

S. F. No. 468.

## CHAPTER 254.

Probate  
court.

*An act to legalize certain proceedings in probate court.*

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

Proceedings  
had in pro-  
bating will  
etc., curative

SECTION 1. That any hearing or proceeding heretofore had or held in any probate court in this state, under the provisions of the Probate Code relating to the probating of a will, the appointment of an executor or administrator, or the issuance of a final decree, where the notice of such hearing or proceeding was published the requisite number of times in a legal and proper newspaper, but such hearing or proceeding was prematurely held, and no action or proceeding has heretofore been instituted to set aside or invalidate the action of the Probate Court in such hearing or proceeding, is hereby legalized, validated and given the same force and effect as if proper notice thereof had been given and such hearing or proceeding had been held at the proper time; *provided* that nothing herein contained shall be construed to apply to any action or proceeding heretofore brought or which shall be brought within one year from the passage of this act to test the validity of any such probate hearing or proceeding, or in which a defense alleging the invalidity thereof has been interposed; or to any action heretofore brought or which shall be brought within one year from the date of the passage of this act involving any right, title or estate in lands situate within this state derived under said will.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1905.

S. F. No. 151.

## CHAPTER 255.

Married  
women,  
rights, etc.

*An act to amend section five thousand five hundred thirty-two (5532) of the General Statutes of the year eighteen hundred ninety-four (1894), relating to contracts, torts and property rights and liabilities of married women.*

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

SECTION 1. That section five thousand five hundred thirty-two (5532) of the General Statutes of the year

eighteen hundred and ninety-four (1894) be and the same is hereby amended to read as follows:

Section 5532. Contracts. Torts. Property Rights and Liabilities.—Every married woman is bound by her contracts and responsible for her torts, and her property shall be liable for her debts and torts to the same extent as if unmarried. She may make any contract which she could make if unmarried, and shall be bound thereby, except that no conveyance or contract for the sale of her homestead, or any interest therein, shall be valid unless her husband joins with her therein.

Bound by  
her contracts  
liability.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1905.

## CHAPTER 256.

S. F. No. 259.

*An act to amend section 4539 of the General Statutes of 1894, relating to the appointment of testamentary guardians.*

Guardians.  
Appoint-  
ment under  
will.

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

SECTION 1. That section 4539 of the General Statutes of Minnesota for the year 1894 be amended so as to read as follows:

Section 4539. The father with the written consent of the mother, and the mother with the written consent of the father, may by will appoint a guardian of their minor children, whether born at the time of making the will or afterwards, to continue during their minority or a less time, and if either parent dies without having appointed a testamentary guardian, the survivor may by will appoint such guardian. Such guardian, within thirty days after probate of the will, or after he has knowledge of his appointment, and in case of appeal within thirty days after final determination of such appeal, shall file with the probate court his acceptance of the trust and give bond to be approved by the court. Thereupon a certificate shall be issued to him, under the hand and seal of the court reciting his appointment by will, his acceptance and qualification. He shall then have the same powers and perform the same duties, with respect to the person and estate of the ward, as a guardian appointed by the probate court. Such guardian shall

Consent of  
either  
parent.

Probation  
of will.

Appoint-  
ment, ac-  
ceptance.