

the offense, be punished by a fine in the discretion of the court, and upon failure to pay the said fine forthwith, it shall be the duty of the court or tribunal by whom the said fine was imposed, to order the commitment of such person to the common jail of the county for a term not to exceed sixty days, unless the fine imposed shall exceed fifty dollars, and no person shall be imprisoned under this act for more than one year. *Provided*, That upon the payment of said fine, the person so committed may be discharged.

Penalty for will-
ful trespass—
when offender
may be discharg-
ed

SEC. 2. All acts or parts of acts inconsistent with this act, are hereby repealed.

Repeal of former
acts

SEC. 3. This act shall take effect immediately.

Approved March 7th, 1862.

CHAPTER XLVI.

An Act permitting Boards of County Commissioners in their name of office, to Institute Suits on Official Bonds of County Officers.

SECTION 1. Powers of Boards of County Commissioners.

2. Act, when to take effect.

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

SECTION 1. Any action on any official bond or bonds of county officers, whether given prior or subsequent to the passage of this act, or whether running to the board of supervisors or board of commissioners of any county, or to any county officer or to the State of Minnesota, may be brought by the county commissioners of the proper county for the use and benefit of such county, or for the benefit of any corporation or individual injured by any non-compliance with the conditions of such bond or bonds.

Power of Board
of County Com-
missioners

In whose name
actions to be
brought

The name in which such action shall be brought, shall be "The Board of Commissioners of _____ county," (naming the county,) but this provision shall not prevent other officers, corporations or individuals, when authorized by law, from suing in their name of office, or otherwise, as the case may warrant.

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

Approved March 10th, 1862.

CHAPTER XLVII.

An Act to Authorize Court Commissioners to Administer Oaths, take Recognizances, and to take the Acknowledgment of Deeds, and other Instruments in Writing.

SECTION 1. Powers of court commissioners.
2. Act, when to take effect.

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

Powers of Court
Commissioners

SECTION 1. The court commissioners in the several counties in this State are hereby authorized to take depositions to be used in any of the courts of this State, to administer oaths and take recognizances in all cases where an oath or recognizance is or may be required by law, and to take the acknowledgment of deeds and other instruments in writing.

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

Approved January 31, 1862.