

deputy, upon the written request of any aggrieved person, and upon the payment to him in advance by such person, the sum of one dollar, and the further sum of twenty cents per mile for going and returning, as traveling expenses, to examine and test any weights or measures used within his county, whether the same shall have been before tested, proved and sealed or not, at any time when called upon, and without previous notice to the person or party complained of. And if such sealer of weights and measures, or any deputy sealer of weights and measures, shall directly or indirectly give previous notice or information to the party complained of, of such examination, in any manner whatever, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine not less than fifty, nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty, nor more than ninety days, or by both fine and imprisonment in the discretion of the court. All fines collected under the provisions of this act shall be paid over to the county treasurer for the benefit of the school fund of the county where the action is brought.

Disposition of
fines collected.

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

When act to take
effect.

Approved March 9, 1874.

LXXVII.

AN ACT TO AMEND SECTION SIX, TITLE THREE, CHAPTER THIRTY-TWO OF THE GENERAL STATUTES, IN RELATION TO THE OFFICE OF SURVEYOR GENERAL.

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

SECTION 1. That section six, title three, chapter thirty-two of the general statutes, is hereby amended so as to read as follows: There shall be biennially appointed by the governor, with the advice and consent of the senate, a surveyor general for each of the districts aforesaid, who shall be a citizen of the district for which he is appointed

Appointment of
surveyors gener-
al of districts.

at the time of his appointment, and he shall enter upon the discharge of the duties of his office on the third Monday in April next succeeding his appointment, and shall hold his office for two years and until his successor is appointed, confirmed and qualified. *Provided*, That it shall be the duty of the surveyor general whose term of office has expired, to make the scale bills and record them in the books of the surveyor general's office, of all logs scaled by him or deputies prior to the time he surrenders the same to his successor, and for that purpose he shall have access to the books of the office, and all bills so made and recorded shall have the same validity as if made and recorded during his term of office.

Duty of retiring surveyor general.

SEC. 2. Chapter ninety-five of the general laws of eighteen hundred and sixty-seven, is hereby repealed. *Provided*, That all appointments heretofore made to said offices during the present session of the legislature, shall not be affected by the repeal of said chapter, but shall be valid, subject to the confirmation of the senate, and subject also to the provisions of section one of this act.

When act to take effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 7, 1874.

CHAPTER LXXVIII.

AN ACT TO AMEND SECTION ONE HUNDRED AND TWENTY-THREE, CHAPTER ONE, GENERAL LAWS OF THE YEAR EIGHTEEN HUNDRED AND SEVENTY-THREE, RELATING TO SCHOOL DISTRICTS.

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

SECTION 1. That section one hundred and twenty-three, in title four of chapter one of the general laws of the year A. D. eighteen hundred and seventy-three be, and the same is hereby amended by adding to the end thereof the following proviso:

Failure of trustees to file certified copy of judgment docket.

Provided, That if the trustees of any school district against which any judgment has been obtained, and which