

CHAPTER 53—H. F. No. 182.

An Act to amend Section 5392, Revised Laws of 1905, relating to challenge for actual bias.

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

Challenging for actual bias.—That Section 5392, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 5392. "A challenge for actual bias may be taken for the cause mentioned in Sec. 5390, Subd. 2, and for no other cause, *Provided, that during the examination of a juror, the trial court may in its discretion exclude from the court room all other jurors upon the panel.*"

Approved March 17, 1913.

CHAPTER 54—H. F. No. 183.

An Act to amend Section 4134, Revised Laws of 1905, relating to demurrers to replies in civil action.

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

Demurring by plaintiff and reply of latter.—That Section 4134, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 4134. The plaintiff, within twenty days after the answer is served, may demur thereto, or to any counterclaim or defense pleaded therein, upon the ground that the same does not state facts sufficient to constitute a defense or a counterclaim, as the case may be; and he may demur to one or more of such defenses or counterclaims, and reply to the remainder. If the answer contain new matter not demurred to, the plaintiff shall reply thereto, denying the averments controverted by him, or averring that he has not knowledge or information thereof sufficient to form a belief, or alleging any new matter, not inconsistent with the complaint, constituting a defense thereto. ()

Approved March 17, 1913.

CHAPTER 55—H. F. No. 198.

An Act to amend Section 4360, Revised Laws of 1905, relating to returns on appeals to the supreme court in civil actions.

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

District court clerk to immediately transmit to clerk of supreme court.—That Section 4360, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 4360. "Upon an appeal being perfected, the clerk of the district court shall immediately transmit to the clerk of

the supreme court a certified copy of the notice and bond upon appeal, and the filing thereof shall vest in the supreme court jurisdiction of the cause, and upon request of either party, the clerk of the district court shall transmit to the clerk of the supreme court the original record, judgment roll, settled case, or bill of exceptions, and such exhibits as may be on file in his office, the same to remain in the supreme court for its use until the case is disposed of and then returned to the clerk of the district court."

Approved March 17, 1913.

CHAPTER 56—H. F. No. 209.

An Act to legalize and validate the defective execution of deeds, mortgages and other instruments, and the record thereof. Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Certain deeds, mortgages, etc., legalized.**—That in all cases where deeds, mortgages or other instruments affecting real estate within this state, or letters of attorney authorizing the same, have heretofore been actually recorded in the office of the register of deeds of the county where the real estate thereby affected was, at the time of the making of such records, or is, situate, whether such deeds were duly or properly admitted to record or otherwise, all such instruments and the record thereof are hereby legalized and confirmed; and all such records may nevertheless be read in evidence in any court within this state, and shall be received as prima facie evidence of the contents of the original instruments of which they purport to be records;

And all such records shall in all respects have the same force and effect as they would have if such original instruments at the time that they were so recorded had been legally entitled to record and were legally recorded.

Sec. 2. **Copies may be read in evidence.**—That duly authenticated copies of such record may be read in evidence in any court within this state, with the same effect as the records themselves aforesaid.

Provided, that nothing in this act shall be held to apply to any action heretofore commenced or now pending in any of the courts of this state.

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

Approved March 17, 1913.