

Section 1. Minnesota Statutes 1945, Section 169.87, as amended by Laws 1947, Chapter 505, Subdivision 2, is amended to read:

Subd. 2. **Seasonable restrictions.** Except where restrictions are imposed as provided in Subdivision 1, no person shall operate any vehicle or combination of vehicles upon any county or town road during the period between March 20 and May 15 of each year where the gross weight on any single axle as defined in Minnesota Statutes 1945, Section 169.83, exceeds 8,000 pounds; provided, that there shall be excepted and exempted from the provisions of this section emergency vehicles of public utilities used incidental to making repairs to its plant or equipment; provided, however, that this provision shall not apply to hard surfaced roads. *Subdivision 2 shall apply only to county and town roads located westerly and southerly of the following described line: beginning at a point on the south shore of Lake of the Woods, thence southerly along the westerly borders of Lake of the Woods and Beltrami counties to the intersection with State Trunk Highway No. 2, thence easterly and southeasterly along State Trunk Highway No. 2 to Duluth.*

Approved April 25, 1949.

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CHAPTER 696—H. F. No. 1611

[Coded as Sections 525.314 to 525.316]

*An act relating to decrees of omitted or incorrectly described property in certain cases.*

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

[525.314] Section 1. **Omitted property assigned.** Whenever real or personal property or any interest therein has been omitted from probate proceedings or from a decree or has been incorrectly described therein and the time for appeal from such decrees has expired, any person interested in the estate or claiming an interest in such property may petition the Probate Court of the county in which such proceedings were had for a decree to determine its descent and to assign it to the persons entitled thereto.

[525.315] **Sec. 2. Petition, contents of.** 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, the county in which such probate proceedings were had, and the date of any prior decrees.

2. The names, present ages, and addresses of his heirs, legatees, and devisees.

3. The real or personal property or any interest therein that has been omitted from the probate proceedings or from the decree or incorrectly described therein and whether the same was omitted or incorrectly described.

4. The correct description of the property, and, if real property whether the same was a homestead or not, the value of the property, the encumbrances, if any, at the time of his death, the claims allowed or balance thereof, if any, unpaid in the prior administration, whether or not the property was subject to inheritance tax, and the interest therein of the petitioner.

[525.316] **Sec. 3. Summary decree; inheritance tax; appraisal.** Upon the filing of such petition the court may summarily, and with or without notice, decree the property and assign it to the persons entitled thereto, if in the prior probate proceedings the persons entitled to such property were determined and claims of creditors allowed were paid in full. In all other cases the court may hear and determine the matter and decree the property and assign it to the persons entitled thereto upon such notice as it requires. If such property is subject to inheritance tax or if claims of creditors allowed in prior proceedings have not been paid in full the court may require the petitioner to submit evidence of the value of such property in such form as the court directs and may appoint two disinterested persons to appraise the property and, if necessary, appoint a representative to complete the proceedings. No decree shall be entered until the inheritance tax, if any, has been determined and paid.

Approved April 25, 1949.