

# CHANGES

—IN THE—

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

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SAINT PAUL:  
WEST PUBLISHING COMPANY.  
1883.

23d. For salaries of judges of the supreme court and district courts, seventy-thousand and five hundred dollars. (*As amended* 1881, c. 80, § 1.)

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Strike out subdivision 27th, p. 110. (*Id.* § 2.)

28th. For salary of messenger, six hundred dollars. (*As amended* 1879, c. 32, § 2.)

29th. For salary of insurance clerk, twelve hundred dollars. (1879, c. 32, § 1.)

30th. For salary of the clerk of the secretary of state, one thousand dollars. (*Id.*)

31st. For services of superintendent and labor on experimental fruit farm, one thousand dollars. (*Id.*)

32d. For salary of the public examiner, thirty-five hundred dollars. (*Id.*)

33d. For salary of deputy clerk of supreme court, one thousand dollars. (1881, c. 160, § 1.)

See page 110.

Ch. VII, §§ 10, subds. 29, 30, and ch. VIII, § 41a. See 1883 Sup't, pp. 11, 12.

CHAPTER VIII.

COUNTIES AND COUNTY OFFICERS.

TERRITORIAL DIVISIONS.

\*§ 8. **Beltrami county.** That so much territory as is comprised within the following-described limits, coincident with lines of the United States land surveys when run and marked, be, and the same is hereby, established as the county of Beltrami:

Beginning at the point where the line between ranges thirty-eight and thirty-nine intersects the line between townships one hundred and forty-two and one hundred and forty-three; thence northwardly on said range line to the boundary line between the United States and British possessions; thence eastwardly and along said boundary line to its intersection with the line between ranges twenty-nine and thirty; thence southwardly on said range line to the center of the main channel of the Mississippi river; thence up the center of the main channel of said river to its intersection with the line between townships one hundred and forty-two and one hundred and forty-three; thence westwardly along said township line to the place of beginning. (1866, c. 46, § 1, *as amended*, 1879, c. 10, § 1.)

See page 113.

Note to § 10, (SEC. 7,) page 113:

(The county of Big Stone is declared to be an organized county, and the county seat is, until the next general election, established at Ortonville, at which time the question of its removal to section twenty-four, (24,) town one hundred and twenty-three, (123,) range forty-six, (46,) Big Stone Centre, will be submitted to the electors of said county. 1881, c. 106.)

§ 37. **Kittson county.** The county of Kittson is established and bounded as follows: Beginning at a point where the line between townships one hundred and fifty-eight and one hundred and fifty-nine intersects the center of the channel of the Red River of the North; thence east along said line produced to the point where said produced line intersects the line between ranges thirty-eight and thirty-nine; thence northwardly along said range line to the boundary line between the United States and British possessions; thence westerly along the said boundary line to the middle of the main channel of the Red River of the North; thence up said river, along the middle thereof, to the place of beginning. (*As amended* 1879, c. 10, § 2.)

See page 121.

§ 44a. **Marshall county.** The county of Marshall is hereby established and bounded as follows: Commencing at the intersection of the middle line of the main channel

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of the Red River of the North with the line between townships one hundred and fifty-four and one hundred and fifty-five; thence east along said line to the southeast corner of township one hundred and fifty-five; thence north along the line between ranges thirty-eight and thirty-nine to its intersection with the line between townships one hundred and fifty-eight and one hundred and fifty-nine produced; thence west along said line to the center of the main channel of the Red River of the North; thence up the main channel of said river, following the western boundary of the state, to the place of beginning. (1879, c. 10, § 3.)

See page 123.

(East and west line between Polk county and Marshall county changed, subject to a vote of the people at the next general election. Instead of being on the north line of township one hundred and fifty-four, it shall be on the south line of said township one hundred and fifty-four from its intersection with the west line of the state, in center of the main channel of the Red River on the west to the east line of said county of Polk. 1881, c. 112, § 1.)

