

SEC. 2. Section one hundred and twenty-seven (127), of said chapter sixty-six, is amended so as to read as follows :

Affidavit to be filed in 20 days.

Sec. 127. He shall file the affidavit and endorsement, with his return thereon, with the clerk of the court in which the action is pending, within twenty days after taking the property mentioned therein.

Repeal of former sections.

SEC. 3. Sections one hundred and fifteen (115), one hundred and sixteen (116), and one hundred and seventeen (117), are hereby repealed.

When act to take effect.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 6, 1868.

## CHAPTER LXXVII.

*An Act to amend section (1), of chapter eighteen (18), of the session laws of eighteen hundred and sixty-six (1866), extending the time of filing affidavits.*

March 6, 1868.

SECTION 1. Amendment to Section 1, Chapter 18, Session Laws of 1866. Affidavits to be received as evidence on certain conditions.

2. Proceedings not to be deemed invalid because of not filing.
3. Repeal of inconsistent acts.
4. When act to take effect.

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

When affidavits may be received as evidence.

SECTION 1. That in all cases when the affidavits authorized by the provisions of section one (1), of chapter eighteen (18), of the session laws of eighteen hundred and sixty-six (1866), have been heretofore filed, or shall be hereafter filed as therein provided within one (1) year after this act shall become a law, such affidavit or duly certified copies thereof shall be received in evidence, in the same

manner, and with the same effect as if the same had been filed within the time in said section specified.

SEC. 2. No proceeding in which such affidavits have been heretofore served, shall be deemed invalid by reason of the failure to file the same within the time prescribed by said section. *Provided*, That nothing herein contained shall be held to take away or effect any vested rights of any person or persons not parties to such proceedings.

Not to be invalid by reason of failure to file the same.

SEC. 3. All acts and parts of acts inconsistent or in any way conflicting with this act are hereby repealed.

Repeal of inconsistent acts.

SEC. 4. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 6, 1868.

## CHAPTER LXXVIII.

*An Act to amend section two hundred and four, of chapter sixty-six, of the General Statutes, relating to postponements of trial.*

March 4, 1868.

SECTION 1. Amendment to Section 204, Chapter 66, General Statutes. When trial must not be postponed.

2. When act to take effect.

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

SECTION 1. Section two hundred and four, of chapter sixty-six, of the general statutes, is hereby amended by adding at the end thereof as follows, that is to say: And if the adverse party thereupon admit that such evidence would be given, and that it be considered as actually given on the trial, or offered and overruled as improper, the trial must not be postponed.

When trial must not be postponed.

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

When act to take effect.

Approved March 4, 1868.