

this act shall be deemed guilty of a misdemeanor and shall, upon conviction, for each offense be subject to a fine of not less than ten (10) dollars nor more than fifty (50) dollars, and costs, or by imprisonment for not less than thirty (30) days.

SEC. 7. In all prosecutions under this act the costs thereof shall be paid in the manner now provided by law, and such fines shall be paid into the state treasury.

Dairy and
food com. to
enforce act.

SEC. 8. The state dairy and food commissioner and his assistants, experts and chemists by him appointed, shall be charged with the proper enforcement of all the provisions of this act.

When complaint is made by the said dairy and food commissioner, his assistants, employes and chemist, or by any other person authorized by the said dairy and food commissioner, security for costs shall not be required of the complainant in any case at any stage of the prosecution on trial.

SEC. 9. The said commissioner, assistants, experts, chemists and agents, as he shall duly authorize for the purpose, shall have access, ingress and egress to all places of business, factories, stores and buildings used for the manufacture or sale of spices and condiments.

They also shall have power and authority to open any package, box or can containing said spices or condiments, which may be manufactured, sold or exposed for sale in violation of the provisions of this act.

SEC. 10. This act shall take effect and be in force on and after January first (1st), eighteen hundred and ninety-eight (1898).

Approved April 21, 1897.

H. F. No. 209.

CHAPTER 177.

Legalizing
foreclosure
sales when
not duly
sealed and
witnessed.

An act legalizing past foreclosures of mortgages heretofore made as against objections that such mortgages or assignments thereof were not duly sealed or witnessed, and limiting the effect of such act to lands in possession of parties claiming through such foreclosures.

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

SECTION 1. Every foreclosure sale heretofore made under a power of sale in the usual form contained in any mortgage heretofore executed, either under the laws of the territory of Minnesota or under the laws of the state

of Minnesota, and previously actually recorded in the office of the proper register of deeds, of real property within the limits of this state, is, together with such record thereof, legalized and made valid and effectual to all intents and purposes as against the following objections, namely:

First—That the mortgage or any assignment thereof had no witness or but one witness.

Second—That the mortgage or any assignment thereof was not duly sealed; *provided, however*, that such mortgage was in other respects properly executed, acknowledged and recorded, and such foreclosure was in other respects regular and conducted according to law; *and provided, further*, that this act shall apply only to such lands as are in the actual possession of persons claiming through or by virtue of such foreclosure, and that this act shall not affect or apply to any action now pending.

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

Approved April 21, 1897.

CHAPTER 178.

H.F. No. 360.

An act to legalize the foreclosure of mortgages by foreign executors and administrators in certain cases.

Mortgage foreclosures by foreign executors and administrators.

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

SECTION 1. In all cases where mortgages have been foreclosed by foreign executors or administrators, without having filed for record in the office of the register of deeds in the county where such foreclosure was had, an authenticated copy of his appointment as such executor or administrator before the commencement of such foreclosure, such foreclosure shall not for that reason be invalid; *provided*, that before the commencing of such foreclosure a certificate showing the appointment of such executor or administrator from the court making such appointment was so filed for record; and, *provided, further*, that since such foreclosure was commenced, such authenticated copy or such certificate has been so filed, showing that such executor or administrator had been duly appointed in some other state or county before the commencement of such foreclosure; *provided that nothing herein contained shall be held to*