\*SEC. 51a. **Norman county.** That all that portion of the territory of the present county of Polk south of the line running east and west, between townships one hundred and forty-six (146) and one hundred and forty-seven, (147,) be, and the same hereby is, established as the county of Norman, and the county seat of said county shall be at the town of Ada, (as created by 1881, c. 92, § 1, subject to adoption by the electors of Polk county at the next general election, to be held November 15, 1881.)

See page 124.

Note for § 57, (SEC. 52,) page 125:

(Dividing line between Polk and Marshall changed from the north line to the south line of township one hundred and fifty-four, from its intersection with the west line of the state, in the center of the main channel of the Red river on the west to the east line of said county of Polk, subject to vote of the electors at the next general election. 1881, c. 112, § 1.)

(County of Norman, created from a portion of Polk county, subject to a vote of the electors at the next general election. 1881, c. 92, § 1.)

See page 125.

Pipe Stone county was organized by Laws 1879, c. 63.

See page 125, § 56.

Note to § 70, p. 130:

(Stevens county declared an organized county, and the official acts of county commissioners, auditor, register of deeds, county treasurer, clerk of district court, judge of probate, and other officers, performed since the actual organization of said county in 1871, legalized. 1881, c. 129.)

§ 74a. **Traverse county.** That the county of Traverse in this state, which is hereby declared to be embraced within the following boundaries, to-wit: Beginning in the center of the channel of the Bois des Sioux river, at the intersection of the line between townships one hundred and twenty-nine (129) and one hundred and thirty, (130;) thence easterly on said township line to the north-east corner of said township one hundred and twenty-nine (129) north, range forty-five (45) west; thence southerly on the line between ranges forty-four (44) and forty-five (45) to the southeast corner of township one hundred and twenty-five, (125,) range forty-five, (45;) thence westwardly on the line between townships one hundred and twenty-four (124) and one hundred and twenty-five (125) to the western boundary of the state; thence on said boundary line, passing through Lake Traverse and along the Bois des Sioux river to the place of beginning,—be and the same is hereby declared to be an organized county, with all the rights, privileges, and immunities of other organized counties within this state. (1881, c. 130.)

See page 131.

## COUNTY COMMISSIONERS.

§ 100. (SEC. 92.) **Pay of county commissioners.** The county commissioners shall each receive three (3) dollars per day for each day they are necessarily employed in transacting the county business, and ten cents per mile for every mile traveled in going to and returning from the meeting of the county board in the discharge of any official

duty, computed by the nearest traveled route; but no county commissioner shall receive pay for more than twenty days in any one official year, or be entitled to traveling fees for attendance on more than six (6) sessions in any one official year; and the county auditor, in drawing his warrant upon the county treasurer for the pay and traveling fees prescribed in this section, shall specify upon the face of said warrant the number of days of service and the amount of mileage for which such warrant is issued, and any county auditor who shall issue his warrant for the payment of any amount in excess of the pay and traveling fees prescribed in this section shall forfeit to the county the amount of such excess, to be deducted from his salary. The provisions of this act shall not affect the pay and traveling fees of the commissioners of any county whose pay and fees are now provided for by a special law regulating the same: *provided*, that any county commissioner, while actually employed in the business of the county by order of the board, may charge and receive pay at the rate of three (3) dollars per day for each day so employed, and ten cents per mile for every mile traveled in the performance of such duty: *provided*, that no commissioner shall receive pay for more than twenty-five (25) days in one year. (*As amended 1881, c. 52, § 1.*)

See page 137.

(Pay of county commissioners when acting as board of equalization. See 1881, c. 113, § 1. *Post*, § 40, p. 25.)

§ 142. See 1883 Suppl., p. 13.

§ 105. (SEC. 96.) **Seal—evidence of proceedings.** The commissioners shall have and use the seal of the auditor of their county as their common seal, and copies of their proceedings, when signed, sealed, and attested, as provided by law, shall be evidence of such proceedings in any of the courts of this state, and the county commissioners shall cause their official proceedings of each session to be published in some newspaper printed and published in their county: *provided*, that in the counties of Hennepin and Ramsey the proceedings may be printed in a daily paper, and one weekly paper printed and published at the respective county seats of said counties; and in all cases, in designating the paper or papers, the character and value thereof as a medium for getting the proceedings before the tax payers of said counties respectively shall be taken into consideration; [which publications shall be let by contract to the lowest bidder.] (*As amended 1879, c. 29, § 1.*)

See page 137.

