

§ 2. SECRETARY OF STATE TO TURN OVER TO THE COMMISSIONER OF AGRICULTURE AND LABOR ALL RECORDS OF MARKS AND BRANDS.] After the passage and approval of this act the secretary of state shall turn over to the commissioner of agriculture and labor all records of marks and brands now in his office pertaining to domestic animals.

REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

EMERGENCY.] Whereas, an emergency exists in that the duties in the office of secretary of state during the session of the legislature are too numerous for him to give attention to the recording of brands, this act shall take effect from and after its passage and approval.

Approved February 11, 1901.

MORTGAGES.

CHAPTER 125.

[H. B. 44.]

DISCHARGE OF REAL ESTATE MORTGAGES.

AN ACT to Amend Section 4719 of the Revised Codes of North Dakota, 1899, Relating to the Discharge of Real Estate Mortgages.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 4719 of the Revised Codes of North Dakota be amended so as to read as follows:

§ 4719. REAL ESTATE MORTGAGE, HOW DISCHARGED BY CERTIFICATE.] A recorded mortgage must be discharged upon the record by the register of deeds having custody thereof on the presentation to him of a certificate of discharge, signed by the mortgagee, his executors, administrators, guardians, trustees, assigns or personal representatives, properly acknowledged or proved and certified as prescribed by the chapter on recording transfers, stating that the mortgage has been paid or otherwise satisfied and discharged, and authorizing said officer to cancel same of record, giving a brief description of the mortgage; provided, however, that any person acting as personal representative of the mortgagee, as aforesaid, must first file and have recorded a power of attorney (or similar authority) in the office where such mortgage is recorded, showing his authority to discharge mortgages in behalf and for the mortgagee and in his name and stead.

Approved March 6, 1901.