

Louis, Lake and Cook, the Little Fork and Big Fork rivers and their tributaries, Rainy lake and Rainy Lake river as far as the Lake of the Woods and all the tributaries of Rainy lake and Rainy Lake river constitute the fifth district; the Mississippi river and its tributaries from the southern line of Wabasha county to the southern line of the state of Minnesota constitute the sixth district; the Red river, Red lake and Lake of the Woods and their tributaries, except Rainy lake, Rainy Lake river and their tributaries, constitute the seventh district.

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

Approved April 10, 1893.

S. F. No. 71.

## CHAPTER 81.

Religious corporations.

*An act to amend section two hundred and twenty-six, of chapter thirty-four of the general statutes of Minnesota one thousand eight hundred and seventy-eight, relating to the transfers of real estate by religious corporations.*

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

Amending statutes of 1878, chap. 34, sec. 226.

SECTION 1. That section two hundred and twenty-six of chapter thirty-four of the General Statutes of eighteen hundred and seventy eight be and the same hereby is amended by adding thereto and at the end thereof the following:

As to the disposal of property

And provided always, that no such society or religious corporation shall in any manner other than as provided by the denominational rules and articles of association of such religious society, as the same appears of record in the office of the register of deeds of the county, sell, transfer, incumber or otherwise dispose of any of its real estate; provided, however, that nothing herein contained shall in any manner effect or infringe any of the provisions of chapter forty-five of the General Statutes of 1878.

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

Approved April 18, 1893.

S. F. No 874

## CHAPTER 82.

Foreclosure.

*An act to amend section thirty-eight, of chapter forty of the general statutes of one thousand eight hundred and seventy-eight, relating to deeds, mortgages and conveyances.*

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

Amending statutes of 1878, chap. 40, sec. 38.

SECTION 1. Section thirty-eight, chapter forty, General Statutes of 1878, is hereby amended so as to read as follows:

Sec. 38. In all cases where an action has been or may be hereafter brought wherein it is claimed that any mortgage as to the plaintiff or person for whose benefit the action is brought, is fraudulent or void or that it has been paid, satisfied, released or discharged in any manner, in whole or in part, and it shall appear that such mortgage has been or shall be foreclosed by advertisement, and the time for redemption from the foreclosure sale will expire before the final determination of such action, the plaintiff or plaintiffs or the person for whose benefit such action is brought, having a right to redeem the premises sold from such sale, may, before the time of redemption expires, for the purpose of saving such right, in case he or they fail in such action, deposit with the sheriff of the proper county the amount for which the mortgaged premises were sold together with the lawful interest thereon to the time of such deposit, together with a bond to the holder of the sheriff's certificate of such sale, duly executed in the amount and with the sureties to be prescribed and approved by such sheriff, conditioned to pay all interest that may accrue or be allowed in the judgment in such action to such purchaser on such deposit in case such action shall fail; and shall notify such sheriff in writing that he or they claim such mortgage to be fraudulent or void, or that it has been paid, satisfied, released or discharged in whole or in part, as the case may be, and that said action to have the same so adjudged is then pending, and directing such sheriff to retain such money and bond until the final determination of such action and judgment therein; and thereupon said sheriff shall receive, hold and retain such redemption money and bond until such action is finally determined and final judgment entered therein. Such deposit shall operate as and be a redemption of such premises from such foreclosure sale, and entitle the plaintiff to a certificate thereof. No such redemption so made shall in any case be held or construed to be a voluntary redemption, nor in any case be or construed to be a waiver of any of the grounds or causes of action in any case, nor shall the rights of the plaintiff or plaintiffs or those for whose benefit such action is brought, be in any way impaired or prejudiced thereby. Upon such deposit being made and bond and notice given as herein provided such facts together with the fact that such foreclosure sale has been made shall be brought to the attention of the court by supplemental complaint in such action, and the judgment in such action shall, among other things, determine the rights of the parties in and to the moneys so deposited and the interest thereon, and the validity of said foreclosure sale and to such bond, and the said moneys and bond shall be paid over and delivered by such sheriff as directed by such judgment upon delivery to him of a certified copy thereof. The remedy herein provided shall be

Proceedings  
when mortgage  
is foreclosed  
pending action  
by mortgagor—  
redemption.

deemed cumulative and in addition to other remedies now existing.

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

Approved April 14, 1893.

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CHAPTER 83.

S. F. No. 45.

Uses and trusts.

*An act to amend section eleven, of chapter forty-three of the general statutes of one thousand eight hundred and seventy-eight, relating to uses and trusts.*

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

Amending statutes of 1878, chap. 43, sec. 11.

SECTION 1. That section eleven of chapter forty-three of the General Statutes of one thousand eight hundred and seventy-eight, relating to uses and trusts, be and the same is hereby amended by adding at the end thereof the following words:

Duration of trusts.

"Provided, however, that nothing in this chapter or in any law of this state contained shall be construed as preventing the creation of any trust in writing, to endure for a period not longer than the life or lives of specified persons in being at the time of its creation, and for twenty-one years after the death of the survivor of such persons; such writing to fully set forth the nature and terms of the trust; but all such trusts are hereby authorized and allowed; provided further, that any and all trusts which do not permit the free alienation of the legal estate by the trustee, so that, when so alienated, it shall be discharged from all trusts, shall be deemed and construed as heretofore and shall not be authorized by the provisions of this act."

Repeal of inconsistent acts.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved April 19, 1893.

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CHAPTER 84.

H. F. No. 8.

Uses and trusts.

*An act to amend section eleven, chapter forty three of the general statutes of Minnesota of one thousand eight hundred and seventy eight, relating to uses and trusts.*

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

Amending statutes of 1878, chap. 43, sec. 11.

SECTION 1. That chapter forty-three of the General Statutes of Minnesota of one thousand eight hundred and seventy-eight be amended by adding a new subdivision to section eleven of said chapter, to be numbered sixth, so as to read as follows: