

CHAPTER 131.

AN ACT FOR THE RELIEF OF JUDGMENT DEBTORS.

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

When judgment may be set aside.

SECTION 1. That in all cases where judgment heretofore has been or hereafter may be obtained in any court of record by means of the perjury, subordination of perjury, or any fraudulent act, practice, or representation of the prevailing party, an action may be brought by the party aggrieved to set aside said judgment, at any time within three (3) years after the discovery by him of such perjury, subordination of perjury, or of the facts constituting such fraudulent act, practice, or representation. Such action shall be commenced in the judicial district where such judgment was rendered, and in such action the court shall have and possess the same powers heretofore exercised by courts of equity in like proceedings, and may perpetually enjoin the enforcement of such judgment or command the satisfaction thereof, and may also compel the prevailing party to make restitution of any money or other property received by virtue thereof, and may also make such other or further order or judgment as may be just or equitable. *Provided*, that no rights or interests under any judgment obtained by means of such wrongful or fraudulent acts or practice of the prevailing party, acquired by third parties in good faith and without actual knowledge of such wrongful or fraudulent acts or practice, shall be affected by any such order or judgment made in the action herein provided for. *And provided further*; that when in any such action pending the final determination thereof, the statute of limitation shall become a bar to the enforcement of such judgment, or to the commencement of an action thereon, and in the action herein provided for, the validity of such judgment shall be established, such judgment may be enforced or an action commenced thereon; at any time within one (1) year after the final determination of the action herein provided for.

Third parties not to suffer.

When act to take effect.

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

Approved February 20, 1877.