

reasonable and proper, and the nature of the case may require, upon such terms as such court may impose and prescribe.

Sec. 3. This Act shall take effect from and after its passage.

Approved March 8th, A. D. 1861.

## CHAPTER XXII.

### *An Act Relating to Appeals to the Supreme Court and Amending Section Eleven of Chapter Seventy-one of the Public Statutes of Minnesota.*

- SECTION 1. Appeals may be taken to the Supreme Court from any judgment rendered.  
 2. To apply to orders heretofore made—time when appeal to be taken.  
 3. Act, when to take effect.

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

SECTION 1. That section eleven, of chapter seventy-one be, and the same is hereby amended so as to read as follows:

1st. An appeal may be taken to the supreme court, or brought there from another court from any judgment rendered in such court, and upon the appeal from such judgment the court may review any intermediate order involving the merits or necessarily affecting the judgment.

2d. From an order granting, or refusing a provisional remedy, or which grants, refuses or dissolves an injunction, or an order vacating or sustaining an attachment.

3d. From an order involving the merits of the action, or some parts thereof.

4th. From an order granting or refusing a new trial.

5th. From an order, which, in effect, determines the action, and prevents a judgment from which an appeal might be taken.

6th. From a final order affecting a substantial right made in a special proceeding, or upon a summary appli-

cation in an action after judgment. And such appeal, when taken from an order, shall operate as a *supersedeas*, and stay all proceedings and save all rights, in the same manner as if no order had been made by the court below, in all cases when the appellant, within fifteen days after written notice of such order, shall execute to the respondent and file with the clerk of the court below an undertaking in such sum and with such surety or sureties as shall be approved by the court below or the judge thereof, or in case the said judge cannot from any cause, act therein, by the clerk of said court below, with condition that the appellant shall prosecute his appeal with effect, and pay and satisfy all costs of said appeal and all damages sustained to the respondent by said appeal, and abide the order or judgment which the appellate court may give therein.

Appeal when to  
be taken

SEC. 2. The provisions of this Act shall apply to orders heretofore made, *Provided*, That the order appealed from has been granted at any time within six months prior to the passage of this Act; and *Provided further*, That the appeal from such order must be taken within sixty days after the passage of this Act.

SEC. 3. This Act shall take effect immediately.

Approved March 1st, A. D. 1861.

## CHAPTER XXIII.

*An Act to Amend "An Act Regulating the duties of the Reporter of the Supreme Court," Approved February 14, 1860.*

- SECTION 1. Increase of purchase.  
2. Act, when to take effect.

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

SECTION 1. That section three (3) of "an act regulating the duties of the reporter of the supreme court," approved February fourteenth, one thousand eight hundred