

hereby legalized and made valid, and the said record shall have the same force and effect as if the said certificates had been executed, proved, acknowledged and recorded within the said twenty (20) days.

Order confirm-  
ing sheriff's  
report, not to  
be set aside on  
account of  
informalities.

SEC. 2. That no order confirming sheriff's report of sale upon a decree on trial in foreclosure shall be set aside or deemed invalid upon the ground that notice of application to the court to confirm report of sale was not served upon the adverse party or his counsel before the giving of the order by the court. And the order and the record of all such orders so entered without notice is hereby legalized and made valid, and said order and the record thereof shall have the same force and effect as if notice of the application had been duly served upon the adverse party or his attorney. *Provided* that nothing herein contained shall be construed to apply to cases now pending, which involve the legality or validity of such sale.

When act to  
take effect.

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

Approved April 3, 1889.

## CHAPTER 36.

[H. F. No. 287.]

AN ACT LEGALIZING CERTAIN MORTGAGES AND ASSIGNMENTS HERETOFORE MADE, AS WELL AS THE RECORDS AND FORECLOSURES THEREOF HERETOFORE MADE, NOTWITHSTANDING CERTAIN DEFECTS IN THE EXECUTION OR RECORD OF SUCH MORTGAGES.

*Re it enacted by the Legislature of the State of Minnesota:*

Legalizing  
certain  
mortgages.

SECTION 1. Mortgages, or assignments of mortgages, heretofore made in good faith of real property within the limits of this state, and actually recorded in the office of the proper register of deeds, but having, or having been recorded as having only one subscribing witness to such mortgage or assignment thereof, or not duly sealed, or having been recorded as if not duly sealed, or the certificate of acknowledgment to which has not been duly sealed, or has been recorded as if not duly sealed, are, together with said records thereof, hereby legalized and made valid to all intents and purposes as of, from and after such actual recording thereof; and foreclosure sales, under such mortgages, are hereby legalized and validated, provided all the proceedings in that behalf

were in other respects according to the statute then in force. *Provided, further,* that this act shall not affect or prejudice the rights of any bona fide purchaser nor apply to any action now pending.

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

When act to  
take effect.

Approved March 8, 1889.

## CHAPTER 37.

[H. F. No. 288.]

AN ACT LEGALIZING PAST FORECLOSURES OF MORTGAGES HERETOFORE MADE AS AGAINST SPECIFIED OBJECTIONS THERETO.

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

SECTION 1. Every foreclosure sale heretofore made under a power of sale in the usual form, contained in a mortgage, heretofore made in good faith, of real property within the limits of this state, and previously actually recorded in the office of the proper register of deeds, is, together with such record thereof, hereby legalized and made valid and effectual to all intents and purposes, as against the following objections, namely: First—That the mortgage or any assignment thereof had but one witness. Second—That the mortgage, or any assignment thereof, was duly witnessed, but was recorded as if it had but one witness. Third—That the mortgage, or any assignment thereof, was not duly sealed. Fourth—That the mortgage, or any assignment thereof, was duly sealed, but was recorded as if not duly sealed. Fifth—That the original certificate of the acknowledgment of the mortgage was not sealed with the official seal of the officer taking such acknowledgment. Sixth—That the original certificate of the acknowledgment of the mortgage was duly sealed, but it was recorded as if not duly sealed;

Legalizing past  
foreclosures,  
on account of  
defects.

*Provided,* however, that such mortgage was in other respects properly executed, witnessed, acknowledged, delivered and recorded, and such foreclosure was in other respects regular and according to the statute then in force;

Proviso.

*Provided, further,* that this act shall not affect or prejudice the rights of any bona fide purchaser, and shall not apply to any action now pending.

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

When act to  
take effect.

Approved March 7, 1889.