

CHAPTER LXXXIX.

An Act to amend section three (3), of chapter sixty-seven (67), of the General Statutes, as amended by an act entitled An act to amend chapter sixty-seven of the General Statutes in relation to costs in the District Courts, approved March seventh, eighteen hundred and sixty-seven (1867.) February 5, 1868

SECTION 1. Amendment to Section 8, Chapter 67, General Statutes. Relating to disbursements.

2. When act to take effect.

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

SECTION 1. That section three (3), of chapter sixty-seven (67), of the general statutes as amended by an act entitled "An act to amend chapter sixty-seven (67), of the general statutes, in relation to costs in the district court," approved March seventh, eighteen hundred and sixty-seven (1867), be amended so as to read as follows :

Section 1. In every action commenced in the district courts of this state or the court of common pleas for the county of Ramsey, the prevailing party shall be allowed his disbursements necessarily paid or incurred: *Provided*, That in all actions for the recovery of money only, of which a justice of the peace has jurisdiction, the plaintiff, if he recover no more than fifty dollars, shall recover no disbursements, and if he recover less than fifty dollars, he shall pay the defendant's costs and disbursements, as allowed by law when judgment is rendered in favor of the defendant on the merits, which said costs and disbursements shall be taxed and allowed by the clerk upon notice the same as in other cases, and shall be deducted by the clerk from the amount recovered by the plaintiff, and in case the amount of such costs and disbursements exceed the amount recovered by the plaintiff, the clerk shall enter judgment against the plaintiff and in favor of the defen-

Relating to disbursements.

dant for the amount of such excess, and the defendant may have execution thereon.

When act to take effect.

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

Approved February 5, 1868.

CHAPTER XC.

February 22, 1868

An Act to amend section two hundred and twenty-six (226), title seventeen (17), of chapter sixty-six (66), of the General Statutes, relating to trials by the courts, and to repeal section two hundred and twenty-seven (227), of said chapter.

SECTION 1. Amendment to Section 226, Title 17, Chapter 66, General Statutes. District Court to be always open for the transaction of business.

2. Repeal of former section.
3. When act to take effect.

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

SECTION 1. That section two hundred and twenty-six (226), title seventeen (17), of chapter sixty-six (66), of the general statutes, be and the same is hereby amended so as to read as follows:

When District Court open for business.

Section 226. In addition to the general terms, the district court is always open for the transaction of all business; for the entry of judgments, of decrees, of orders of course, and all such other orders as have been granted by the court or judges, and for the hearing and determination of all matters brought before the court or judge, except the trial of issues of fact. The judges of the several district courts, may, by order, appoint such special terms in the counties of their respective districts, as may be deemed necessary or convenient, and at such terms all business