

manner, and with the same effect as if the same had been filed within the time in said section specified. \

SEC. 2. No proceeding in which such affidavits have been heretofore served, shall be deemed invalid by reason of the failure to file the same within the time prescribed by said section. *Provided*, That nothing herein contained shall be held to take away or effect any vested rights of any person or persons not parties to such proceedings.

Not to be invalid by reason of failure to file the same.

SEC. 3. All acts and parts of acts inconsistent or in any way conflicting with this act are hereby repealed.

Repeal of inconsistent acts.

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

When act to take effect.

Approved March 6, 1868.

CHAPTER LXXVIII.

An Act to amend section two hundred and four, of chapter sixty-six, of the General Statutes, relating to postponements of trial.

March 4, 1868.

SECTION 1. Amendment to Section 204, Chapter 66, General Statutes. When trial must not be postponed.

2. When act to take effect.

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

SECTION 1. Section two hundred and four, of chapter sixty-six, of the general statutes, is hereby amended by adding at the end thereof as follows, that is to say: And if the adverse party thereupon admit that such evidence would be given, and that it be considered as actually given on the trial, or offered and overruled as improper, the trial must not be postponed.

When trial must not be postponed.

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

When act to take effect.

Approved March 4, 1868.