

shall receive therefor like fees and compensation as is provided for similar services in other cases, to be paid as is provided in section three aforesaid. Fees of clerks and sheriff

SEC. 7. That this act shall take effect and be in force from and after its passage.

Approved February 20, 1864.

CHAPTER XXXII.

An Act to amend Chapter one hundred and four of the Compiled Statutes, relating to Grand Juries.

- SECTION 1. Amendment to Section 30. Upon certain inquiries the defendant may be indicted—
 proviso.
 2. When act to take effect.

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

SECTION 1. That section thirty, of chapter one hundred and four, of the public statutes of the State of Minnesota, page seven hundred and fifty-two, as amended by chapter twenty-nine of the general laws of the State of Minnesota, for the year 1863, be so amended as to read as follows :

Section 30. Upon such inquiry, if from the evidence, the grand jury believe any person charged with a public offence to be guilty of the same, or any other offence, they shall find an indictment against such person. *Provided*, That such person shall have been previously held by a magistrate to answer the charges, or some one of them, for which he may be so indicted, or shall have been so previously held to answer any charge based upon the criminal act, or arising out of the same facts or some part thereof, which may be the subject of such indictment. When defendant may be indicted—proviso

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

Approved March 3, 1864.

CHAPTER XXXIII.

An Act to amend section fifty-two of Chapter sixty-one of the Compiled Statutes, relating to trial by referees.

- SECTION 1. Number of Referees—failing to agree others may be appointed.
 2. Repeal of acts conflicting with this act. "
 3. When act to take effect.

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

SECTION 1. That section fifty-two, of chapter sixty-one, page five hundred and sixty-three of the compiled statutes of Minnesota, be and the same is hereby amended to read as follows, to wit :

Number of referees
—failure to agree
others may be ap-
pointed

Section 52. A reference may be ordered to any person or persons, not exceeding three, agreed upon by the parties, or if the parties do not agree, the court or judge must appoint one or more persons, not exceeding three, who may be residents of any county of this State, having the qualification of electors.

Repeal of incon-
sistent acts

SEC. 2. That all acts or parts of acts in conflict with said section, as hereby amended, be and the same are hereby repealed.

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

Approved March 3, 1864.