§ 141. (SEC. 123.) **Claims, how allowed—money, how disbursed.** No claims against the county shall be paid otherwise than upon the allowance of the county commissioners, upon the warrant of the chairman of the board, attested by the county auditor, except in those cases in which the precise amount is fixed by law, or is authorized to be fixed by some other person or tribunal, in which cases the same shall be paid upon the warrant of the county auditor, upon the proper certificate of the person or tribunal allowing the same: *provided*, that no public money shall be disbursed by the county commissioners, or any of them, but the same shall be disbursed by the county treasurer upon the warrant of the chairman of the board of county commissioners, attested by the county auditor, specifying the name of the party entitled to the same, on what account, and upon whose allowance, if not fixed by law; and all orders or warrants drawn in payment for services, shall show thereon the specific time for which such services are rendered, and all orders and warrants shall be progressively numbered, and the number, date, and amount of each, the name of the person to whom payable, the purpose for which drawn, and the specific time for which any service was rendered, shall at the time of issuing the same be entered in a book to be kept by the auditor for that purpose. (*As amended 1879, c. 13, § 1.*)

See page 143.

Add to § 142, (SEC. 124.) p. 143, the following proviso:

*Provided*, that the county commissioners of Otter Tail county be and they are hereby authorized in their discretion to allow clerk hire for the auditor's clerk in said Otter Tail county in any sum not to exceed one thousand dollars per annum. (*As amended 1881, c. 68, § 1.*)

(§ 142 applicable to Kandiyohi county. 1881, c. 156.)

## COUNTY TREASURERS.

§ 149. (SEC. 130) **Receipt and payment of money.**<sup>o</sup> The county treasurer shall receive all moneys directed by law to be paid to him as such treasurer, and shall pay them out only upon the order of the proper authority.

All moneys belonging to the county shall be paid out upon the order of the board of county commissioners, signed by the chairman thereof, and attested by the county auditor, (or upon the warrant of the county auditor, upon the presentation to him of the proper certificate of the person or tribunal allowing the same,) and not otherwise.

All moneys due the state, arising from the collection of taxes or from other sources, shall be paid upon the draft of the state auditor drawn in favor of the state treasurer, and a duplicate copy of the receipt for payment of such draft shall be forwarded by the state treasurer to the county auditor, who shall preserve the same, and credit the county treasurer with the amount thereof. (*As amended* 1881, c. 11, § 1.)

See page 145.

\*§ 150a. **County depository—designation—security given by.** All the funds of any of the counties in this state shall be deposited by the county treasurers in one or more national banks, or state or private bank or banks, as soon as received, in the name of the proper county of which the board of auditors are officers. Such bank or banks or bankers shall be designated by said board of auditors in their discretion, after advertising in one or more newspapers published in their respective counties [or, if the public interests require, in one or more newspapers in other counties] of the state, for at least two (2) weeks, for proposals, and receiving proposals stating what security would be given to said county [for] such funds so deposited and what interest on monthly balances of the amount deposited, on condition that said funds, with accrued interest, shall be held subject to draft and payment at all times on demand: *provided*, that the amount deposited in any banks or banking house shall not exceed the assessed capital stock of said bank or banking house, as shall appear on the tax lists of the counties. Capital stock, for the purposes of this act, shall be defined as follows: As including shares of capital stock of national or state banks, whether assessed in the name of the bank or of the stockholders thereof; and as including the personal property of private banks or bankers, or the individual members of said banking firms, which property is liable for the debts of said banks or bankers, and is assessed upon the tax lists of any county in this state. In case such property is assessed in counties other than those in which the depository is situated, the assessment shall be certified to by the auditor of the county in which the same is assessed, on application of the board of auditors of any county, and such application shall be renewed annually on the first (1st) day of January, and oftener if deemed necessary, and such certificate shall be attached to the bond of such depository.

