

Sec. 70. Whenever a party in any cause or proceeding produces at the trial his account books, and proves that said books are his books of account kept for that purpose, that they contain the original entries of charges for moneys paid or goods or other articles delivered or work and labor or other services performed, or materials furnished; that the charges therein were made at the time of the transactions therein entered; that they were in the handwriting of some person authorized to make charges in said books, and are just and true as the person making such proof verily believes, the witness by whom said books are sought to be proved being subject to all the rules of cross-examination and said books subject to all just exceptions as to their credibility, said books shall be received as *prima facie* evidence of the charges therein contained. Account books prima facie evidence.

SEC. 2. Section seventy-one of said title ten, of chapter seventy-three, is hereby repealed. Repeal.

Sec. 3. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 2, 1876.

CHAPTER LIII.

AN ACT TO PROVIDE FOR THE FILING OF CHATTEL MORTGAGES IN COUNTIES NOT ORGANIZED INTO TOWNSHIPS.

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

SECTION 1. Every chattel mortgage, upon property situate at the time of the execution of such mortgage in a county not organized into townships, and of which county the mortgagor is then a resident, shall be filed in the office of the register of deeds for such county, and the register of deeds of every such county shall file all such instruments when presented for that purpose, indorse thereon the time of reception, the number thereof, and shall enter in a suitable book, to be provided by him at the expense of the county, with an alphabetical index thereto, under the head of mortgagors and mortgagees respectively, the names of each party to such instrument, and in separate columns, opposite to such names, the number of the instrument, the date, the amount secured thereby, when due, and the date of filing the same. Such instrument shall remain on file for the inspection of all persons interested. Filing of chattel mortgages.

SEC. 2. Every mortgage filed in pursuance of this act, shall be held and considered to be full and sufficient notice to all parties interested of the existence and conditions thereof, but shall

Such filing sufficient notice.

cease to be notice as against the creditors of the mortgagor and subsequent purchasers and mortgagees in good faith, after the expiration of two years from the filing thereof: *Provided*, that no mortgage of goods or chattels shall be notice of any fact as against the creditors of the mortgagor or subsequent purchasers or mortgagees in good faith, unless the same is acknowledged before some officer authorized to take acknowledgment of deeds.

When act to take effect.

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

Approved February 17, 1876.

CHAPTER LIV.

AN ACT DEFINING CERTAIN MISDEMEANORS, AND PROVIDING PENALTIES THEREFOR.

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

Prohibition of the charivari.

SECTION 1. If any persons to the number of three or more shall assemble at or near any occupied dwelling house, and shall there make any noise or disturbance, by discharging fire arms, beating drums, blowing horns, shouting, or by any other means, with intent to annoy any inmate or inmates of such dwelling house, or to give any inmate or inmates thereof a charivari, commonly called "horning," every person so offending shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment in the county jail not more than ninety days, or by fine not exceeding one hundred dollars; and in any complaint or indictment for such offense it shall not be necessary to set forth the names of the persons associated in the commission of the offense with the person or persons charged, but it shall be sufficient to describe such associates as divers persons to the complainant, or to the grand jury, as the case may be, unknown.

Fights in public places.

SEC. 2. If any person not being armed with a dangerous weapon, shall willfully engage in any fight with any other person or persons in any public street, highway, alley or lane, or in any public hall, or in any inn, tavern, hotel, saloon, post-office or other place of public resort, every person so offending shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment in the county jail not more than sixty days, nor less than ten days, or by fine not exceeding one hundred dollars nor less than five dollars.

SEC. 3. If any person shall in any manner willfully interrupt or disturb any school while in session, or any meeting of any debating, social or other club or society, or any lawful assembly of