

CHAPTER XXIII.

An Act to Amend Section Thirty, of Chapter Seventy-two, of the Compiled Statutes, Relating to the Filing of Orders and Pleadings.

SECTION 1. Amendment to section 30. What must be filed or entered in court, or with the clerk.
 2. Act, when to take effect.

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

SECTION 1. That section thirty, of chapter seventy-two, of the compiled statutes be amended so as to read as follows :

Sec. 30. The various undertakings required to be given by the statute, and the affidavits and other written proceedings in an action, must be filed or entered in court or with the clerk thereof, unless the court expressly provide for a different disposition thereof, except that the undertakings provided for by the chapter on claims and delivery of personal property, must, after the justification of the sureties, be delivered by the sheriff to the parties respectively for whose benefit they are taken. All orders made out of court and the summons and several pleadings in an action must be filed with the clerk within twenty days after the service thereof, respectively, or the same shall be deemed and taken to be abandoned; and in case of a pleading, the adverse party, on proof by affidavit of the service thereof, shall be entitled without notice to the other party, to a judgment dismissing the action, or as for want of an answer, according as the omission to file such pleading may be on the part of the plaintiff or defendant.

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

Approved February 15th, 1862.

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 filed or entered
 in court or with
 the clerk