

barred by the statute of limitations at the time of the foreclosure proceedings and sale.

**Sec. 10. Same.**—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 title of the proper county, together with the record of such foreclosure sale, is hereby legalized and made valid and effective to all intents and purposes, as against objections that the foreclosure was made by an assignee of the mortgage and there was not at the time of the foreclosure a valid record of an assignment of the mortgage, although there was of record in the office of the register of deeds or registrar of titles an assignment of record which was not properly attested and acknowledged to entitle the same to record.

**Sec. 11. Not to affect pending actions.**—The provisions of this act shall not affect any action or proceeding now pending or which shall be commenced within six months after the passage thereof, in any of the courts of this state involving the validity of such foreclosure, nor shall the validity of any provision of this act be questioned in any action or proceeding hereafter brought unless such action or proceeding be commenced within six months after the passage of this act.

**Sec. 12. Provisions severable.**—The provisions of this act are hereby declared to be severable. If one provision hereof shall be found by the decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of this act.

Approved April 18, 1941.

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#### CHAPTER 306—H. F. No. 1466

*An act relating to pensions for disabled or retired policemen and to policemen's relief associations in cities of the first class, amending Mason's Supplement 1940, Section 1437.*

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

**Section 1. Law amended.**—Mason's Supplement 1940, Section 1437, is hereby amended to read as follows:

**"1437. Incorporation of police department as relief association—pensions.**—That every paid municipal police depart-

ment now existing or which may hereafter be organized, is hereby authorized to become incorporated pursuant to the laws of this state, or adopt a constitution and by-laws as a relief association, to provide for and permit and allow such police relief association, so incorporated or so organized, or any police pension relief association now in existence and incorporated according to law, to pay out of, and form any funds it may have received from any source, a service, disability, or dependency pension in such amounts and in such manner as its articles of incorporation or the constitution and by-laws shall designate, not exceeding, however, the following sum per month to each of its pensioned members who shall have reached the age of fifty years or more, and shall have served twenty years or more in such department; or their widows and children under sixteen years of age, viz:

A sum equal to one-half of the monthly compensation allowed such member as salary at the date of his retirement, when such member shall have arrived at the age of fifty (50) years or more and shall have served as a member of such paid municipal police department for a period of twenty (20) years or more in the police department of such city in which such relief association shall be so organized, or is so in existence, or who has been permanently disabled physically or mentally because of any injury received or suffered while a duly authorized member of such paid municipal police department, so as to render necessary his retirement from active police service. Provided, however, that any such member who has been a member of such paid municipal police department for twenty (20) years or more and who shall sever his connection with said paid municipal police department before he shall have attained the age of fifty (50) years, shall be eligible to the benefits of such police relief association of such city when he arrives at the age of fifty (50) years. Provided, further, that if any member retires under the provisions of the act before he has served one year in the grade in which he is serving when he retires, he shall receive the same compensation as though he had retired in the next lower grade. Provided, further, that no retired member shall receive less than Seventy Dollars (\$70.00) nor more than Seventy-five Dollars (\$75.00) per month, but commencing April 1st, 1932, all retired members shall receive Seventy-five Dollars (\$75.00) per month. *Provided, however, that in the case of any applicant for a service pension who, following his entry into the service of any such police department, has served in the military forces of the United States in any war or national defense emergency subsequent to January 1, 1940, and has thereafter returned honorably discharged from such service,*

*and resumed active duty in such police department, the period that such applicant has served in such military or defense emergency service shall be counted in computing period of service herein provided for, but during such period of military or defense emergency service, he shall not be considered as an active member of his association.* Said pension shall be paid to any widow or child under sixteen years of age of any such pensioned and retired member of the police department or to any widow or child under sixteen years of age of any member who dies while in the service of the police department of any such city, or to any widow or child under sixteen years of age of any member who, after having been a member of such paid municipal police department for twenty (20) years or more, shall sever his connection with such paid municipal police department and who shall die before he arrives at the age of fifty (50) years, and such widow or child shall receive the sums hereinafter provided.

Forty Dollars (\$40.00) per month to such widow and Ten Dollars (\$10.00) per month to each of such children under sixteen years of age; provided, that where such widow and such children reside together the money herein required to be paid to such children shall be paid to such widow for the support of such children but the money paid to such widow for herself and such children shall not exceed Seventy-five Dollars (\$75.00) per month in all; provided, however, that in the event that any such widow remarries, she shall receive no further benefits under this law; provided, further, that said fund shall not be used for any other purpose than for the payment of service, disability, or dependency pensions as herein provided.

The word 'member' as used in this act shall include police women, police matrons, and assistant police matrons."

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

Approved April 18, 1941.

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#### CHAPTER 307—H. F. No. 1526

*An act relating to eminent domain proceedings by the state or its agencies; amending Mason's Minnesota Statutes of 1927, Section 6557-1.*

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