

the same is hereby amended so as to read as follows:

7287. Administration of the estate of a person dying intestate shall be granted to one or more of the persons herein-after mentioned, and in the following order:

1. The surviving spouse or next of kin or both, as the court may determine, or some person selected by them or either of them, provided that in any case the person appointed shall be suitable and competent to discharge the trust.

2. If all such persons are incompetent or unsuitable, or refuse to accept, or if the surviving spouse or next of kin, for thirty days after the death of the intestate, neglect to apply for administration, the same may be granted to one or more of the principal creditors, if any such are competent and willing to take it, or to some other person who may be interested in the administration of the estate. *If the decedent was a native of any foreign country and the surviving spouse and next of kin neglect for thirty days after his death to apply for administration, the same may be granted to the consul or other representative of the country of which the decedent was a native, residing in this state, who has filed a copy of his appointment with the secretary of state, or to such person as he may select, if suitable and competent to discharge the trust. But the court in any case arising under this subdivision shall have the discretion to appoint one or more creditors, or other person interested, or to appoint any suitable or competent person interested in the estate by purchase or otherwise.*

3. If the person so appointed neglects for thirty days, after written notice of such appointment, under the seal of the probate court, served personally or by mail, to file the oath and bond required by law and the court, such neglect shall be deemed a refusal to serve, and the court may appoint such other person or persons as are next entitled to administer such estate. Such person may be appointed without notice.

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

Approved April 20, 1917.

CHAPTER 514—H. F. No. 1060.

An act to amend Section 3347 of the General Statutes of Minnesota for the year 1913 relating to fire department relief association.

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

Section 1. Service pensions may be granted to retired firemen not to exceed \$60.00 per month as maximum.—That section 3347 of the General Statutes of Minnesota for the year 1913 be and the same hereby is amended so as to read as follows:

Section 3347. Every fire department relief association organized under any laws of this state, whenever its certificate of incorporation or by-laws so provide, may pay out of any funds received from the state, or other source, a service pension, in such amount, not exceeding forty dollars (\$40.00) per month, *as hereinafter authorized, or as may be provided by its by-laws*, to each of its members, who have heretofore retired or may hereafter retire, who has reached or shall hereafter reach the age of fifty (50) years, and who has done, or hereafter shall do, active duty for twenty (20) years, or more as a member of a volunteer paid, or partially paid and partially volunteer fire department in the municipality where such association exists, and who has been, or shall hereafter be, a member of such fire department relief association at least ten (10) years prior to such retirement, and who complies with such additional conditions as to age, service, and membership as may be prescribed by the certificate or by-laws of such association.

The amount of monthly pension which may be paid to such retired firemen may be increased by adding to the maximum above prescribed, an amount not exceeding two dollars per month for each year of active duty over twenty years of service before retirement, provided, however, that no such fire department relief association shall pay to any member thereof a pension in any greater amount than the sum of sixty dollars per month. No such pension shall be paid to any person while he remains a member of the fire department, and no person receiving such pension shall be entitled to other relief from such association. No payments made or to be made by said association to any member on the pension roll shall be subject to judgment, garnishment or execution, or other legal process, and no person entitled to such payment shall have the right to assign the same, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 2. This act shall be in force and take effect from and after the day of its passage.

Approved April 23, 1917.

CHAPTER 515—H. F. No. 17.

An act proposing an amendment to the Constitution of the state of Minnesota to prohibit within said state, the manufacture, sale, barter, gift, disposition, or the furnishing, or transportation, or keeping or having in possession for any such purpose, of any intoxicating liquor of any kind in any quantity whatever except for sacramental, medicinal, mechanical, or scientific purposes.

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