account of administration has been examined, allowed and approved by the proper court, such resignation is hereby declared to be legal and binding, and to have forever discharged him from all his duties, powers and liabilities as such executor or administrator, and he and his sureties upon any bond filed in such matter or estate are hereby forever released and acquitted.

SEC. 2. That in all cases where any executor or administrator shall have heretofore made his final account of administration, and the same has been duly examined, allowed and approved by the proper court, he is hereby declared to have forever terminated his duties and powers as such trustee, and he, and the sureties upon any and all bonds which may have been filed in such estate, are hereby forever released and acquitted from all liability in such matter at the expiration of two (2) years after the date of such allowance, *provided*, however, that in case improper credits shall have been allowed or proper charges against him have been omitted upon settlement of his final account, by mistake, the liability of such executor or administrator shall remain in respect thereto as heretofore, anything in this act to the contrary notwithstanding.

Released at
expiration of
two years.

SEC. 3. Nothing in this act shall be construed to release an executor or administrator who has been guilty of intentional fraud or malfeasance in executing his trust, and he and his sureties shall still *be liable*; *Provided, however*, that no action or proceeding shall be against such executor, administrator, or sureties, save by permission of the probate court upon notice to him or them, and upon proof to the satisfaction of such court, of the probability of intentional fraud or malfeasance in such estate, nor shall any judgments be rendered against him or them unless such intent is shown in the trial court.

Proviso.

SEC. 4. The word "executor" in this act, shall be construed to include an administrator with the will annexed.

SEC. 5. This act shall take effect and be in force from and after its passage.

When act to
take effect.

Approved March 7, 1887.