

If no redemption is made in one year after the sale, the purchaser is entitled to a conveyance; or if so redeemed whenever thirty days have elapsed after the year from the sale, and no redemption has been made and notified therein, the time for redemption has expired, and the last redemptioner is entitled to a Sheriff's deed. If the debtor or owner redeem at any time before the time for redemption shall expire, the sale is terminated and he is restored to his estate.

SEC. 2. All acts or parts of acts inconsistent with this Act, are hereby repealed.

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

GEORGE BRADLEY,

Speaker of the House of Representatives.

RICHARD G. MURPHY,

President *pro tem.* of the Senate.

APPROVED—June the eighteenth one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
June 18, 1858. }

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

FRANCIS BAASEN Secretary of State.

## CHAPTER LXI.

### — *An Act to regulate the foreclosure of Real Estate.*

- SECTION 1. Mortgage property after sale subject to redemption by creditors of mortgagor, and re-redemption by mortgagor.
2. Judgment debtor or mortgagor entitled to possession of property by payment of interest on amount of purchase by foreclosure.
  3. Purchaser or mortgagor may obtain injunction to stay waste.
  4. Act takes effect on passage.

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

Creditors of mortgagor may redeem property sold by foreclosure

SECTION 1. That any real estate hereafter to be sold upon the execution, judgment, order or decree of any Court of this State, or upon the foreclosure by advertisement or otherwise of a mortgage, contract or liability, shall be held by the party purchasing the same subject to right of judgment debtor or mortgagor, or any one claiming through or under

him, or them to redeem the same at any time within one year (or such other time as may be prescribed by law) from the day of such sale, upon paying to the purchaser, mortgagee or judgment creditor, the sum or amount for which the same was sold or foreclosed, and interest thereon at the rate of twelve per cent. per annum. Other creditors of the original judgment debtor, or mortgagor, may at any time within one year after such sale, redeem such premises, upon the same terms as the judgment debtor or mortgagor by paying to the first or previous purchaser the amount of his bid and interest as aforesaid, and so on as often as one purchaser, mortgagee or creditor, shall purchase or redeem from another: *Provided*, That the original debtor, his heirs or assigns shall have the period of one year for the redemption upon each and every such sale, foreclosure, advance, or redemption after the same shall have been made, and notice thereof filed in the office of the Register of Deeds in the county where such real estate shall be situated.

Re-redemption;  
by other creditors  
and by mortga-  
gor

SEC. 2. Provided always that the judgment debtor, mortgagor, or any one claiming through or under him, shall be entitled to the possession, rents, use, and profits of any and all such premises or real estate, so sold, purchased or foreclosed upon condition that such debtor shall pay to the purchaser, the interest upon the amount of said sale, foreclosure or purchase at the rate of twelve per cent. per annum.

Possession to  
mortgagor by  
payment of inter-  
est on purchase  
money

SEC. 3. And further provided, that such judgment creditor, purchaser or mortgagee may at any time, upon eight days notice, move the Court, or a Judge thereof, in vacation for an order or injunction to stay waste, and upon satisfactory proof that the mortgagor or party in possession is committing waste upon such premises, the Court may enjoin or restrain such debtor, mortgagor or party in possession from committing the same.

Injunction to  
stay waste

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

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
WILLIAM HOLCOMBE,  
President of the Senate.

APPROVED—July twenty-ninth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
July 29, 1858. }

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

FRANCIS BAASEN, Secretary of State.