

of Minnesota, and previously actually recorded in the office of the proper register of deeds, of real property within the limits of this state, is, together with such record thereof, 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 no witness or but one witness.

Second—That the mortgage or any assignment thereof was not duly sealed; *provided, however*, that such mortgage was in other respects properly executed, acknowledged and recorded, and such foreclosure was in other respects regular and conducted according to law; *and provided, further*, that this act shall apply only to such lands as are in the actual possession of persons claiming through or by virtue of such foreclosure, and that this act shall not affect or apply to any action now pending.

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

Approved April 21, 1897.

---

## CHAPTER 178.

H.F. No. 360.

*An act to legalize the foreclosure of mortgages by foreign executors and administrators in certain cases.*

Mortgage foreclosures by foreign executors and administrators.

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

SECTION 1. In all cases where mortgages have been foreclosed by foreign executors or administrators, without having filed for record in the office of the register of deeds in the county where such foreclosure was had, an authenticated copy of his appointment as such executor or administrator before the commencement of such foreclosure, such foreclosure shall not for that reason be invalid; *provided*, that before the commencing of such foreclosure a certificate showing the appointment of such executor or administrator from the court making such appointment was so filed for record; and, *provided, further*, that since such foreclosure was commenced, such authenticated copy or such certificate has been so filed, showing that such executor or administrator had been duly appointed in some other state or county before the commencement of such foreclosure; *provided that nothing herein contained shall be held to*

apply to any action commenced or now pending in any of the courts of this state.

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

Approved April 21, 1897.

---

CHAPTER 179.

H. P. No. 630.

Authorizing villages to bond to pay judgments.

*An act authorizing villages in the State of Minnesota to issue bonds to pay existing judgments.*

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

Power given village council to issue bonds

SECTION 1. That the village council of any village in this state against which any judgment has heretofore been taken and docketed shall have power, and it is hereby authorized for the purpose of raising money to pay any such judgment, to issue the bonds of such village therefor; said bonds shall bear interest at the rate not exceeding six (6) per cent. per annum, payable semi-annually, and said bonds shall be of a denomination not exceeding five hundred dollars (\$500) each, and shall mature at any time within the ten (10) years next after date of the issue thereof, all at the discretion of said council; and said bonds may have interest coupons attached and interest and principal may be made payable at such place as said council may designate.

Bonds, at par, may be accepted by holders of judgments.

SEC. 2. Said bonds shall be issued after said village council shall, by ordinance, so determine, and said bonds shall not be sold for less than par and accrued interest, and if the holder of any such judgment shall consent to receive same, said bonds may be issued to the holder of such judgment in satisfaction thereof, but at a price not less than par and accrued interest.

Ordinance to define.

SEC. 3. Before any such bonds shall be issued the village council shall pass an ordinance in which, among other things, shall be recited or declared the date and amount of the judgment for the payment of which said bonds are to be issued, and in what court it is docketed; that the current revenues of said village are not sufficient to pay said judgment; the number of bonds to be issued and the date and denomination of each; the rate of interest to be paid, and when and where said bonds and said interest are payable.

SEC. 4. Said bonds and the proceeds thereof shall be used solely and exclusively for the payment and satisfaction of the judgment and interest thereon named in