Sec. 6. **Additional compensation protested.** Nothing in this act shall limit the right of any county treasurer to collect and retain any fees, per diem payment, or other payment which he is now authorized by any other provision of law to collect and retain in addition to the stated amount of his annual salary.

Sec. 7. **Payments legalized.** The salary heretofore paid any county treasurer, under the provisions of any existing law which may be found unconstitutional or invalid for any reason, by a court of competent jurisdiction, is hereby legalized and made valid.

Sec. 8. **Effective date.** This act shall take effect from and after May 1, 1945.

Approved April 16, 1945.

CHAPTER 330—S. F. No. 627

An act relating to clerk hire in county offices and amending Laws of 1939, Chapter 319.

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

Section 1. Laws of 1939, Chapter 319, is hereby amended to read as follows:

382.265. **Clerk hire in county offices in certain counties.** In all counties of this state where the amount of clerk hire now or hereafter provided by law for any county office, including the office of probate judge, shall be insufficient to meet the requirements of said office, the county officer in need of additional clerk hire shall prepare a petition and statement setting forth therein the amount of additional clerk hire needed and file the same with the county auditor, who shall present the same to the board of county commissioners at the next meeting of said board. If the board of county commissioners shall grant said petition *by majority vote of all members elected to the board,* then the amount of additional clerk hire requested in said petition shall thereupon become effective for said office. Said board shall act on any such petition within 60 days from the time it has been filed with the county auditor. If the board of county commissioners shall determine that the amount of additional clerk hire requested in said petition is excessive and more than is necessary for said office, it shall

fix the amount of such additional clerk hire to be allowed, if any, and notify such officer thereof. If said county officer or any taxpayer of the county shall be dissatisfied with the decision of the board of county commissioners, he may, at his own expense, within ten days after the decision of said board, appeal to the district court. The district-court, either in term or vacation and upon ten days notice to the chairman of the board of county commissioners, shall hear such appeal and summarily determine the amount of additional clerk hire needed by an order, a copy of which shall be filed with the county auditor.

Approved April 16, 1945.

CHAPTER 331—S. F. No. 637

An act to legalize foreclosure sales heretofore made and the records of mortgage foreclosure proceedings and limiting the time within which actions may be brought or defenses interposed questioning the validity of foreclosure proceedings.

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

Section 1. **Foreclosure sales under power validated.** Every mortgage foreclosure sale by advertisement heretofore made in this state, under power of sale in the usual form contained in any mortgage duly executed and recorded in the office of the register of deeds or registered with the registrar of titles of the proper county of this state, together with the record of such foreclosure sale, is hereby legalized and made valid and effective to all intents and purposes, as against any or all of the following objections, viz.:

Subdivision 1. **Power of attorney.** That the power of attorney, recorded or filed in the proper office prior to the passage of this act, to foreclose the mortgage, provided for by Minnesota Statutes 1941, Section 580.05:

(a) Did not definitely describe and identify the mortgage.

(b) Was not sufficiently witnessed or acknowledged, or was witnessed, and/or the acknowledgment of the execution of the same was taken, by the person to whom such power was granted, or if executed by a corporation, that the corporate seal was not affixed thereto.