

appraised valuation at the time of the sale and the amount stated in said certificate, and all said certificates are hereby declared legal and valid, provided this act shall not affect any action at law or suit in equity now pending.

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

Approved April 24, 1913.

CHAPTER 472—S. F. No. 890.

An Act to amend Section 1148 of the Revised Laws 1905, relating to the appointment of armorers, janitors and engineers for armories, and providing compensation therefor.

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

Section 1. **Janitor for armories at not to exceed \$3 per day.**—That Section 1148 of the Revised Laws 1905, be and the same is hereby amended so as to read as follows:

"Sec. 1148. The commander of each regiment, company, and battery may appoint an armorer, who, under his directions, shall have charge of the armory or place where the uniforms, arms, accoutrements, and other property of the command are kept. In cities, the officer or officers in control of the armory may appoint a janitor thereof, and, if it be heated by steam, an engineer. The duties of all such appointees shall be prescribed by the officers appointing them, who shall also fix their compensation, not to exceed *three* dollars each per day for time necessarily spent in the performance of such duties, and may dismiss any of them at pleasure. Such compensation shall be paid monthly by the town, county, city or village, as the case may be, upon vouchers approved by the appointing officers."

Approved April 24, 1913.

CHAPTER 473—S. F. No. 978.

An Act to legalize acknowledgments taken by notaries public who are members of the legislature at the time of taking such acknowledgments, together with the record of instruments bearing such acknowledgments.

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

Section 1. **Certain notary acknowledgments legalized.**—That all acknowledgments taken by any member of the legislature of this state as a notary public who at the time of taking such acknowledgment was a member of said state legislature, is hereby legalized and made valid and effectual in all particulars, together with the records thereof where the instrument bearing

such acknowledgment has been recorded as provided by law, provided that this act shall not extend to any action or proceeding now pending.

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

Approved April 24, 1913.

CHAPTER 474—S. F. No. 892.

An Act to amend Section 4365, Revised Laws of 1905, relating to appeals to the supreme court in civil actions or proceedings, and providing for expediting the hearing on such appeals in certain cases.

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

Section 1. **When appeals may be taken—Time for hearing of appeal.**—That Section 4365, Revised Laws of 1905 be and the same is hereby amended so as to read as follows:

"Section 4365. An appeal may be taken to the supreme court by the aggrieved party in the following cases:

1. From a judgment in an action commenced in the district court, or brought there from another court from any judgment rendered in such court; and upon such appeal the court may review any intermediate order involving the merits or necessarily affecting the judgment appealed from.

2. From an order granting or refusing a provisional remedy, or which grants, refuses, dissolves, or refuses to dissolve, an injunction, or an order vacating or sustaining an attachment.

3. From an order involving the merits of the action or some part thereof.

4. From an order refusing a new trial, or from an order sustaining a demurrer, *provided that when an order granting a new trial is based exclusively upon errors occurring at the trial and it is so expressly stated in the order or memorandum of the trial court, an appeal therefrom may be taken but in such case only.*

Provided further that where the trial court has once granted a new trial in the exercise of its discretion, on the ground that the evidence is not sufficient to support the verdict, an appeal may be taken from any subsequent order granting a new trial wholly or in part upon that ground.

Provided further that when upon the entry of an order overruling a demurrer, the trial court shall certify that the question presented by the demurrer is in his opinion important and doubtful, and such certification is made part of the order overruling the demurrer, an appeal from such order may be taken.

5. From an order which, in effect, determines the action, and prevents a judgment from which an appeal might be taken.