

## CHAPTER 261.

S. F. No. 214.

*An act to amend section one (1) of chapter one hundred and twenty-three (123) of the general laws of the State of Minnesota for the year one thousand eight hundred and ninety-one (1891), relating to actions by executors, administrators and heirs.*

Actions by executors, administrators and heirs.

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

SECTION 1. That section one (1) of chapter one hundred and twenty-three (123) of the general laws of the state of Minnesota for the year one thousand eight hundred and ninety-one (1891) be and the same is hereby amended: By adding to said section one (1) of said chapter one hundred and twenty-three (123) of the laws of one thousand eight hundred and ninety-one (1891) the following: "Provided, that if an action had been commenced by such deceased person during his lifetime for such injury which had not been finally determined, such action does not abate by the death of the plaintiff, but may be continued by the personal representatives of the deceased, for the benefit of the same persons and limited to the same amount of recovery as herein provided, and the court on motion may allow the action to be continued by such personal representatives and order pleadings to be filed and issues made conformably to the practice in cases brought under the provisions of this chapter.

Amendment.

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

Approved April 23, 1897.

## CHAPTER 262.

S. F. No. 366.

*An act to amend section six thousand and thirty-four (6034), of the general statutes of one thousand eight hundred and ninety-four, (1894), being section seven (7) of chapter eighty-one (81) of the general statutes of one thousand eight hundred and seventy-eight (1878), relating to the foreclosure of mortgages by advertisement.*

Foreclosure of mortgages by advertisement.

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

SECTION 1. That section six thousand and thirty-four

Amendment.

(6034) of the general statutes of one thousand eight hundred and ninety-four (1894), being section seven (7) of chapter eighty-one (81) of the general statutes of one thousand eight hundred and seventy-eight (1878), is hereby amended so as to read as follows:

Sec. 6034. Sale: How Made and by Whom—The sale shall be at public vendue between the hours of nine (9) o'clock in the forenoon and the setting of the sun, in the county in which the premises to be sold, or some point thereof are situated, and shall be made by the sheriff of the said county, or his deputy, to the highest bidder.

*Provided, however,* that before such sale shall be made, the mortgagee or assignee of record, or the attorney in fact of such mortgagee or assignee, whose authority is recorded in the county where the foreclosure proceedings are had, shall authorize the attorney making such foreclosure by an instrument in writing, which shall be executed under seal and acknowledged and recorded in the office of the register of deeds of the county where such foreclosure is made prior to the sale.

SEC. 2. This act shall take effect and be in force from and after the first (1st) of October, one thousand eight hundred and ninety-seven (1897), and shall not apply to any foreclosures then pending.

Approved April 23, 1897.

S. F. No. 669.

## CHAPTER 263.

Soldiers'  
Home fund.

*An act to amend section twenty-four (24) of chapter one hundred and forty-eight (148) of the general laws for the State of Minnesota, for the year eighteen hundred and eighty-seven (1887), relating to the Minnesota Soldiers' Home.*

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

Amendment.

SECTION 1. That section twenty-four (24) of chapter one hundred and forty-eight (148) of the general laws for the state of Minnesota for the year eighteen hundred and eighty-seven (1887), relating to the Minnesota Soldiers' Home, be and the same is hereby amended to read as follows:

Sec. 24. All moneys appropriated from time to time by the state of Minnesota for the support and maintenance of said soldiers' home and of the ex-soldiers, sailors and marines admitted to the said soldiers' home, together with the funds from time to time trans-