

CHAPTER XLVII.

An Act to prevent Abuses in the use of Intoxicating Drinks.

- SECTION 1. Members of family or overseer of poor may forbid liquor dealers selling to drunkard—penalty for violation.
2. Penalties doubled for second and all subsequent offenses.
3. Act to take effect from and after passage.

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

SECTION 1. That it shall be lawful for any member of the family of an intemperate person or habitual drunkard, or any overseer of the poor, or any guardian of such intemperate person or habitual drunkard, or any magistrate of the county in which such intemperate person or habitual drunkard may reside, to give a distinct notice, verbal or written, to any tavern-keeper, inn-keeper, merchant, grocer, distiller, brewer, or other person manufacturing, selling, or having intoxicating liquors, forbidding him or them from directly or indirectly furnishing such intemperate person or habitual drunkard with intoxicating drinks or liquors, and if within six months after such notice, any one to whom such notice is given shall furnish directly or indirectly, or cause to be furnished, intoxicating liquors to such intemperate person or habitual drunkard, he or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not less than ten (10) dollars nor more than fifty, or undergo imprisonment in the county jail not less than ten nor more than fifty days.

SEC. 2. That upon the second and each subsequent conviction of any violation of this Act, the pains and penalties of Section one (1) shall be doubled.

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

AMOS COGGSWELL,

Speaker of the House of Representatives.

IGNATIUS DONNELLY,

President of the Senate.

Approved March tenth one thousand eight hundred and sixty.

SECRETARY'S OFFICE, MINNESOTA, }
March 10th, 1860. }

ALEX. RAMSEY.

I hereby certify the foregoing to be a true copy of the original on file in this office.

J. H. BAKER, Secretary of State.

CHAPTER XLVIII.

An Act relating to Mortgages and other Securities.

SECTION 1. Securities to be exhausted before suit is commenced.

2. Mortgage released if creditor proceed at law for recovery of debt.

3. Repeal of conflicting Acts.

4. Act to take effect on passage.

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

SECTION 1. That in all cases where security is given by mortgage, deeds of trust, bills of sale, or by hypothecation of property, either real or personal, for the payment of money or other valuable consideration, that no suit shall be brought by the mortgagee or creditor for the amount claimed to be due or any part thereof, until all securities or pledges given shall be first exhausted; *Provided*, That the provisions of this Act shall not hinder any mortgagee or creditor from foreclosing any mortgage or other security in the courts of law or equity.

Securities must be exhausted before suit is commenced

SEC. 2. Any mortgagee or creditor may elect whether he will proceed to foreclose and exhaust his securities, mortgage, deeds of trust, bills of sale, or hypothecation of property, or to bring suit upon his bond, note, contract, or other evidence debt as the case may be; but if the mortgagee or creditor shall elect to proceed at law for the recovery of his debt, then and thereafter every mortgage, deed of trust, bill of sale, or other hypothecation of property given for the security of said debt shall be released and discharged.

Mortgage released if person proceed at law for recovery of debt

SEC. 3. All acts or parts of acts conflicting with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall take effect from and after its passage.

AMOS COGGSWELL,
Speaker of the House of Representatives.