

CHANGES

-IN THE-

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

SAINT PAUL:
WEST PUBLISHING COMPANY.
1883.

REGISTER'S FEES IN HENNEPIN COUNTY.

*§ 27a. **Schedule of fees.** The compensation of the register of deeds for the county of Hennepin, in this state, shall be as follows:

For entering, indexing, and recording any deed or other instrument, seven and one-half cents for each folio, to be paid when the same is left for record.

For every certificate, ten cents.

For copies of any records or paper, when required, seven and one-half cents for each folio.

For recording any deed or any other paper in any other than the English language, fifteen cents per folio.

For entering the discharge of mortgage in the margin of the record, ten cents.

For filing every instrument and making an entry thereof, when necessary, five cents. (*Sp. Laws* 1881, c. —, § 1.)*

See page 781.

CHAPTER LXXI.

PETIT JURIES.

Add to § 4, p. 784:

Provided, that in the county of Hennepin the petit jurors shall be summoned to appear at nine o'clock A. M. on the second Tuesday of each general term of the district court for said county, unless said court, by an order made at least fifteen (15) days before the term, shall direct that the petit jurors be summoned to appear at an earlier day in the term. (*As amended* 1881, c. 45, § 1.)

Ch. LXXI, § 4. See 1883 Sup't, p. 80.

CHAPTER LXXIII.

WITNESSES AND EVIDENCE.

THE PRINTED STATUTES OF THIS STATE, ETC.

*§ 56a. **Statutes prepared by George B. Young.** The edition of the General Statutes and other public laws of this state in force at the close of the legislative session of eighteen hundred and seventy-eight, (1878,) prepared by George B. Young, pursuant to chapter sixty-seven (67) of the General Laws of eighteen hundred and seventy-eight, (1878,) shall be competent evidence of the several acts and resolutions therein contained, in all courts of this state, without further proof or authentication. (1879, c. 67, § 1.)

*§ 56b. **How to be cited.** Said compilation shall be known and cited as "General Statutes 1878." (*Id.* § 2.)

*§ 58a. **Certified copies of decisions.** The state librarian, upon the application of any person, may make out and certify, under his official seal, a copy or copies of any judicial decision, of any report or proceeding contained in any of the laws or equity reports in his office or under his charge, as such librarian, and of any other document or paper in his custody, and any such certified copy may be used and read before any judge or court, or in any legal proceeding, to the same effect as the original book, report, document or paper could or might be used if produced before such judge, court, or other authority, and he shall be entitled to charge for the same at the rate of fifteen cents per folio. (1879, c. 89, § 1.)

See page 800.

(*An act to fix the compensation and fees of certain county officers of Hennepin county. Approved February 16, 1881.)

THE LOSS OF INSTRUMENTS AND PROCEEDINGS THEREON.

§ 76. (SEC. 68.) **Evidence of contents of lost bill or note—recovery thereon.** In any action founded upon any negotiable promissory note, bill of exchange, bond, or other instrument for the payment of money, or in which such note, bill, bond, or other instrument might be allowed as a set-off in the defence of any action, if it appears on the trial that such note, bill, bond, or other instrument was lost while it belonged to the party claiming the amount due thereon, parol or other evidence of the contents thereof may be given on such trial, and notwithstanding such note, bill, bond, or other instrument was negotiable, such party shall be entitled to receive the amount due thereon, as if such note, bill, bond, or other instrument had been produced. (*As amended 1879, c. 52, § 1.*)

*§ 77. (SEC. 69.) **Same—bond to be given.** But to entitle a party to a recovery on a negotiable promissory note, bill of exchange, bond, or other instrument for the payment of money which has been lost, he shall, before judgment is entered, execute a bond to the adverse party, in a penalty at least double the amount of such note, bill, bond, or other instrument, with at least two sureties, to be approved by the court in which the recovery is had, or the clerk thereof, in case no trial is had, conditioned to indemnify the adverse party, his heirs and personal representatives, against all claims by any other persons on account of such note, bill, or other instrument, and against all costs and expenses by reason of such claims: *provided*, that in case the statute of limitations shall have run against such note, bill, bond, or other instrument, while the action is pending and before a recovery is had thereon, the court in which the action is pending may, in its discretion, reduce the amount of the penalty of such indemnity bond, or permit judgment to be entered without such bond. (*As amended 1879, c. 52, § 1.*)

*§ 77a. **Limitation.** The provisions of this act shall apply to all actions now pending in any of the courts of this state, as well as to actions which may be hereafter commenced. (*Id.* § 2.)

See pages 802, 803.

CHAPTER LXXV.

ACTIONS CONCERNING AND RIGHTS IN REAL PROPERTY.

Add to § 11, page 815:

Provided, that in all causes in which an appeal shall be taken from such judgment to the supreme court, such demand for another trial may be made at any time within six months after written notice of the determination of such appeal, and thereupon the action shall be retired, [retried,] and may be brought to trial by either party. (*As amended 1881, c. 71, § 1.*)

CHAPTER LXXX.

SPECIAL PROCEEDINGS.

WRIT OF MANDAMUS.

§ 13. **Supreme and district court—jurisdiction.** Issues of fact in any such proceeding instituted in the supreme court or in any district court [shall be tried in the district court] of the county in which the defendant may reside, or in which the material facts contained in the relation for the *mandamus* shall be alleged to have taken place, and either party shall be entitled to have any issue of fact in such proceeding tried by a jury, as in an ordinary civil action. The provisions of this act shall govern and be applicable in any such action or proceeding heretofore commenced in the