

"4536—That the State *hospital* for the insane located at Anoka shall hereafter be known and designated as the Anoka State *Hospital*; that the State *hospital* for the insane located at Hastings shall hereafter be known and designated as the Hastings State *Hospital*; that the State *hospital* for the insane and the hospital farm for inebriates located at Willmar shall hereafter be known and designated as the Willmar State *Hospital*; that the State *hospital* for the insane located at Moose Lake shall hereafter be known and designated as the Moose Lake State *Hospital*; that the State hospital for the insane located at Fergus Falls shall hereafter be known and designated as the Fergus Falls State Hospital; that the State hospital for the insane located at Rochester shall hereafter be known and designated as the Rochester State Hospital; and that the State hospital for the insane located at St. Peter shall hereafter be known and designated as the St. Peter State Hospital."

Sec. 2. All acts, or parts of acts, inconsistent herewith are hereby repealed.

Approved March 25, 1937.

CHAPTER 108—S. F. No. 282

An act relating to powers and procedure in connection with the administration of trusts arising from the bidding in by a trustee of property on foreclosure of a mortgage or trust deed or upon acquisition of the legal title thereto by a trustee from a mortgagor by deed and transfer.

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

Section 1. **Powers and duties of trustees in certain cases.**—Whenever a mortgage made or assigned to a trustee or trust deed on any real property or any real and personal property located in this State has been heretofore or shall hereafter be foreclosed and bid in on such foreclosure by a trustee for the holders of the bonds or notes secured by such mortgage or trust deed, or for the holders of certificates or other evidences of equitable interest, in such mortgage or trust deed, or whenever a mortgagor after the mortgage has been executed and delivered, but not before nor as a part of the mortgage transaction, conveys directly to the mortgage trustee, thereby eliminating his title, the said trustee may at any time petition the district court of the county in which such property or any portion thereof is situated for instructions in the administration of the trust. Upon the filing of such petition the court shall make an order fixing a time and:

place for hearing thereof, unless hearing has been waived in writing by the beneficiaries of such trust. Notice of such hearing shall be given by publishing a copy of such order one time in a legal newspaper of such county at least twenty days before the date of such hearing, and by mailing a copy thereof to each known party in interest then in being whose address is known, at his last known address, at least ten days before the date of such hearing or in such other manner as the court shall order, and if such court shall deem further notice necessary it shall be given in such manner as may be specified in such order. Upon such hearing the court shall make such order as it deems appropriate, including an order to sell, mortgage, or lease such property or any part thereof in such manner and upon such terms as the court may prescribe. In the case of a sale, the court in its discretion may authorize the trustee to sell at private sale or may direct the sheriff of said county to offer such property for sale at public auction and sell the same to the highest bidder therefor for cash. Any sale of such property made at public auction shall be reported to the court for confirmation and confirmed by the court before the same shall become effective and valid. Notice of hearing on such confirmation shall be given to all parties in interest who have appeared in said proceedings. Upon such confirmation, the sheriff shall make, execute and deliver, subject to such terms and conditions as the court in its order of confirmation may impose, a good and sufficient instrument or instruments of conveyance, assignment and transfer. No confirmation of a private sale, mortgage or lease shall be required. The order of confirmation in the case of a sale at public auction, and the order authorizing a private sale, mortgage or lease, shall be final and conclusive as to all matters thereby determined, and shall be binding in rem upon the trust estate and upon the interests of all beneficiaries, vested or contingent, except that appeal to the Supreme Court may be taken from such order by any party in interest within thirty days from the entry thereof, by filing notice of appeal with the clerk of district court, who shall mail a copy of such notice to each adverse party who has appeared of record.

Sec. 2. **Limitation of Act.**—Nothing in this act contained shall be deemed to limit or abridge the power or jurisdiction of the district court over trusts and trustees, or to limit the authority conferred upon any trustee by any mortgage, trust deed, or other instrument.

Sec. 3. **Proceedings legalized.**—All actions and proceedings heretofore brought or commenced in which the procedure prescribed by this act has been followed are hereby legalized and validated and any orders made therein shall have the same force and effect as if made hereunder.

Approved March 25, 1937.