

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 All acts or parts of acts conflicting with the provisions of this Act are hereby repealed.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

IGNATIUS DONNELLY,

President of the Senate.

Approved March eighth, one thousand eight hundred and sixty.

ALEX. RAMSEY.

SECRETARY'S OFFICE, MINNESOTA, }
March 8th, 1860.

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J. H. BAKER, Secretary of State.

CHAPTER XLIX.

An Act relative to Femmes Covert.

- SECTION 1. When married women may transact business in own name.
2. Shall not be liable for debts of husband—stock not subject to his control or satisfaction of his debts.

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

SECTION 1. That from and after the passage of this Act, it shall be lawful for any married woman within this State, whose husband from want of mental capacity, sobriety, disposition, or ability, shall fail to make adequate provisions for the support of his family, to prosecute in her own right, in her own name, and for her sole benefit or that of her family, in all respects as a femme sole, the business of a draper, tailor, mantau-maker, milliner, dealer in dry goods, or any other business or pursuit which she is capable of carrying on.

SEC. 2. Said femme covert shall not be liable for the debts of her husband, nor shall he be responsible for any contract of his wife, made in relation to the business herein authorized. The stock in trade and its proceeds, whether acquired by the skill or industry of such married woman, or by gift, loan, or credit, (other than from her husband,) shall not be subject to his control or the satisfaction of his debts.

AMOS COGGSWELL,

Speaker of the House of Representatives.

IGNATIUS DONNELLY,

President of the Senate.