

CHAPTER 32.

S. F. No. 427.

An act to amend section thirteen (13), of title two (2), of chapter sixty-five (65) of the general statutes of Minnesota, eighteen hundred seventy-eight (1878) entitled "Courts of Justice of the Peace."

To amend Sec.
13 title 2 Chap.
65 G. S. 1878.

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

SECTION 1. That section thirteen (13) of title two (2) of chapter sixty-five (65) of the general statutes of Minnesota, one thousand eight hundred and seventy-eight, be amended so as to read as follows:

Sec. 13. In all cases not otherwise provided for, the first process is by summons, commanding the officer to summon the defendant to appear before such justice at a time and place expressed in such summons, not less than six nor more than twenty days from the date thereof, to answer to the plaintiff in a civil action, which summons shall be served at least six days before the time of appearance therein mentioned, by reading the same to the defendant and delivering a copy thereof to him, if such defendant can be found, and if not found, by leaving a copy thereof at his or her last usual place of abode with a person of suitable age and discretion then residing therein.

Summons—service—returnable.

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

Approved April 19, 1895.

CHAPTER 33.

S. F. No. 473.

An act to amend section six of chapter sixty-five of general statutes of Minnesota, of one thousand eight hundred and seventy-eight, relating to courts of justices of the peace.

To amend Sec.
6 Chap. 65 G. S.
1878.

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

SECTION 1. That section six of chapter sixty-five of general statutes of Minnesota of one thousand eight hundred and seventy-eight, be and the same is hereby amended so as to read as follows:

Sec. 6. The jurisdiction conferred by the last section does not extend, however, to a civil action:

First. In a case involving the title to real estate.

Second. Nor for false imprisonment, libel, slander,

Limitation of jurisdiction.

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malicious prosecution, criminal conversation or seduction, or upon a promise to marry.

Third. Nor for an action against an executor or administrator as such.

Actions must in all cases be brought in the township where plaintiff or defendant or one of several defendants reside, or at the county seat of the county in which the action is brought.

If none of the defendants reside in the state, action may be brought in any county and township wherein either of the defendants may be found.

If there be no justice in the proper township, qualified or able to try the case, the action may be commenced in any adjoining township in the same county or at the county seat thereof.

Change of
venue.

SEC. 2. Nothing herein contained shall be construed to abrogate or qualify the right of change of venue in civil actions as now provided by statute.

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

Approved April 19, 1895.

S. F. No. 297.

CHAPTER 34.

To amend Sec.
101 Chap. 65
G. S. 1878.

An act to amend section 101 of chapter sixty-five (65) of the general statutes of 1878, relating to service of writs of attachment in justice court.

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

SECTION 1. That section one hundred and one (101) of chapter sixty-five (65) of the general statutes of 1878 be amended so that the same, when amended shall read as follows:

Writ of attach-
ment—how
served.

Sec. 101. The writ of attachment shall be returnable as an ordinary summons, and the officer shall execute the same by summoning the defendant, if to be found within the county, and by attaching the goods and chattels, moneys and credits of the defendant, not exempt by law. *Provided*, that if the defendant is a resident of said county but cannot be found therein the officer shall serve said writ by leaving a copy of same, with inventory of property levied on, certified by him, at the last usual place of abode of the said defendant with some person of suitable age and discretion then resident therein.

Sec. 2. All acts or parts of acts inconsistent with or