

of 1878, be and the same is hereby amended so as to read as follows:

“Sec. 117. Upon an appeal upon questions of law alone the action shall be tried in the district court upon the return of the justice; upon an appeal upon questions of fact alone, or upon questions of law and fact, the action shall be tried in the district court in the same manner as actions originally commenced in said court. And in all cases where an appeal has been allowed by a justice of the peace in any case, and return thereof made to the district court, and said appeal shall be for any cause dismissed, the said district court shall nevertheless enter its judgment in said action affirming the judgment of the court below, and the costs of both courts may be taxed before the clerk of said district court and entered in said judgment, and the respondent have execution therefor against the appellant and his sureties upon the appeal bond, as in other cases.

Appeals from justice.

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

Approved April 25, 1895.

CHAPTER 25.

S. F. No. 605. 95 C 25  
73-NW 521

*An act to amend section 3 of chapter 64 of the general statutes of the State of Minnesota of 1878, in regard to the powers of the district court.*

To amend Sec. 3 chap. 64 G. S. 1878. 95 C 25  
71-M 16

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

SECTION 1. That section 3 of chapter 64 of the general statutes of the state of Minnesota be, and the same hereby is, amended so as to read as follows:

“Sec. 3. The said courts in term time, and the judges thereof in vacation have power to award throughout the state, returnable to the proper county, any and all writs necessary for the abatement of any nuisance, writs of injunction ne exeat, and all other writs or processes necessary to the perfect exercise of the powers with which they are vested and the due administration of justice.”

Writs in vacation.

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

Approved April 25, 1895.