

same shall be therein docketed, and thereupon become a lien upon the real property in such county, in the same manner as provided upon the filing of transcripts in district courts; but no execution shall be issued thereon out of the district court, until an execution shall have been issued by a justice, and returned that the defendant has no goods or chattels whereon to levy the same, and the same shall appear by a certificate from the justice, filed with the clerk of the district court to that effect.

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

Approved February 18th, A. D. 1861.

XXXVIII.

An Act to Amend Chapter Seventy-six of the Public Statutes of the State of Minnesota, in regard to Proceedings against Boats.

SECTION 1. When boat to be discharged from custody of sheriff.

2. Act, when to take effect.

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

SECTION 1. Section fourteen (14) of chapter seventy-six (76) of the public statutes of the State of Minnesota, is hereby amended by adding to the end thereof the following words: *Provided*, That if the master, owner, agent, or consignee shall execute a bond to the plaintiff with sufficient surety to be approved by the justice, conditioned that he will satisfy the amount which shall be adjudged to be owing and due to the plaintiff on the determination of the action, together with costs, then any boat, vessel, tackle, apparel and furniture seized by such warrant shall be discharged from the custody of the sheriff or constable.

When boat to be discharged from custody of sheriff

SEC. 2. This Act shall take effect from and after its passage.

Approved March 6th, A. D. 1861.

CHAPTER XXXIX.

An Act to Amend an Act Entitled "An Act to Secure Uniformity in Weights and Measures," being Chapter Twenty-Seven of the Public Statutes and Chapter Thirty-Two of the Revised Statutes of Minnesota.

- SECTION 1. Duty of State Treasurer.
 2. State Treasurer to be sealer of weights and measures.
 3. Who to be sealer of each county—duty of County Treasurer—fees.
 4. Duties of Supervisors.
 5. Duty of township sealer.
 6. Baskets or other measures—average size.
 7. Dimension of measures by which meal, fruit, etc., are usually sold.
 8. Standard measure by which milk may be sold.
 9. Commodities—how weighed.
 10. Wheat, rye, oats, etc.—how weighed or measured.
 11. Penalty for not conforming to the provisions of this Act.
 12. Penalty for neglect of duty.
 13. Proceedings against sealer—how instituted.

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

SECTION 1. That section one of said act be so amended as to read as follows:

Duty of State
Treasurer

The set of standard weights and measures received from the Secretary of State of the United States, and all scalebeams, weights and measures owned by this State, shall be deposited in the office of the State Treasurer, who shall receive and preserve the same.

State Treasurer
to be sealer of
weights and
measures

SEC. 2. The State Treasurer shall be the sealer of weights and measures for the State. He shall try and prove by said standards all weights and measures, scales or beams sent or brought to him for that purpose, by any county sealer, and shall seal such when found to be accurate, by stamping upon them the letters "Min.," with a seal he shall have and keep for that purpose.

SEC. 3. The treasurer of each county shall be the sealer of weights and measures for the county. He shall with-