The treasurer is required from time to time to take notice of any changes in the assessment, and to limit the amount of his deposits by such changes, in accordance with the provisions of this act. (1881, c. 124, § 1.)\*

See page 146.

\*§ 150b. **Bonds of depository.** Before any national, state or private bank or banker shall be designated as such depository, such bank or banker shall deposit with such treasurer a bond payable to such county, and signed by not less than five freeholders of the state as sureties, which bond shall be approved by the board of county commissioners, and shall be in such amount as such board shall direct, which amount shall be at least double the amount of funds to be deposited with such bank or banker. It is hereby made the duty of the officers designated, and also of the board of county commissioners of the several counties of the state, to comply with all the provisions of this act: *provided*, that counties in which there are no such

\*(An act relating to the duties of county treasurer and the care of public funds. Approved March 3, 1881.)

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bank or bankers may be exempt from the provisions of this act, so far as it relates to depositing the funds of such counties with any such bank or bankers, if, in the judgment of the auditing board and board of county commissioners of any such county, it would be detrimental to the interest of such county to make such deposit. (*Id.* § 2.)

See page 146.

\*§ 150c. **Same.** All bonds required under the provisions of this act shall be given for the term of two years from the date of their execution, and shall be renewed every two years thereafter. The boards of auditors of all the counties having no depositaries designated under this act, or not having statutory bonds under this act, shall advertise as herein provided for proposals for the deposit of their funds, such proposals to be opened on the first day of July, 1881. Bonds of depositaries now legally in force shall expire on the first (1st) day of August, 1883. But this section shall not be construed as preventing boards of auditors in counties having no depositaries from advertising for proposals and designating depositaries at any time when the public interests may so require. (*Id.* § 3.)

See page 146.

\*§ 150d. **Same—sureties upon bond.** The boards of auditors shall not accept, and the boards of commissioners shall not approve, as sureties upon the bonds of depositaries, the names of stockholders or of owners of such depositories unless they are satisfied upon full investigation that their responsibility would in nowise be affected by the failure of the bank or banker in behalf of which said stockholders or owners sign as sureties. (*Id.* § 4.)

See page 146.

\*§ 150e. **Deposit by county treasurer—must be in official capacity.** No county treasurer shall deposit in any bank, or with any banker, whether designated under the provisions of this act or not, or in any other place whatever, any public funds in his own individual name, or except in his capacity as treasurer of the county, under the penalty of five hundred dollars for each deposit so made. (*Id.* § 5.)

See page 146.

\*§ 150f. **Keeping public funds separate.** The public funds shall at all times be kept absolutely intact and free from any mixture with funds belonging to the treasurer as a private person, or in any other capacity, or to any other person or firm, and all amounts found at any time in any of the county treasuries of the state, or officially deposited by the county treasurers, shall be deemed public funds, and if in excess of the amount properly called for by the auditor's and treasurer's books and accounts, shall be turned over by the board of auditors of said county, or by the public examiner, into the county revenue fund. (*Id.* § 6.)

See page 146.

\*§ 150g. **Payments by treasurers—must be by checks on depository interests.** All payments by treasurers of counties having designated depositaries at their county seat, and by all treasurers as far as practicable, shall be made by checks upon the depositaries.

Each depository designated under the provisions of this act shall furnish the auditor of the county to which the funds belong a true and itemized statement of the treasurer's account on the first day of each month, which statement shall be filed and carefully preserved in the auditor's office.

All sums of interest accruing upon the funds deposited in any bank, or with any banker, under the provisions of this act, shall be credited to such deposit account on the first (1st) day of each month, for the month preceding, and a monthly statement of such interest, as computed from the daily balances by the bank or banker, shall be rendered by such depository to the county auditor, on the first day of each month, and the auditor shall charge the county treasurer with the amount thereof, and credit the same to the revenue fund of the county. (*Id.* § 7.)

See page 146.

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\*§ 150*b*. **Repeal of inconsistent acts.** All acts and parts of acts inconsistent with the provisions of this act are hereby repealed: *provided*, that such repeal shall not be considered as altering or impairing the validity or obligations of any bonds of depositaries now legally in force, except as to the date of their expiration, as provided in section three of this act. (*Id.* § 8.)

