

CHAPTER LXIII.

AN ACT LEGALIZING THE RECORDING OF AFFIDAVITS IN CERTAIN CASES AND MAKING THEM EVIDENCE.

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

Affidavits of publication, or of sale under foreclosure, made valid for record though not made in time.

SECTION 1. That in all cases of sales of real property heretofore made in pursuance of the decree of any court having jurisdiction in the premises, or under execution, or upon foreclosure of mortgage, when affidavits of publication of the notices in such cases required by law, or affidavits of sale pursuant to any such notice of foreclosure, shall have been heretofore recorded in the office of the register of deeds of the county wherein such real property is situated, or shall hereafter be so recorded within one year after this act shall have become a law, such affidavits or duly certified copies thereof, shall be received in evidence in the same manner and with the same effect as if the same had been filed or recorded in such office within the time by law prescribed as the time of making of such sales.

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

Approved March 10, 1873.

CHAPTER LXIV.

AN ACT TO LEGALIZE CERTAIN CONVEYANCES AND THE RECORDS THEREOF, AND PROVIDING FOR THEIR EFFECT AS EVIDENCE.

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

SECTION 1. That all deeds and conveyances executed

by husband and wife prior to the time when the general statutes went into effect, and which were properly signed, sealed and witnessed, and were acknowledged before any officer authorized by law to take the acknowledgment of deeds, when it appears by the certificate of acknowledgment attached to or endorsed upon such deed or conveyance, that the execution of the instrument was acknowledged both by the husband and wife, and that the wife, on a separate examination by the officer, acknowledged that she executed the instrument freely and without the compulsion of her husband, shall be legal, valid and effectual to all intents and purposes, and be entitled to record, and all records of such instruments heretofore made shall be legal and valid for all purposes.

Deeds and conveyances executed by husband and wife and separately acknowledged before competent officer, declared valid, though made before adoption of general statutes.

SEC. 2. Such certificate of acknowledgment attached to or endorsed upon such deed or conveyance or record thereof, or a certified copy of such record, shall be prima facie evidence that such deed or conveyance was properly acknowledged by husband and wife in the manner and form required by law at the date of such acknowledgment, so as fully to pass and release to the grantee in such deed or conveyance all the estate of such husband and wife, including the wife's right or claim of dower.

Effect of certificate of acknowledgment as evidence.

SEC. 3. This act shall take effect and be enforced from and after its passage.

Approved March 7, 1873.

CHAPTER LXV.

AN ACT TO PROVIDE FOR FILING CERTAIN NOTES OR OTHER EVIDENCES OF INDEBTEDNESS OR CONTRACTS IN THE OFFICE OF TOWN CLERKS.

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

SECTION 1. Every note of hand or other evidence of indebtedness or contract, the conditions of which are that the title or ownership to the property for which said note or other evidence of indebtedness or contract is given,