

CHANGES

—IN THE—

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

SAINT PAUL:
WEST PUBLISHING COMPANY.
1883.

§ 42. (SEC. 38.) **Length of credit to be given—security.** On such sale the executor, administrator or guardian may give such length of credit, not exceeding three years,* and for not more than two-thirds of the purchase-money, as shall seem best calculated to produce the highest price, and shall have been directed, or approved, by the judge of probate; and shall secure the money for which credit is given, with interest, by a bond or note of the purchaser, and a mortgage of the premises sold. (*As amended* 1879, c. 20, § 1.)

See page 606.

§ 51. (SEC. 4.) **Sales not to be avoided, when.** In case of an action relating to any estate sold by an executor, administrator, or guardian, in which an heir or person claiming under the deceased, or in which the ward, or any person claiming under him, shall contest the validity of the sale, it shall not be avoided on account of any irregularity in the proceedings: *provided*, it appears—

First. That the executor, administrator, or guardian was licensed to make the sale by the probate court having jurisdiction.

Second. That he gave a bond, which was approved by the judge of probate, in case a bond was required upon granting a license.

Third. That he took the oath prescribed in this chapter.

Fourth. That he gave notice of the time and place of sale, as in this chapter prescribed, if such notice was required by the order of license; and,

Fifth. That the premises were sold in the manner required by the order of license, and the sale confirmed by the court, and that they are held by one who purchased them in good faith. (*As amended* 1881, c. 43, § 4.)

*§ 51a. **Provisions also applicable to guardians' sales.** That all the provisions of this act shall apply as well to guardians' sales as to executors' or administrators' sales of real estate. (1881, c. 43, § 5.)

See pages 607-8.

CHAPTER LXII.

DIVORCE.

Add to § 26, p. 629:

Or the court, whenever it shall find the fact to be that the husband has an income from any source sufficient to enable him to pay such alimony or other allowance, and fails and refuses to pay the same, may order or direct the husband to pay such alimony or allowance for the use of the wife or the children or both. And if any person or party shall disobey such order or direction, such person or party may be punished by the court as for contempt. The proceedings therefor are prescribed in chapter eighty-seven of the General Statutes, 1878, respecting the punishment of contempt. (*As amended* 1881, c. 78, § 1.)

CHAPTER LXIII.

SUPREME COURT.

*§ 1a. **Number of judges.** The supreme court shall consist of one chief justice and four associate justices. (1881, c. 141, § 1.)

See page 631.