

mortgage on real estate without having first recorded in the office of the register of deeds of the county where the land affected is situated the deed of assignment for the benefit of creditors, or the order appointing such assignee as successor to the original assignee, and a certified copy of the original deed of assignment for the benefit of creditors, certified by the clerk of the district court where same was filed and a certified copy of the order of the court appointing such assignee as successor of the first assignee, certified by the clerk of the district court where such order was filed, have been recorded, prior to said foreclosure proceeding in the office of the register of deeds of the county where the land affected by such sale is situated and the certificate of such foreclosure sale by advertisement has been recorded in the office of the register of deeds of the proper county, such mortgage foreclosure sale by advertisement, together with the certificate and record of such sale, is legalized and made valid and effectual to all intents and purposes, the same and with like effect, as if the mortgagee of said mortgage had specifically assigned such mortgage to the first assignee for the benefit of creditors, and such first assignee for the benefit of creditors had specifically assigned such mortgage to his successor, and both such assignments had been recorded in the office of the register of deeds of the proper county prior to commencing such foreclosure by advertisement. Provided, this act shall not affect or apply to any action now pending.

Sale legalized
—when.

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

Approved March 6, 1902.

CHAPTER 19.

S. F. No. 26.

An act to legalize the foreclosure of mortgages by advertisement, where the power of attorney to foreclose the same has not been executed, or where the same having been executed, has not been recorded or filed for record until after the mortgage foreclosure sale.

Mortgage
foreclosure.

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

SECTION 1. Every foreclosure of mortgage by advertisement heretofore made, where the power of attorney to foreclose the same, provided for by chapter 262 of the

Power of attorney, legalized, when.

General Laws of Minnesota, for the year 1897, has not been executed, or having been executed, has not been recorded or filed for record in the office of the register of deeds of the county where the foreclosure is had until after the sale under such mortgage has been made, such mortgage foreclosure, if otherwise regular, shall be and hereby is declared to be as valid and effectual for all purposes, as if such power of attorney had been duly and properly executed and recorded in the office of the register of deeds of such county before such foreclosure sale was made.

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

Approved March 11, 1902.

H. F. No. 17.

CHAPTER 20.

Mortgage
foreclosure.

An act legalizing certain mortgage foreclosure sales heretofore made.

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

Legalized as
against cer-
tain objec-
tion.

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 register of deeds of the county wherein the lands in said mortgage described are situated 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, to wit:

That in the notice of sale by foreclosure of such mortgage and in the description of the mortgage as contained in the certificate of sale under such foreclosure, the date of the acknowledgment of such mortgage is written in place of and as and for the date of such mortgage.

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

Approved March 6, 1902.