

to be filed and recorded; and thereupon such amendments shall be, and become a part of the articles of such body corporate.

SEC. 3. The act entitled "An act to authorize the amendment of the articles of incorporation of associations organized under the provisions of title three (3), of chapter thirty-four (34) of general statutes," approved February twenty-nine (29), A. D. eighteen hundred and seventy-six (1876), and chapter sixty-one (61) of the general laws of eighteen hundred and seventy-four (1874), are hereby repealed, without prejudice to any proceedings heretofore had under the same.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 27, 1883.

CHAPTER 112.

AN ACT PRESCRIBING THE FORCE AND EFFECT OF SHERIFF'S CERTIFICATES OF SALE MADE UNDER POWERS IN MORTGAGES, AND LIMITING THE TIME WITHIN WHICH SUCH SHERIFF SALES MAY BE CALLED IN QUESTION.

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

SECTION 1. That the sheriff's certificate of any sale, heretofore or hereafter made, under a power to sell contained in a mortgage, shall be prima facie evidence that all the requirements of law in that behalf have been duly complied with, and prima facie evidence of title in fee thereunder in the purchaser at such sale, his heirs or assigns, after the time for redemption therefrom has expired; and no such sale shall be held invalid or set aside by reason of any defect in the notice thereof, or in the publication or posting of such notice, or in the proceedings of the officer making such sale, unless the action in which the validity of such sale shall be called in question be commenced, or the defense alleging its invalidity be interposed within five (5) years after the date of such sale. *Provided*, that persons under disability to sue by reason of being minors, insane persons, idiots, persons in captivity or in any country with

Sheriff's certificate prima facie evidence of title.

which the United States are at war when such sale was made, may commence such action, or interpose such defense at any time within five (5) years after the removal of such disability. *Provided further*, that such actions shall be commenced with reasonable diligence in all cases.

SEC. 2. That this act shall take effect and be in force from and after the first (1st) day of September, A. D. one thousand eight hundred and eighty-three (1883).

Approved March 1, 1883.

CHAPTER 113.

AN ACT PROVIDING FOR THE ASSIGNMENT OF THE ESTATES OF DECEASED PERSONS IN CERTAIN CASES.

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

Providing for
assignment of
estates in certain
cases.

SECTION 1. In any case where a decree has heretofore been made or shall hereafter be made without notice by a probate court, purporting to assign the estate of a deceased person or the residue thereof, to the person or persons entitled thereto, and such probate court has made an order in terms discharging the executor or administrator of such estate, any person interested in any real estate embraced within the terms of such decree, whether as heir or devisee of such deceased person, or as grantee of any heir or devisee, may apply to said court to have the said real estate of such deceased person, or the portion thereof in which the applicant is interested, assigned to the person or persons entitled thereto; and thereupon such court shall by order appoint a time for hearing said application, and shall direct notice of such hearing to be given by publication of said order in a newspaper published in the county where said court is held, and named in the order, for three (3) weeks successively, at least once in each week, and upon the hearing, unless it appears that there are debts or claims existing against the deceased or the estate, not paid or provided for, the probate court shall enter a decree assigning said real estate to the person or persons entitled thereto, and the share or shares so assigned shall be held by the respective owners free from all debts, claims or demands, against the estate, except that