

CHAPTER 86—H. F. No. 180.

An Act to legalize and validate the defective execution of assignments of mortgages, the recording of said assignments and the foreclosure of the mortgages assigned.

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

Legalize defective mortgages.—Section 1. In all cases where an assignment of real estate mortgage has been defectively executed by reason of the failure of witnesses to the signature of one or more of the persons executing the same, or the failure of one or more persons executing the assignment to acknowledge the execution thereof, or both of said defects, and the thus defective assignment has been recorded in the office of the register of deeds of the county where the mortgage was recorded and where the land affected thereby is situate, all such assignments and the record thereof, and any foreclosure by the assignee of the mortgage thus assigned, when otherwise legally foreclosed, is hereby legalized and confirmed and made valid; 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; 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 they were so recorded had been legally entitled to record and were legally recorded. *Provided, however,* that this act shall not affect any action or proceeding now pending in any court of this state.

Approved April 3, 1907.

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CHAPTER 87—H. F. No. 106.

An Act requiring the county auditor to issue his certificate to the assessor upon the return of the assessment books, and providing for the filing of such certificate with the town clerk, before payment shall be made by the town board for the services of such assessor.

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

Return assessment books.—Section 1. Upon the return of the assessment books, as provided for in section eight hundred

and fifty (850) of the Revised Laws of Minnesota, one thousand nine hundred and five (1905), the county auditor shall examine such assessment books, and if found in proper form, shall issue his certificate to the assessor, setting forth the fact that such books are conformable to the provisions of said section.

Filing of certificates.—Sec. 2. The assessor shall file such certificate with the town clerk of his town, and no compensation shall be allowed such assessor, by the town board, for his services until the provisions of this act shall have been complied with.

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

Approved April 3, 1907.

CHAPTER 88—H. F. No. 68.

An Act to authorize the board of county commissioners of any county in this state to change the name of any town within such county.

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

Authorize county commissioners to change name of town.—Section 1. The board of county commissioners of any county in this state may change the name of any town within such county upon a petition signed by a number of the legal voters of such town equal to fifty-five (55) per cent of the votes cast in such town at the last preceding general election and the new name suggested in such petition shall be adopted as the official name of such town. Such petition shall be filed with the county auditor and it shall be the duty of the auditor thereupon to give three weeks' published notice of the filing of such petition by publishing the same in the official newspaper of the county, and said petition shall be taken up and considered at the next meeting of said board of county commissioners, held not less than thirty (30) days after the date of publication of such notice.

Formal order filed.—Sec. 2. The prayer of said petition being granted, the board shall make a formal order to that effect, which shall be filed with the auditor, and thereupon the official name of such town shall be the one so adopted. The