

CHAPTER 32.

AN ACT TO AMEND AN ACT ENTITLED „AN ACT TO REDUCE THE ACT INCORPORATING THE CITY OF ROCHESTER, IN THE COUNTY OF OLMTED AND STATE OF MINNESOTA, AND THE SEVERAL ACTS AMENDATORY THEREOF, AND THE ACT TO ORGANIZE A BOARD OF EDUCATION FOR THE CITY OF ROCHESTER AND THE SEVERAL ACTS AMENDATORY THEREOF TO ONE ACT AND TO AMEND THE SAME; APPROVED MARCH NINTH (9TH) ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN (1867),

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

SECTION 1. That section fifteen (15) of sub-chapter four (4) of chapter twenty-one (21) of the special laws of the state of Minnesota of the year one thousand eight hundred and sixty-seven (1867), approved March ninth (9th), A. D. one thousand eight hundred and sixty-seven (1867), be amended by adding the following provisions after the word "state" where the same occurs in line seven (7) on page one hundred and thirty-three (133) of said special laws: *Provided, further,* That when it shall be shown by affidavit that the said city justice is of kin to the defendant or when it shall be made to appear by affidavit that the said city justice is a necessary and material witness, without whose evidence either party cannot safely proceed to the trial of said action or the examination of the offense charged in the complaint (the relationship of the said city justice and the evidence to be elicited from said city justice shall be set out in full in the said affidavit), then the said city justice shall transfer said action, examination or proceeding, with the complaint, warrant, recognizance and all other papers relating to said cause with the defendant to some justice of the peace in said city who is not of kin to the defendant or a material witness for either party, and such justice of the peace shall, upon such transfer, have jurisdiction to hear, try and determine the same as said city justice might have done but for his said disqualification.

Provided, further, That but one (1) such removal shall be allowed in any action, examination or proceeding, and no action, examination or proceeding shall be removed from the said city justice except for the causes herein specified, and any person or persons making or causing to be made a false affidavit for the pur-

pose of obtaining the removal of any such action, proceeding or examination from said city justice, shall be deemed guilty of perjury, and upon conviction thereof, shall be subject to all the pains and penalties prescribed by law for perjury.

Sec. 2. This act shall be in force from and after its passage and approval.

Approved February 8, 1878.

CHAPTER 33.

AN ACT TO AMEND CHAPTER TWENTY-ONE (21) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY-SIX (1876), ENTITLED "AN ACT TO AMEND CHAPTER FIVE (5) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY (1870), ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF LAKE CRYSTAL."

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

SECTION 1. That section five (5) of chapter twenty-one (21) of the special laws of eighteen hundred and seventy-six (1876), be amended by adding at the end of the second subdivision of said section the following proviso: "*And provided further, That any five (5) legal voters of said village may at least fifteen (15) days before the time of holding any election, as provided in section two (2) of this act, file with the recorder of said village a written request, that the question of granting such licenses may be submitted to the legal voters of said village at the next election to be so held, and thereupon the said recorder shall in his regular notices of such election, specify that the question of granting license for the sale of intoxicating drink will be voted upon at such election, and that thereupon the legal voters of said village may at such election vote upon said question as hereinafter provided. The voters voting in favor of granting such license as aforesaid, shall have written or printed, or partly written and partly printed upon their ballots, at such election, the words 'Liquor license, Yes,' and the voters voting against granting such license as aforesaid, shall have written or printed, or partly written and partly printed upon their ballots, at such election, the words 'Liquor license, No.'* Said votes shall be canvassed in the same manner as other votes at such election; and if it shall appear therefrom that a majority of the voters voting upon such question shall have voted in favor of such license, then such licenses shall be granted as herein provided; but if it shall appear from such canvass that a majority of the voters