See page 146.

§ 151. **Compensation of board.** The board of auditors shall each be entitled to the sum of three dollars for each day actually employed in the discharge of their duties under this act, to be paid upon allowance by the board of county commissioners in the same manner as other claims are paid. (1873, c. 38, § 2, *as amended* 1881, c. 48, § 1.)

See page 146.

Note to § 159, (SEC. 137:)

(As to removal of county treasurers for malfeasance or nonfeasance in office. See 1881, c. 108. *Post*, p. 19, c. 9, § 14. *et seq.*)

See page 147.

§ 169. (SEC. 147.) **To pay and deface orders.** The county treasurer, when any order or warrant drawn on him as treasurer, either by the county auditor or signed by the chairman of the board of county commissioners, and attested by the auditor, is presented for payment, shall, if there is money in the treasury for that purpose, redeem the same, and shall write across the entire face of all such orders and warrants, and in such way as to effectually cancel the same and prevent their being again issued, the word "Redeemed," the date of the redemption, and his official signature. County orders properly drawn and attested shall be entitled to preference as to payment according to the time when presented, of which a record shall be kept by the county treasurer, and upon the receipt of money into the treasury the treasurer shall appropriate and set apart the money necessary for the payment of the county orders so presented and registered, and if entitled to interest the treasurer shall issue to the original holder thereof a notice that interest shall cease in thirty days from the date of such notice, and if orders thus entitled to priority of payment are not then presented the next in order of registry may be paid until such orders are presented. No interest shall be paid on any order except upon a warrant drawn by the county auditor for the purpose, giving the number and date of the order on account of which the interest warrant is drawn. (*As amended* 1879, c. 33, § 1.)

§ 170. (SEC. 148.) **To deposit orders.** The treasurer shall deposit with the auditor of his county on the day of redemption all orders and warrants on the treasury by him redeemed, and he may take the auditor's receipt therefor. He shall enter the same, with date of payment, in his register of orders paid, and credit himself daily upon his journal and ledger with the amount thereof. The auditor shall cancel the same immediately upon his register or orders issued, and at the close of the day credit the treasurer with the same upon his journal and ledger. (*As amended* 1879, c. 33, § 1.)

See page 149.

§ 172. (SEC. 150.) **Salaries of county treasurers—how regulated.** The county treasurer shall be allowed, at the time of his settlement, all sums paid by him for printing such advertisements as he is required, at the rates prescribed by law, and all the sums paid by him for blank books and stationery necessarily used in his office; and shall receive for his services one-half of one per cent. as fees for receiving and disbursing all moneys on account of sales of school lands or the payment of interest on school lands, to be paid to him upon the warrant of the state auditor; and all other moneys by him collected or received as such county treasurer for each year's services, as follows: Four and one-half cents on each dollar for the first ten thousand dollars; three cents on each dollar on the second ten thousand dollars; and two cents on each dollar on all sums over twenty thousand dollars and less than sixty thousand dollars, and one per cent. on each dollar on all sums over sixty thousand dollars, to [be] paid on the warrants of the county auditor out of the revenue fund of the county: *provided*, that no compensation be allowed the treasurer on any moneys received

from his predecessors in office or his legal representatives, or on any moneys received from the current school fund of the state apportioned by the superintendent of public instruction: *provided*, that no treasurer shall receive more than twelve hundred dollars for his personal services in any one year, in counties where the valuation of taxable property is less than four million dollars; nor more than fifteen hundred dollars in counties where the valuation of the taxable property exceeds four million dollars and does not exceed six million dollars; nor more than two thousand dollars where such valuation exceeds eight million dollars and does not exceed ten million dollars; nor more than two thousand five hundred dollars where such valuation exceeds ten million dollars; and all moneys received as fees or percentage, in excess of amount provided for in this act, shall be paid by the county treasurer, at the end of each year, into the revenue fund of the county: *provided*, that the county commissioners of Otter Tail county may, in their discretion, allow the county treasurer of said Otter Tail county such sum as they shall deem just, not to exceed in any year the sum of three hundred dollars, for clerk hire and expenses in visiting towns in said county to collect personal property tax. (*As amended* 1877, c. 120, § 3, and 1881, c. 38, § 1, and c. 68, § 2.)

