

GENERAL STATUTES  
OF THE  
STATE OF MINNESOTA

36

IN FORCE

JANUARY 1. 1889.

---

COMPLETE IN TWO VOLUMES.

---

VOLUME 1, the General Statutes of 1878, prepared by GEORGE B. YOUNG, edited and published under the authority of chapter 67 of the Laws of 1878, and chapter 67 of the Laws of 1879.

VOLUME 2, Supplement.—Changes effected in the General Statutes of 1878 by the General Laws of 1879, 1881, 1881 Extra, 1883, 1885, and 1887, arranged by H. J. HORN, Esq., with Annotations by STUART RAPALJE, Esq., and others, and a General Index by the Editorial Staff of the NATIONAL REPORTER SYSTEM.

---

VOL. 2.

SUPPLEMENT, 1879-1888,

WITH

ANNOTATIONS AND GENERAL INDEX TO BOTH VOLUMES.

---

ST. PAUL:  
WEST PUBLISHING CO.  
1888.

**§ 26. Removal of trustee.**

Any person interested in the execution of an express trust to sell property and pay debts may bring an action on behalf of himself and the others interested as he is, to enforce execution of the trust, or remove the trustee. *Goncelier v. Foret*, 4 Minn. 13, (Gil. 1.) A simple contract creditor may bring such an action. *Id.* Where, in such a case, the debts were \$3,500, and the property sufficient to pay them, a creditor, whose claim is less than \$100, may bring the action in behalf of himself and the others in the district court. *Id.*

And see *Clark v. Stanton*, 24 Minn. 244.

**§ 27. District court—Powers.**

This power of removal and new appointment may be exercised whenever it becomes necessary, in order "to insure a faithful performance of the trust and a speedy close of the same by final decree of settlement and distribution." *Clark v. Stanton*, 24 Minn. 244.

---

## CHAPTER 45.

**ESTATES IN REAL PROPERTY.\*****§ 12. Reversions defined.**

See *King v. Remington*, 36 Minn. 15, 33, 29 N. W. Rep. 352.

**§ 13. Future estates—Vested or contingent.**

Cited, *In re Oertle*, 34 Minn. 177, 24 N. W. Rep. 924.

**§ 14. Suspension of power of alienation.**

See *Simpson v. Cook*, 24 Minn. 180, 183.

**§ 15. Power of alienation—Suspension.**

The absolute power of alienation of real estate may be suspended during the minority of the grantee, indicated in the instrument creating the suspension, and in such case the suspension will cease with his death before coming to majority. *Simpson v. Cook*, 24 Minn. 180.

**§ 33. Expectant estates—Defeat.**

Cited, *In re Oertle*, 34 Minn. 177, 24 N. W. Rep. 924.

---

## CHAPTER 46.

**TITLE TO REAL PROPERTY BY DESCENT.****§ 2. Homestead.**

The surviving husband or wife shall also be entitled to hold for the term of his or her natural life, free from any testamentary or other disposition thereof, to which such survivor shall not have assented in writing, and free from all claims on account of the debts of the deceased, the homestead of such de-

\* For restrictions upon the power of aliens and corporations to own real property, see *post*, c. 75, \*§ 41a, etc.