CHAPTER LI.

AN ACT TO AMEND CHAPTER 66 OF THE GENERAL LAWS,
BEING CHAPTER 41 OF STATUTES AT LARGE RELATING
TO CIVIL ACTIONS.

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

SECTION 1.   That section 38 of chapter 66 of the general
statutes, being section 42 of chapter 41 of statutes at large, be
and the same hereby is amended so as to read as follows.   Ac-
tions for the following causes shall be tried in the county in
which the subject of the action or some part thereof, is situated,
subject to the power of the court to change the place of trial as
hereinafter provided :

First.—For the recovery of real property or of an estate or
interest therein, or for the determination in any form of such
right or interest and for injuries to real property.

Second.—For the partition of real property.

Third.—For the foreclosure of a mortgage of real property.

Fourth.—For the recovery of personal property detained for
any cause.

SEC. 2.   This act and amendment shall also apply to cases
heretofore commenced where the defendant has demanded that
the trial be had in the proper county, as provided in section 42
of said chapter 66; and shall take effect and be in force from
and after its passage.

Approved March 2, 1876.

Where causes to be tried—changes. (margin note)

Application. (margin note)

When act to take effect. (margin note)

CHAPTER LII.

AN ACT TO AMEND TITLE TEN (10), OF CHAPTER SEVENTY-
THREE (73) OF THE GENERAL STATUTES, BEING ARTICLE
10 OF CHAPTER FORTY-ONE OF BISSELL'S STATUTES RE-
LATING TO ACCOUNT BOOKS AS EVIDENCE.

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

SECTION 1.   That section seventy, title ten, of chapter seven-
ty-three of the general statutes of Minnesota be amended so as
to read as follows :

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