

APPROVED—March third, eighteen hundred and fifty-eight.

CHAS. L. CHASE, Acting Governor.

SECRETARY'S OFFICE, Minnesota, }
March 3, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

CHAS. L. CHASE, Secretary.

CHAPTER XVI.

An Act authorizing a change of Venue in Justices' Courts.

SECTION 1. Amendments to Sec. 65, Art. 4, Chap. 84. Revised Statutes—manner of obtaining change of Venue.

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

SECTION 1. Section 65 of Article IV of Chap. LXIX of the Revised Statutes, on page 308, is hereby amended so as to read as follows : Sec. 65. If, on the return of the process, or at any time before trial shall have commenced in any cause or proceeding, civil or criminal, either party, his agent or attorney, shall make affidavit that the Justice before whom the same is pending is a material witness for said defendant, without whose testimony he cannot safely proceed to a trial thereof ; or that from prejudice, bias, or other cause, he believes such Justice will not decide impartially in the matter ; or if it shall be proven that the Justice is near of kin to the plaintiff, then, in such case, the said Justice shall transfer said suit and all other papers appertaining to the same to some other Justice of the same or an adjoining precinct, who may thereupon proceed to hear and determine the same in the same manner as it would have been lawful for the Justice before whom the said cause or proceeding was commenced to have done. *Provided*, That no cause or proceeding shall be removed more than once.

GEORGE BRADLEY,

Speaker of the House of Representatives.

RICHARD G. MURPHY,

President *pro tem.* of the Senate.

APPROVED—March twentieth, one thousand eight hundred and fifty-eight.

CHAS. L. CHASE, Acting Governor.
 SECRETARY'S OFFICE, Minnesota, }
 March 20, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

CHAS. L. CHASE, Secretary.

CHAPTER XVII,

An Act to prevent trespass on School, University, Swamp and Internal Improvement Lands.

- SECTION 1. Trespass upon School, Swamp, or Internal Improvement Lands, to be prosecuted on viewor information.
2. Penalty for cutting timber or grass.
 3. Penalty how to be recovered.
 4. Penalty against township officers, for failure to prosecute violations of this act.
 5. Suits to be brought within one year after cause of action.
 6. Justices of the Peace to exercise jurisdiction in all cases where damages do not exceed one hundred dollars.
 7. Suits to be commenced before Justice in county where trespass is committed.
 8. Form of complaint under this act.
 9. Form of warrant under this act.
 10. Special constables may be appointed to serve warrant.
 11. Date and manner of service to be endorsed on warrant.
 12. Justice may transfer hearing of case to next nearest Justice, on oath of defendant for cause.
 13. Form of Subpoena for witnesses.
 14. Service of Subpoena.
 15. Six jurors to be summoned—right of challenge—additional jurors.
 16. Jury may be waived by defendant.
 17. Form of service for jurors.
 18. Hearing of testimony and arguments.
 19. Verdict of the jury, form of.
 20. Record of verdict upon docket.
 21. Justice to hear and decide the case, where jury is dispensed with.
 22. Execution to be issued on rendition of verdict.
 23. Execution not satisfied, defendant not committed to jail—to be allowed two dollars for each days' imprisonment, to be applied to payment of damages.
 24. Execution, form of.
 25. Appeals, how made.
 26. Constable, duty of on receiving execution.
 27. Constable, duty of on collecting the debt.
 28. Witnesses, time to procure—defendant may be held in custody.
 29. Attachments, how issued, on failure of juror or witness to attend. Fee bill.
 30. Act takes effect on passage.

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

SECTION 1. That it is hereby made the duty of the County