

Sec. 5. When the judge of probate of any county, his wife, child or other lineal descendant, parent, brother or sister shall be an heir, devisee or legatee, or as a material witness, or when such judge shall be executor, administrator or guardian of any ward or interested as creditor or otherwise in any question to be decided, he shall be disqualified to act in relation to that estate, or in the decision of such question as the same may be; or if any judge of probate by reason of his own illness or necessary absence from his county is unable to attend his court or public office for the transaction of public business, then in such cases the judge of probate so disqualified or rendered unable to act shall enter in his record the grounds of his disqualification or inability and shall make an order reciting said ground and requiring the judge of probate of an adjoining county to attend at the office of the judge of probate so disqualified or disabled and to act in his place and stead during the period of such disability. And it shall be the duty of such judge of probate to hear, try and determine such matters in the same manner and with like effect as the judge of probate of said court might have done, had he not been so disqualified or unable to act.

When disqualified to act, judge of adjoining county to act.

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

Approved April 14, 1899.

## CHAPTER 182.

S. F. No. 429.

*An act to amend section 4196 of the General Statutes of 1894, relating to the discharge of mortgages of record.*

Mortgages, discharge of on record.

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

SECTION 1. Section 4196 of the General Statutes of 1894 is hereby amended so as to read as follows:

Sec. 4196, G. S. 1894, amend. d.

Sec. 4196. Mortgages may be discharged by an entry in the margin of the record thereof, signed by the mortgagee, or his executor, administrator or assignee, acknowledging the satisfaction of the mortgage; and such entry shall have the same effect as a deed of release, duly acknowledged and recorded. They may also be discharged upon the record thereof by the register of deeds whenever there shall be presented to him a certificate, signed by the mortgagee or grantee, his personal representatives or assigns, executed and acknowledged as

May be discharged on margin of record.

Discharge by Certificate. Duties of register of deeds.

hereinbefore prescribed, specifying that such mortgage has been paid, or otherwise satisfied or discharged. In case any mortgage shall cover property situated in more than one county in this state a certificate of discharge thereof or a certified copy of the record of any such certificate may be recorded in the office of the register of deeds of each county where said mortgage may be recorded; *provided*, that in case of discharge by entry upon the margin of the record the instrument so discharged or satisfied shall likewise be included in such certificate of discharge and satisfaction, and if any such mortgage shall be foreclosed by advertisement or action in any one county, and the mortgage debt secured thereby be paid by such foreclosure, there may be filed for record in the office of the register of deeds of such other county or counties, duly certified copies of the notice of sale, and all other foreclosure proceedings of record in the office of the register of deeds in the county wherein said mortgage may be foreclosed. Every such certificate, or papers, evidencing such foreclosure proceeding, together with the proofs, acknowledgments and certifications thereof, shall be recorded at full length, and a reference made to the book and page containing such record by a minute on the margin of the record of the original mortgage; and the register of deeds shall indorse upon papers so presented to him for record the time and place of recording the same.

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

Approved April 14, 1899.

H. F. No. 264.

#### CHAPTER 183.

Binding twine,  
sale of at state  
prison.

*An act to regulate the sale of binding twine manufactured at the state prison at Stillwater.*

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

Price of, to be  
fixed by ward-  
en and board  
of managers.

SECTION 1. The price of binding twine manufactured at the state prison at Stillwater shall be fixed by the warden and board of managers each year as soon as practicable, and not later than March first (1st), and shall be sold only to farmers or actual consumers thereof, in quantities necessary for their own use, up to and including the first (1st) day of May of each and every year, and shall be sold only for cash, or on such security as the warden of the state prison may approve.