

no devise or bequest in any last will or testament to a surviving husband or wife shall be taken to be in addition to the right or interest secured to such survivor by statute in the estate of such deceased person, unless such clearly appears from the contents of the will to have been the intention of the testator or testatrix; and provided, further, that when in any case the homestead of the deceased is in litigation, so that the title thereto is not settled as a part of his or her estate, and said litigation is not ended and said title settled within the six months hereinbefore allowed the surviving spouse for election, then, in that case, said surviving spouse shall have until thirty days after the termination of said litigation to make said selection and to renounce provision under a will, or accept same.

Sec. 2. This act shall take effect and be in force from and after its passage and apply to suits now pending, and all acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

Approved April 23, 1897.

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## CHAPTER 241.

S. F. No. 486.

*An act to amend section two (2) of chapter eighty-four (84), of the general statutes of one thousand eight hundred and seventy-eight (1878), relating to the jurisdiction of justices of the peace in forcible entry and unlawful detainers.*

Jurisdiction of justices of the peace in forcible entry and unlawful detainers.

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

SECTION 1. That section two (2), chapter eighty-four (84), of the general statutes of one thousand eight hundred and seventy-eight (1878), be amended so as to read as follows:

"Sec. 2. Any justice of the peace has authority to inquire, as hereinafter directed, as well against those who may make unlawful or forcible entry into lands or tenements and detain the same, as against those who, having lawful or peaceful entry into lands or tenements, unlawfully and forcibly detain the same; and if it is found upon such inquiry that an unlawful or forcible entry has been made, and that said lands or tenements are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, such justice shall cause the party complaining to have restitution thereof. All acts or parts of acts inconsistent with this section are hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.

S. F. No. 57.

CHAPTER 242.

Regulating elections.

*An act to amend sections one hundred and twenty-three (123) and one hundred and thirty-five (135) of chapter four (4) of the general laws of eighteen hundred and ninety-three (1893), entitled "An act to regulate elections."*

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

Amendment.

SECTION 1. That section one hundred and twenty-three (123) of chapter four (4) of the general laws of eighteen hundred and ninety-three (1893) be and the same is hereby amended by adding at the end thereof the following:

Only judges may handle ballots.

"During said canvass no person or persons other than the judges shall in any manner interfere with or handle any of the ballots cast at such election, and any person so interfering with or handling any such ballot, or any judge or judges permitting the same to be done, shall be deemed guilty of a misdemeanor."

SEC. 2. That section one hundred and thirty-five (135) of chapter four (4) of the general laws of eighteen hundred and ninety-three (1893) be and the same is amended by adding at the end thereof the following:

Only clerks may make entries.

"No person or persons other than the clerks shall make any entry or mark on any tally sheet or tally book used in connection with any canvass, and any person or persons so doing, or any judge or judges or clerk or clerks permitting the same to be done shall be deemed guilty of a misdemeanor."

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.