

Money.

An act regulating the money of account in this state.

Passed February 21, 1799. R. S. 796.

1. That from and after the fourth day of July next, the money of account of this state shall be expressed in dollars or units, dimes or tenths, cents or hundredths, and mills or thousandths; a dime being the tenth part of a dollar, a cent the hundredth part of a dollar, and a mill the thousandth part of a dollar; and that all accounts in the treasury of this state, all accounts in the treasuries of the different counties of this state, all assessment rolls and duplicates, and all decrees, verdicts, judgments and executions, in the courts of justice of this state, from and after the said fourth day of July next, shall be made, kept, entered and expressed in conformity to this act, and not otherwise. (See INTEREST).

Money of account to be expressed in dollars, &c.

Mortgages.

- I. THE MONEY DUE ON BOND AND MORTGAGE MAY BE PAID AFTER SUIT BROUGHT THEREON, OR DECREE MAY BE TAKEN BY CONSENT.
1. Effect of tender of sum due on suit at law.
 2. When decree made before hearing.
 3. Subsequent mortgages not affected. Not to extend to controverted cases.
- II. WHEN PREMISES SUBJECT TO BUT ONE-MORTGAGE SALE MAY BE BY SCIRE FACIAS.
4. When mortgagee may sue forth scire facias.
 5. Title of purchaser.
- III. PROCEEDINGS ON FORECLOSURE WHERE THE MORTGAGOR HAS ABSCONDED, CONCEALS HIMSELF, IS UNKNOWN, OR HAS DIED AND HIS HEIRS ARE UNKNOWN.
6. Proceedings when mortgagor has absconded, is unknown or has died.
 7. Chancellor to be governed by rules and practice of court of chancery.
 8. Decree against absent defendant shall cut off equity of redemption.
- IV. FORECLOSURE IN THE CIRCUIT COURT.
9. Foreclosure may be in circuit in certain cases.
 10. Fees of solicitor.
 11. Fees of clerk and court.
 12. Duties of clerk.
 13. Of masters and examiners.
 14. Appeal.
 15. Court always open for certain purposes.
 16. What orders may be made in vacation.
- V. THE REGISTRATION OF MORTGAGES.
17. Mortgages to be registered by clerk of common pleas.
 18. May be recorded in full at request of mortgagee.
 19. Clerk's certificate and receipt.
 20. Not registered unless acknowledged or proved.
 21. Writing operating as defeasance to be registered.
 22. Operation of unregistered mortgage.
 23. Payment and discharge, when and how to be entered.
 24. Copy of a decree cancelling mortgage may be filed in county clerk's office.
 25. May be cancelled on certificate of mortgagee.
 26. Certificate recorded.
 27. Fee.
 28. Proceedings for cancellation of lost mortgages.
 29. Undue preferences prohibited.
 30. Fees.
 31. Mortgages, how assignable.
- VI. ASSIGNMENTS AND REGISTRATION THEREOF.
32. Assignments to be recorded.
 33. To be indexed, and records and copies evidence.
 34. If not recorded payments made in good faith valid.
 35. Assignments of mortgage, how proved when not acknowledged.
- VII. CHATTEL MORTGAGES.
36. Mortgage to vest the right of possession in mortgagee for certain purposes.
 37. On suit court to regulate the possession.
 38. Not to apply to vessels, &c.
 39. Void as to creditors unless filed.
 40. When chattel mortgages to be filed.
 41. When to be refiled or cease to be valid.
 42. When evidence, and of what only.
 43. Duty of clerk and register.
 44. Fees.
 45. Fees for registering mortgages.

R. S. 97, 99, 657.

An act concerning mortgages.

Revision—Approved March 27, 1874.

- I. The money due on bond and mortgage may be paid after suit brought thereon, or decree may be taken by consent.

1. WHEREAS, mortgagees frequently bring actions of ejectment for the recovery of lands and estates to them mortgaged, and bring actions on bonds given by mortgagors to pay the money secured by such mortgages, and for performing the covenants therein contained, and likewise com-

P. L. 1851, p. 342.
 " 1853, p. 241.
 " 1858, p. 90.
 " 1864, p. 493.
 " 1866, p. 879.
 " 1869, p. 572.
 " 1870, p. 57.
 " 1873, p. 41, 161.