

cept in case of actions brought upon a written lease, for the recovery of possession of property, after the expiration of the term thereof, in which case the writ of restitution shall issue the same as if no appeal had been taken, upon the execution and filing of a bond by the complainant as hereinbefore provided, and the appellate court shall thereafter issue all needful writs and processes to carry out the provisions of this chapter, according to the true intent and meaning thereof.

SEC. 5. Section fifteen (15), of said chapter eighty-four (84), of the General Laws of A. D. one thousand eight hundred and seventy-eight (1878), is hereby amended so as to read as follows: If a writ of restitution has been issued previous to the taking of an appeal, as provided in this chapter, the justice shall forthwith give the appellant a certificate of the allowance of such appeal, except in case where judgment has been entered in an action brought upon a written lease to recover possession of the property therein described, after the expiration of such lease. Upon the service of such certificate upon the officer having such writ of restitution the said officer shall forthwith cease all further proceedings by virtue of such writ, except in the cases as hereinbefore provided; and, if such writ has not been completely executed the defendant shall remain in the possession of the premises until the appeal is determined, except in case where the action is brought upon a written lease to recover possession after the expiration of the term in said lease specified.

Certificate allowing appeal.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved November 21, 1881.

CHAPTER 10.

AN ACT TO AMEND SECTION TWENTY-NINE (29) OF CHAPTER THIRTY-FOUR (34) OF GENERAL STATUTES A. D. THE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO RAILROAD INTERSECTIONS.

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

SECTION 1. That section twenty-nine (29) of chapter thirty-four (34) of the General Statutes of A. D. one thousand eight hundred and seventy-eight (1878), as amended, be, and the same is hereby amended, by adding thereto the words following: that is to say: And at any time, after the making of said order prescribing the location and manner of such

Railroad intersections.

crossing or connection, the petitioning corporation shall be entitled, without hindrance or obstruction, to proceed immediately to make and operate the same upon filing with the clerk of said court a bond in such amount and with such sureties as shall be accepted by the corporation whose property is to be taken, or as shall, upon reasonable notice, be approved by the Judge of the District Court, conditioned to prosecute said petition with diligence and to pay to the corporation, whose property is taken, whatever amount may be required by the judgment of the court in such proceeding and to abide by any rule or order of court in relation to the matter in controversy.

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

Approved November 21, 1881.

CHAPTER 11.

AN ACT TO AMEND SECTION ONE HUNDRED AND NINETEEN (119) OF CHAPTER TEN (10) GENERAL STATUTES A. D. ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVENTY SEVEN (1877), RELATING TO THE DUTIES OF BOARDS OF HEALTH.

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

SECTION 1. That section one hundred and nineteen (119) of chapter ten (10) General Statutes A. D. one thousand eight hundred and seventy-eight (1878), be and the same is hereby amended by adding at the end thereof the following: And any member of any board of health, or health officer, who shall neglect to perform the duties required of him under the provisions of this act, or any other act relating to the duties of boards of health, or health officers of this State, or who shall neglect or refuse to obey any reasonable directions as to infectious diseases as shall be directed by the State Board of Health, shall be liable, upon conviction in any court having competent jurisdiction, to be fined in a sum not less than twenty-five (25) dollars or more than one hundred (100) dollars, and shall become disqualified from holding the office of a member of a board of health.

Member or officer of board of health, penalty for refusal to act.

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

Approved November 12, 1881.