

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

Amendment

SECTION 1. That section eighty-two, title ten, of chapter seventy-three of the general statutes of Minnesota be amended so as to read as follows :

Section 82. In actions brought on promissory notes or bills of exchange by the indorser, the possession of the note is *prima facie* evidence that the same was indorsed by the person by whom it purports to be indorsed, and every written instrument purporting to have been signed or executed by any person shall be proof that it was so signed or executed, until the person by whom it purports to have been signed or executed shall deny the signature or execution of the same by his oath or affidavit; but this section shall not extend to instruments purporting to have been signed or executed by any person who shall have died previous to the requirement of such proof.

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

Approved March 9, 1867.

CHAPTER LXV.

March 6, 1867

An Act to amend section one hundred and forty-seven of chapter sixty-six of the General Statutes of Minnesota relative to garnishments.

SECTION 1.—Provides for garnishes.

2.—When act to take effect.

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

SECTION 1. That section one hundred and forty-seven of chapter sixty-six of the general statutes of

Minnesota be so amended that it shall read as follows:

Section one hundred and forty-seven. In any action in a court of record or justice's court for the recovery of money, if the plaintiff, his agent or attorney, at the time of filing the complaint or issuing the summons therein or at any time during the pendency of the action of after judgment therein against the defendant makes and files, with the clerk of the court, or if the is action in a justice's court, with the justice, an affidavit stating that he believes that any person (naming him) has property, money or effects in his hands or under his control belonging to the defendant in such action, or that such person is indebted to the defendant and that the value of such property or effects, or the amount of such money or indebtedness, if the action is in the district court, exceeds the sum of twenty-five dollars, or if the action is in a justice's court, ten dollars, a summons may be issued against such person as hereinafter provided; in which summons and all subsequent proceedings the plaintiff in the action shall be known and designated as plaintiff, the defendant as defendant, and the person against whom the summons is issued as garnishee.

Amendment

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

Approved March 6, 1867.