

address is known to him, or can be ascertained by him by inquiry at the county treasurer's office; *provided*, that in all cases in which, for any cause, said notice shall not be given, or in any case said notice shall be legally defective, the county auditor shall cause the same to be again given, so that the petition may be heard at another special, adjourned or regular meeting of said board, which will occur more than seven days after the expiration of another notice by like publication, posting and mailing, as provided in the first instance.

Defective notice.

Final order establishing ditch set aside.

*Provided, further, that whenever any final order of the board of county commissioners establishing any ditch in proceedings under this chapter and amendments thereto shall have been heretofore or shall be hereafter set aside, annulled or declared void by any court by reason of a failure to give proper notice of the said pendency of said petition and viewers' report and of the time and place set for the hearing thereof, the county auditor, at any time within one year after the rendering of such judgment or decision, upon the application of any petitioner in such case, or upon being directed by resolution by the board of county commissioners, shall call a special meeting of such board of county commissioners for a rehearing on such petition and viewers' report, and shall give notice of such meeting and rehearing in the manner hereinbefore provided, and at such meeting the said board of county commissioners shall proceed to reconsider such report, shall act upon the same and make findings thereon and may establish such ditch in conformity with the provisions of said chapter two hundred and fifty-eight (258) and amendments thereto.*

Rehearing.

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

Approved April 10, 1903.

S. F. No. 13.

### CHAPTER 179.

Deeds, mortgages, etc.

*An act to legalize and validate the defective execution of deeds, mortgages and other instruments, and the record thereof.*

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

SECTION 1. That in all cases where deeds, mortgages or other instruments affecting real estate within this state,

or letters of attorney authorizing the same, have heretofore been actually recorded in the office of the register of deeds of the county where the real estate thereby affected was, at the time of the making of such records, or is, situate, whether such deeds were duly or properly admitted to record or otherwise, all such instruments and the record thereof are hereby legalized and confirmed; and all such records may nevertheless be read in evidence in any court within this state, and shall be received as prima facie evidence of the contents of the original instruments of which they purport to be records;

Legalized.

Prima facie evidence.

And all such records shall in all respects have the same force and effect as they would have if such original instruments at the time that they were so recorded had been legally entitled to record and were legally recorded.

Force and effect as original.

SEC. 2. That duly authenticated copies of such record may be read in evidence in any court within this state, with the same effect as the records themselves aforesaid.

Authenticated copies evidence.

*Provided*, that nothing in this act shall be held to apply to any action heretofore commenced or now pending in any of the courts of this state.

Actions pending.

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

Approved April 10, 1903.

## CHAPTER 180.

S. F. No. 572.

*An act to fix the time for holding the general terms of the district court in and for the county of Crow Wing.*

Terms of court in Crow Wing County.

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

SECTION 1. That the general terms of the district court in and for the county of Crow Wing and Fifteenth judicial district of this state shall hereafter be held in each year as follows: On the third Tuesday in May and the second Tuesday in December.

SEC. 2. All writs, processes, bonds, recognizances, continuances, appeals, notices and proceedings had, made, issued or returnable to the district court aforesaid in said county, as fixed by law prior to the taking effect of this act, shall be and the same are hereby made returnable to the terms of said court as the same are prescribed by this act.