

## CHAPTER XXII.

*An Act to Amend Section Fifty-nine, of Chapter Seven, of the Compiled Statutes, being Section Fourteen, of Article ~~One~~, of Chapter Eight, of the Revised Statutes.*

SECTION 1. Amendment to section 59. Duties of sheriffs upon expiration of term of office or resignation.  
 2. Act, when to take effect.

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

SECTION 1. That section fifty-nine, of Chapter seven, of the compiled statutes, be amended so as to read as follows:

Sec. 59. Every sheriff going out of office at the expiration of his term or otherwise, except by resignation or removal from office, and having any attachment, execution, or other process in his hands, which he shall have begun to execute, by a levy upon property or otherwise, shall be authorized to proceed thereon, and execute the same, and to sell and give title to the property so levied on, in the same manner as if still in office; *Provided*, That if such late sheriff shall resign, be removed from office or die, become insane, remove from the State, or be in any manner unable to act, his successor in office shall upon the delivery to him of such attachment, execution or other process, together with a certificate, return, or memorandum of the action of the late sheriff, under the same, if any, complete the execution thereof in the same manner, and with the like effect, as if such process had been originally delivered to him, and give title to any property so levied on by such late sheriff and the return of such succeeding sheriff upon any such process, or his deed given in pursuance of the execution of any such process, shall be *prima facie* evidence of the disability of the late sheriff to complete the execution of such process or give such deed.

Duties of sheriffs  
upon expiration  
of term of office

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

Approved January 31st, 1862.