

CHAPTER 370.

H. F. No. 690.

An act to legalize mortgage foreclosures by advertisement upon real estate in certain cases.

Legalizing mortgage foreclosure by advertisement.

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

SECTION 1. All mortgage foreclosures upon real estate situated in this state, heretofore made by advertisement where the notice of sale as published gives the year incorrectly in the dating of such notice, but the sale was duly and regularly made at the time and place specified and appointed in such notice, as shown by the sheriff's certificate of such sale, and the statutory period allowed for redemption from which sale has expired shall be sufficient for all purposes as against such erroneous date and the foreclosure based thereon shall not be affected by reason thereof.

SEC. 2. This act shall not affect nor apply to any action now pending.

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

Approved April 13, 1901.

CHAPTER 371.

H. F. No. 691.

An act to amend section three thousand six hundred and seventy-four (3674) of the General Statutes of one thousand eight hundred and ninety-four (1894), as amended by chapter two hundred fifty-one (251) of the General Laws of one thousand eight hundred and ninety-seven (1897), relating to public schools.

Amendment. Public schools.

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

SECTION 1. That the first (1st) proviso of section three thousand six hundred and seventy-four (3674) of the General Statutes of one thousand eight hundred and ninety-four (1894) be and the same is hereby amended so as to read as follows:

Provided, that when the territory of the district or districts to be affected by such formation, alteration, consolidation, or setting off of any freeholder from one district and attaching him to another consists of parts of two or more counties, the petition shall be in duplicate or more, as the case may be, and one presented to the commissioners of each of such counties, who shall severally proceed to hear the petition in the manner directed; that to effect

Concurrent action of commissioners when two or more counties concerned in change of district.

the formation, alteration, consolidation or setting off of any freeholder from one district and attaching him to another, in such petition desired, shall require the concurrent action of the commissioners of each of such counties. The determination of the commissioners in each county shall be entered upon their records in the several counties by the several county auditors, who shall file the copies thereof with the clerks of the districts affected thereby in their respective counties in the manner directed, and also with the county auditors in each of the counties petitioned."

SEC. 2. That the third (3rd) proviso of section three thousand six hundred and seventy-four (3674) of the General Statutes of one thousand eight hundred and ninety-four (1894), as amended by chapter two hundred and fifty-one (251) of the General Laws of one thousand eight hundred and ninety-seven (1897), be and the same is hereby amended so as to read as follows:

"*Provided*, third, that upon the petition of any freeholder to said commissioners, asking to have any land described therein set off from the district in which it is situated and attached to some other district, which petition shall show that the land therein described is owned by said petitioner and that said land joins, or that but one quarter section of vacant and unoccupied land intervenes between the land of the petitioner and the district to which he desires said land to be attached which petition shall state the reason for such proposed change and shall be verified by the oath of the petitioner to the effect that the same is true to the best of his knowledge and belief. That said commissioners may thereupon, after having given notice as in other cases, change the boundaries of the districts so as to set off the land described in said petition to the district to which he prays to have said land attached whenever they shall deem it just and proper and for the best interest of said petitioner so to do. But in case of any land intervening between that owned by the petitioner and the district to which he desires to become attached, not exceeding one quarter section, as above stated, such petition shall not be considered, unless it is made to appear that the land intervening between the land in question and the district to which he desires to become attached is government land or is vacant and unoccupied, or that the owner thereof is unknown, and in such case, if the prayer of such petition is granted, such intervening tract shall be included in the change."

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

Approved April 13, 1901.

Setting off
land from
a district,
how accom-
plished