

torneys' fees shall not exceed one hundred and fifty (\$150.00) dollars, where the gross proceeds of the estate do not exceed three thousand (\$3,000.00) dollars, and where they do exceed three thousand (\$3,000.00) dollars, or in extraordinary cases, involving unusual litigation, the fees of the assignees or receivers, as well as of the attorneys, shall be fixed by the court at the reasonable value of their services. Section 13. All assignments under the provisions of this act made by any copartnership of which a minor is a member, or of which there shall be a special partner or partners shall be valid if executed by the adult or general partner or partners, and such assignment shall pass to the assignee all the unexempt individual property of the adult or general partner or partners and all of the co-partnership property of such firm, and the court may appoint receivers of such co-partnerships in the manner herein provided, and all the property of such co-partnership and the individual property of the adult or general partner or partners shall pass to such receiver in like manner as to an assignee provided for in this act.

Amends Sec. 12

SEC. 9. That section twelve (12) of said act shall be and the same is hereby amended by adding after the word "costs" in the first line of said section the following words, namely: "disbursements and expenses."

When act to take effect.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 23d, 1889.

CHAPTER 31.

[H. F. No. 285.]

AN ACT LIMITING THE TIME WITHIN WHICH MORTGAGE FORECLOSURE SALES MAY BE CALLED IN QUESTION.

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

Mortgage foreclosures, time limited when sales may be called in question.

SECTION 1. That no foreclosure heretofore or hereafter made by the mortgagee, his legal representatives, or assigns, of any mortgage on real property within the limits of this state, shall be adjudged invalid or be set aside, unless the action in which the validity of such foreclosure is called in question be commenced or the defence alleging its invalidity be interposed within twenty (20) years from date of the foreclosure sale: *Provided*, That persons who, at the time of such foreclosure sale, were under disability to sue by reason of being minors, insane persons, idiots or in captivity, may commence such action or interpose such

defence at any time within five (5) years after removal of such disability; *Provided, further*, That such actions shall be commenced with reasonable diligence in all cases; *Provided*, That this act shall not affect or prejudice the rights of any bona fide purchaser, nor apply to any action or proceeding now pending in any court of this state; and *provided further*, That nothing contained in this act shall be understood as intended to repeal chapter one hundred and twelve (112) of the general laws of Minnesota for eighteen hundred and eighty-three (1883), or any part thereof.

SEC. 2. This act shall take effect and be in force from and after the first (1st) day of January, A. D. eighteen hundred and ninety (1890).

When act to
take effect.

Approved March 19, 1889.

CHAPTER 32.

[H. F. No. 1,070.]

AN ACT RELATING TO THE ALLOWANCE OF ACCOUNTS OF EXECUTORS AND ADMINISTRATORS.

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

SECTION 1. That in all cases where any executor or administrator has heretofore paid, in good faith, any debts or claims against the estate which he represents, without the same having been duly approved, as required by law, and whose final account has not yet been settled, such payments may be allowed by the judge of probate upon proof satisfactory to said judge of probate at the final accounting that said debts or claims were just and existing demands against said estate at the time of said payment.

Executors or
Administrators,
allowance
of accounts.

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

When act to
take effect.

Approved April 23, 1889.