

may be considered by said court at any special term or at chambers by consent of the parties interested therein. Said court may direct pleading to be made and issues to be joined in said matter should said court deem the same advisable or proper.

SEC. 4. Upon the hearing of said cause the validity of said claim and the amount thereof shall be passed upon and adjudicated.

Action of court. In said district court said claimant shall be considered as the plaintiff in said action, said village shall be considered as the defendant in said action, and said parties taking said appeal shall be named appellants.

Costs and disbursements may be taxed and allowed between said plaintiff and said appellants, the same as in any other action pending in said court, but no costs or disbursements shall be allowed or taxed, in any event, against said village. In the event said claim or any part of same is allowed by said court, then the amount of said claim allowed shall be entered as a judgment, as in other suits pending in said district court, against said village, and the process of said court may issue for the collection thereof in favor of said claimant or plaintiff.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 10, 1901.

H. F. No. 400.

CHAPTER 222.

Legalizing
foreclosure
sales.

An act legalizing certain mortgage foreclosure sales heretofore made.

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

SECTION 1. Every mortgage foreclosure sale heretofore made under a power of sale in the usual form contained in any mortgage executed under the laws of the State of Minnesota, and recorded in the office of the proper register of deeds, of real property within the limits of this state, is, together with the record of such sale, legalized and made valid and effective to all intents and purposes as against the following objection, namely:

First—That the notary public in taking the acknowledgment to any power of attorney authorizing the foreclosure of any mortgage failed to attach the proper notarial seal thereto.

SEC. 2. The provisions of this act shall not affect any action now pending in any court of this state.

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

Approved April 10, 1901.

CHAPTER 223.

H. F. No. 417.

An act to legalize bonds heretofore issued by incorporated villages, purporting to have been issued pursuant to chapter 200 of the General Laws of Minnesota for the year 1893.

Villages.
Legalizing
bonds.

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

SECTION 1. That in all cases where the village council or other similar body in any village of this state shall have heretofore issued the bonds of that village to raise money for the purpose of making, erecting, establishing and controlling waterworks for the supply of water for public and private use, purporting to have been issued pursuant to the terms of chapter 200 of the General Laws of Minnesota for the year 1893, approved April 10, 1893, which bonds have been actually negotiated, and the village has received the proceeds thereof, and the amount of which bonds is such that the aggregate bonded indebtedness of said village does not exceed fifteen per cent of the assessed valuation of the taxable property of the village as indicated by the last assessment of such property, preceding the issue of such bonds, and which bonds are payable in not more than twenty years from the date of issue; said bonds so issued are hereby in all respects legalized and made binding and valid obligations of the village which has issued the same according to the terms and at the rate of interest in said bonds specified, notwithstanding the amount of which bonds is such that the aggregate bonded indebtedness of such village exceeds ten per cent of the assessed valuation of the taxable property of the village at the time of their issue; *provided*, this act shall not apply to any suit now pending relative to the legality of any bonds so issued.

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

Approved April 10, 1901.