

plaintiff, the defendant shall recover such damages and costs as under the circumstances he shows himself entitled, and in addition thereto may have judgment for the return of the property or the value thereof, if the same has been taken out of his possession, and the Justice shall immediately enter an order in his docket requiring the officer to deliver the same goods and chattels to the defendant and adjudge that he may recover such damages and costs of the action as he shows himself entitled to, and shall issue execution therefor, and whenever an order shall be entered by a Justice in an action for the recovery of the possession of personal property for the delivery of property to either party, the property shall not be delivered to the party in whose favor the same is entered until the expiration of twenty-four (24) hours after the entry of the order, *provided* the losing party in the action does not file with the Justice or his successor in office within twenty-four (24) hours after the entry of such an affidavit setting forth that he intends to appeal from the judgment rendered in the action, and that the appeal is made in good faith and not for the purpose of delay in which case the officer will continue to hold and keep the property in his possession until an appeal is perfected as required by section one hundred and fourteen (114), chapter sixty-five (65) of the general statutes 1878 and upon the perfection of said appeal the officer having such property in his possession shall transfer and deliver the same to the party appealing, upon receiving his fees and reasonable compensation for the care and keeping of such property, such compensation to be fixed by the Court or Justice.

Approved November 21, 1881.

CHAPTER 6.

AN ACT TO AMEND CHAPTER EIGHT (8) OF THE GENERAL STATUTES OF A. D. ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878,) RELATING TO COUNTIES AND COUNTY OFFICERS.

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

SECTION 1. Chapter eight (8) of the General Statutes of A. D. one thousand eight hundred and seventy-eight (1878), relating to Counties and County Officers, is hereby amended by adding the following section thereto:

SEC. 271. In all cases of vacancy occurring in any office, which is authorized to be filled by appointment of the Board

of County Commissioners, the Board of County Commissioners shall meet at their usual place of meeting upon one day's notice from the Chairman or Clerk of said Board, such notice to be served personally upon each member of such Board in the same manner as summons in the District Court is authorized to be served.

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

Approved November 22, 1881.

CHAPTER 7.

AN ACT TO AMEND SECTION SEVENTY-NINE (79) OF CHAPTER THIRTY-SIX (36) OF THE GENERAL LAWS RELATING TO EDUCATION.

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

SECTION 1. That section seventy-nine (79) of chapter thirty-six (36) of the General Statutes of Minnesota be, and hereby is amended, by striking out in the second proviso of said section after the word "scholars" the words, "for the March apportionment of that year," and inserting in lieu thereof the words "in the next apportionment thereafter."

Apportionment of school fund.

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

Approved November 21, 1881.