

When defendant may recover damages.

SEC. 5. That section five (5) of chapter five (5) of general laws passed at extra session of one thousand eight hundred and eighty-one (1881) be amended so [as] to read as follows: If the plaintiff fails to establish his right to the property, or the action is dismissed by the justice for want of jurisdiction or other cause, or the action is dismissed by the 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 shall have been taken out of his possession or delivered to the plaintiff.

Repeal of inconsistent acts.

SEC. 6. All laws or parts of laws heretofore passed and inconsistent with the provisions of this act are hereby repealed.

When act to take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 5, 1885.

CHAPTER 34.

AN ACT TO AMEND SUBDIVISION TENTH (10TH) OF SECTION THREE HUNDRED AND TEN (310) OF CHAPTER SIXTY-SIX (66) OF GENERAL STATUTES ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO PROPERTY EXEMPT FROM EXECUTION.

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

SECTION 1. That subdivision tenth (10th) of section three hundred and ten (310) of chapter sixty-six (66) of the general statutes one thousand eight hundred and seventy-eight (1878) be and the same is hereby amended so as to read as follows:

Kinds and quantity of seed grain exempt.

Tenth — Necessary seed grain for the actual personal use of the debtor, for one season, to be selected by him; not, however, in any case, to exceed the following kinds and amounts respectively, viz.: fifty bushels of wheat, fifty bushels of oats, fifteen bushels of potatoes, three bushels of corn, and thirty bushels of barley, and binding material sufficient for use in harvesting the crop raised from the seed grain above specified.

When act to take effect.

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

Approved March 5, 1885.