

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

Approved April 23, 1897.

CHAPTER 303.

H. F. No. 441.

An act to amend section sixty-seven (67) of chapter sixty-six (66) of the general statutes of the State of Minnesota for the year eighteen hundred and seventy-eight (1878), being section five thousand two hundred and seven (5207) of the general statutes of the State of Minnesota for the year eighteen hundred and ninety-four (1894), relating to actions against persons jointly liable upon the same obligation.

Actions against persons jointly liable upon the same obligation.

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

SECTION 1. That section sixty-seven (67) of chapter sixty-six (66) of the general statutes of the state of Minnesota for the year eighteen hundred and seventy-eight (1878), being section five thousand two hundred and seven (5207) of the general statutes of the state of Minnesota for the year eighteen hundred and ninety-four (1894), be and the same is hereby amended so as to read as follows:

Amendment.

First—Parties to a joint obligation shall be jointly and severally liable thereon for the full amount thereof.

Liable for full amount.

Second—A joint obligation within the meaning of this act shall be construed to include all promissory notes, bills of exchange, copartnership debts and all contracts upon which parties are liable jointly.

Joint obligation defined.

Third—A joint or separate or several action may be brought against any one or more or all of the parties liable upon such joint obligation, and a joint or several judgment may be entered against any one or more or all of the parties liable upon such joint obligation; *provided, however*, the court may, upon application by any interested party, or upon its own motion, require the plaintiff to bring in as parties defendant all of the parties jointly liable on any such obligation.

Actions and judgments against one or more, or all parties.

Fourth—A judgment entered against any one or more of the parties to such joint obligation shall not be a bar to further proceedings in a separate action against the parties liable upon such joint obligation not included in such judgment.

Judgment against one party not a bar to further proceedings.

Judgment by
default.

Fifth—In an action upon a joint obligation, where more than one party are made parties defendant, and some of the defendants shall not answer the plaintiff's complaint therein, and other of the defendants shall interpose a defense, judgment by default may be entered against the defendant or defendants not answering, and the said judgment against the defendant or defendants in default shall be enforced in the same manner as if no defense had been interposed by the other parties to such action; and such judgment by default shall not be a bar to further proceedings or judgment against the parties interposing a defense in such action.

Judgment
against one
party does
not release
others liable.

Sixth—A judgment entered against any one of the parties liable upon a joint obligation shall not operate as a discharge or release of the parties to such joint obligation who are not included in such action or judgment.

Seventh—This act shall not be construed so as to affect or change the liability of the parties to joint obligations as to each other.

SEC. 2. This act shall not affect actions now pending upon such joint obligations nor joint contracts now in existence.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

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

Approved April 23, 1897.

H. F. No. 1023

CHAPTER 304.

District court
in Beltrami
and Cass
counties.

An act to amend an act entitled "A bill for an act to provide terms of the district court in and for the counties of Beltrami and Cass," approved April 10, 1897, making said counties a part of the Fifteenth judicial district and establishing court therein.

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

Attached to
15th district.

SECTION 1.—That the counties of Beltrami and Cass be and they are hereby attached to and made a part of the Fifteenth judicial district.

That terms of the district court shall be held in said counties as follows:

Terms of
court.

In the county of Beltrami commencing on the first Tuesday in November of each year.