

"Sec. 7345. Whenever it shall appear that the interests of all persons concerned will be better protected by mortgaging or leasing such real estate, *including the homestead of such decedent*, than by selling the same, the court may, by license, authorize the mortgaging or leasing thereof, *including the homestead of such decedent*, and may authorize the representative to agree to the extension or renewal of an existing mortgage or lease."

Sec. 2. Petition for license.—That Section 7348 of the General Statutes of 1913, as amended by Chapter 268, Laws of 1921, be amended so as to read as follows:

"Sec. 7348. To obtain a license to sell, mortgage, or lease *the real estate of a decedent including the homestead of such decedent* for more than one year, the representative shall present a verified petition to the court appointing him, setting forth what personal estate has come into his hands; the disposition thereof; how much, if any, remains undisposed of, the debts outstanding against the decedent or ward, so far as can be ascertained, and, if it be the estate of a decedent, the legacies unpaid, if any; a description of all the real estate *including the homestead of a decedent*, and the condition and value of the several tracts; the names and residences, so far as known, of all persons interested therein, and, if unknown, a statement of that fact; and facts showing grounds for such sale, mortgage or lease; if a sale, *mortgage or lease* of a homestead is petitioned for the petition shall set forth the grounds and reasons why it will be for the best interests of all persons interested in said homestead that the same be sold, *mortgaged or leased*. The Court is empowered to license the representative to mortgage the decedent's homestead to pay off existing incumbrances, but in such case the petition to mortgage must be executed, or assented to in writing by the surviving spouse, *if any*, and the remaindermen or their guardian in case they are minors, *or their representative in case they are deceased*.

Approved April 17, 1923.

CHAPTER 296—H. F. No. 1128.

An act to amend Section 3 of Chapter 338, of the Session Laws of 1919 entitled "An act to provide tuition in the University of Minnesota, the State Normal Schools, and any college in the State of Minnesota which participated in the students' army training corps work, and other colleges and schools in the state for such persons and rendered certain service during war periods and repealing all acts and parts of acts inconsistent herewith."

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

Section 1. Time of tuition act extended.—That the last

sentence of Section 3 of Chapter 338 of the Session Laws of Minnesota for 1919 now reading; "Provided that the benefits of this Act shall not extend beyond July 1st, 1924," be and the same hereby is, amended to read as follows:

Section 3. (a) The provisions of this Act shall not apply on tuition which shall have been earned or received after June 30th, 1924. Applications for the benefits of this Act shall be filed with the Adjutant General before 5:00 o'clock P. M. on July 7th, 1924. The Adjutant General shall neither accept, place on file, nor retain in his office any applications which shall not have been delivered to him by the hour and date above specified, but shall disapprove such applications, and shall return them to the applicants. All provisions of this Act shall be null and void after September 30th, 1924; provided, that the cessation of operation of the provisions of this Act shall in no way have the effect of reviving the operation of any Acts or parts of Acts which have been repealed under this Act.

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

Approved April 17, 1923. 

CHAPTER 297—H. F. No. 1295.

An act to accept a donation or donations of not less than fifty thousand dollars from the Minnesota Editorial Association and the Minnesota Bankers Association for the erection of a school building on land belonging to the State of Minnesota near Phalen Park in Ramsey County, Minnesota; establishing and providing for maintaining thereon and thereat a school for the education of indigent, crippled and deformed children to be known as the "Michael J. Dowling Memorial Hall" under the direction of the State Board of Control; and appropriating money for said purposes.

WHEREAS, the Minnesota Editorial Association and the Minnesota Bankers Association have communicated to the State Board of Control their desire to donate to the State of Minnesota a sum of not less than fifty thousand dollars in memory of the sterling worth and splendid character of the late Michael J. Dowling, formerly of Olivia, Minnesota, to be used in the construction of a school building by the State of Minnesota to cost not less than one hundred thousand dollars on lands now owned by said state and partially occupied by a hospital for indigent, crippled and deformed children near Phalen Park in Ramsey County, Minnesota, and establish and equip there a school for the education and training of indigent, crippled and deformed children to be known as the "Michael J. Dowling Memorial Hall," now therefore;