

CHAPTER 276.

S. F. No. 236.

An act to legalize conveyances made by husband and wife by separate deeds, of the same real estate.

Conveyances by husband and wife by separate deeds.

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

SECTION 1. That in all cases where a married man has heretofore conveyed real estate belonging to him by deed duly executed by him, but not signed by his wife, and where his wife has afterwards conveyed the same real estate by deed, duly executed by her, but not signed by her husband, to the same grantee named in the husband's deed or to his heirs or assigns, such conveyances shall, and are hereby declared to be as valid and effectual to pass the title to such last grantee as if the conveyance had been by a single instrument in which said husband and wife had joined.

SEC. 2. This act shall not affect any action now pending in any court.

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

Approved April 13, 1901.

CHAPTER 277.

S. F. No. 237.

An act to amend section five (5) of chapter two hundred and twenty-five (225) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-nine (1899) entitled "An act to license and regulate and define business of commission merchants or persons selling agricultural products and farm produce on commission, and to require them to give a bond to the State of Minnesota for the benefit of their consignors and prescribing a penalty for the violation of any of the provisions of this act." Approved April 14, 1889.

Amendment, commission merchants.

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

SECTION 1. That section five of chapter two hundred and twenty-five (225) of the General Laws of Minnesota for the year 1899, entitled "An act to license and regulate and define business of commission merchants or persons selling agricultural products and farm produce on commission, and to require them to give a bond to the State of Minnesota for the benefit of their consignors, and prescribing a penalty for the violation of any of the

provisions of this act," be and the same is amended so as to read as follows:

SEC. 5. If any such licensed commission merchant shall fail or neglect to account and report for any consignment of agricultural products and farm produce received by him for sale on commission, or shall neglect to pay over any moneys due his consignor from the sale of any agricultural products or farm produce consigned to him as such commission merchant, and an affidavit within ninety (90) days from the date when the grain, agricultural products or farm produce or any of them were shipped by the owner or consignor thereof from the owners or consignors' shipping station, setting forth the fault or negligence complained of, shall have been made to the railroad and warehouse commission, the owner or consignor of such agricultural products or farm produce may bring an action on the bond given by such commission merchants under the provisions of this act, and recover against the sureties on said bond the amount due such owner or consignor, and from such commission merchant on account of such consignments up to the amount of the bond or bonds to be given, but said action shall not be brought or maintained unless commenced by the service of process upon such sureties within one year from the date when the cause of action accrued to such owner or consignor; nor shall such affidavit be deemed a complaint within the meaning of section three (3) of this act; *provided*, if such commission merchant has failed or neglected to account for consignments of agricultural products or farm products made to him by two or more consignors and the amount of the bond or bonds given by said commission merchant is not sufficient to pay the amount due all the said consignors, they shall be entitled to receive from the proceeds of said bond or bonds a *pro rata* share in proportion to the amount due each of said consignors."

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

Approved April 13, 1901.

Failure to report.

Consignor may complain to railroad and warehouse commission, action on bond.