

the same shall not effect the lien of any mortgage upon said real estate.

Sec. 2. And this act shall take effect and be in force from and after its passage.

Approved March 1, 1883.

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## CHAPTER 114.

AN ACT TO DECLARE BILLS, NOTES AND OTHER NEGOTIABLE INSTRUMENTS OBTAINED BY FRAUDULENT REPRESENTATIONS OR ARTIFICES VOID IN THE HANDS OF ANY PERSON.

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

SECTION 1. No person, nor the heirs or personal representatives of any person, whose signature is obtained to any bill of exchange, promissory note, or other paper negotiable under the law merchant, shall be held on any such bill, note, or contract, nor liable in any manner on account of such signature, if it shall be made to appear as a matter of fact that the signature to such bill, note or contract is obtained by fraudulent representation, trick or artifice as to the nature and terms of the contract so signed, and that the person whose signature is so obtained does not at the time of affixing such signature believe that the contract so signed is a bill of exchange, promissory note or other paper negotiable under the law merchant, and that the person whose signature is so obtained was not guilty of negligence in signing such paper without knowledge of its terms; that the question of negligence in any suit or such contract shall in all cases be one of fact for the jury, or (if the suit be tried by the court without a jury) for the court. That in all such cases the person sought to be charged on such bill, note, or contract shall be entitled to a jury trial on such question of negligence.

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

Approved March 6, 1883.