

31.01. **Definitions.** Subd. 7. "Milk products" means pure, clean, and wholesome cream, pure milk fat, butter, milk, skimmed milk, condensed milk, sweetened condensed skimmed milk, dried milk, dried skimmed milk, *buttermilk, condensed buttermilk, dried buttermilk, whey, condensed whey, and dried whey, and shall include any of the foregoing products from which lactose has been wholly or partially removed.*

Approved April 25, 1949.

CHAPTER 659—H. F. No. 1590

An act relating to determination of descent amending Minnesota Statutes 1945, Sections 525.31, 525.311 and 525.312.

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

Section 1. Minnesota Statutes 1945, Section 525.31, is amended to read:

525.31. **Essentials.** *Whenever any person has been dead for more than five years and has left real or personal property, or any interest therein, and no will or authenticated copy of a will duly proved and allowed outside this state in accordance with the laws in force in the place where proved has been admitted to probate nor administration had in this state; any person interested in the estate or claiming an interest in such real or personal property, or any interest therein, may petition the probate court of the county of the decedent's residence or of the county wherein such real or personal property, or any part thereof is situated to determine the descent of such property and to assign such property to the persons entitled thereto.*

Sec. 2. Minnesota Statutes 1945, Section 525.311, is amended to read:

525.311. **Contents of petition.** Such petition shall show so far as known to the petitioner:

(1) The name of the decedent, *his place of residence*, the date and place of his death, his age and address at such date, and whether *he died* testate or intestate;

(2) The names, ages, and addresses of his heirs, executors, legatees, and devisees;

That no will or authenticated copy of a will duly proved and allowed outside of this state in accordance with the laws in force in the place where proved has been admitted to probate nor administration had in this state;

(4) A description of the real *or personal property, or interest therein* and if a homestead, designated as such, the interest therein of the decedent, the value thereof at the date of his death, and the interest therein of the petitioner;

(5) If the decedent left a will which has not been admitted to probate in this state, such will or authenticated copy of a will duly proved and allowed outside of this state in accordance with the laws in force in the place where proved shall be filed and the petition shall contain a prayer for its admission to probate.

Sec. 3. Minnesota Statutes 1945, Section 525.312, is hereby amended to read:

525.312. **Decree of descent.** Upon the filing of such petition, the court shall fix the time and place for the hearing thereof, notice of which shall be given pursuant to section 525.83. Upon proof of the petition and of the will if there be one, or upon proof of the petition and of an authenticated copy of a will duly proved and allowed outside of this state in accordance with the laws in force in the place where proved if there be one, the court shall allow the same and enter its decree assigning the real *or personal property, or any interest therein*, to the persons entitled thereto pursuant to the will or such authenticated copy if there be one, otherwise pursuant to the laws of intestate succession in force at the time of the decedent's death. *The court may appoint two or more disinterested persons to appraise the property. No decree shall be entered until the inheritance tax, if any, has been determined and paid.*

Approved April 25, 1949.