See page 149. (Applicable to Kandiyohi county. 1881, c. 156.)

## REGISTER OF DEEDS.

§ 175. (SEC. 153.) **To take oath and give bond.** Every register of deeds, before he enters upon the duties of his office, shall take and subscribe the oath prescribed by law, which said oath shall be indorsed on the certificate of his election or appointment, and he shall also give a bond payable to the state of Minnesota, with good and sufficient sureties, in the penal sum of five thousand dollars, to be approved by the board of county commissioners of his county, conditional that he will faithfully and impartially fulfil the duties of his office. Said bond and oath of office shall be recorded in the office of the clerk of the district court of the proper county, and forwarded by said clerk to the secretary of state. (*As amended* 1881, c. 60, § 1.)

See page 150.

## COUNTY ATTORNEYS.

§ 213b. **Partner not to defend in criminal actions, when, etc.** No law partner of any county attorney, and no attorney having his office with such county attorney, shall be permitted to appear as attorney for the defendant in any criminal action in any court in this state, which action it is the duty of the county attorney to prosecute. (1879, c. 88, § 1.)

See page 156.

(\*See Laws 1879, c. 69, [post, p. 91,] conferring upon Judges of probate the duties of commissioners.)

See page 157.

## COUNTY SURVEYORS.

§ 230. (SEC. 199.) **Surveyor in each county — term, oath, and bond.** There shall be elected in each county a surveyor, who shall hold his office for two years, and until his successor is elected and qualified. He shall reside in the county for which he is elected, and shall, previous to his entering upon the duties of his office, take and subscribe the oath required by law, and give bond to the board of county commissioners in the sum of five hundred dollars, conditioned for the faithful discharge of his duties; said bond to be approved by the county commissioners and recorded with the said oath of office in the office of the register of deeds; and he shall have power to administer oaths to chainmen and other persons under his charge. (*As amended* 1881, c. 46, § 1.)

See page 158.

§ 232. (SEC. 200.) **May appoint deputies.** The said surveyor may appoint such number of deputies as he thinks proper, who shall severally take an oath, for the faithful performance of whose duties he shall be responsible, and, by himself or one of his



deputies, execute all surveys which shall be ordered by any court, board of county commissioners, town supervisors, or other public officer, within his county, or upon application of any individual or corporation; and each of said deputies shall have the power to administer oaths to chairmen and other persons under their charge. (*As amended 1881, c. 42, § 1.*)

See page 159.

#### CLERK OF DISTRICT COURT.

§ 257. (SEC. 225.) **Clerk shall give bond and take oath.** Every clerk of the district court, before entering on the duties of his office, shall execute a bond to the board of county commissioners, with two or more sureties approved by said board, in the penal sum of one thousand dollars, conditioned for the faithful discharge of his official duties, and take and subscribe the oath required by law; which oath and bond shall be filed and recorded in the office of the register of deeds: *provided*, that the judge of the district court in any county, on the application of any person or corporation paying money exceeding one thousand dollars to said clerk, to abide the result of any legal proceedings, may order said money to be deposited in some safe depository until the further order of said judge of court; or said judge may require said clerk to give an additional bond, with like effect as the bond provided for in this section, in an amount as said judge shall deem sufficient. (*As amended 1879, c. 91, § 1.*)

See page 163.

### CHAPTER IX.

#### RESIGNATIONS, VACANCIES, AND REMOVALS.

§ 3. **Governor may remove certain officers, when.** The governor may remove from office any clerk of the supreme or district court, judge of probate, court commissioner, sheriff, coroner, auditor, register of deeds, county attorney, county superintendent of schools, or county commissioner, county treasurer, or any collector, receiver, or custodian of public moneys, whenever it appears to him by competent evidence that either of such officers have been guilty of malfeasance or nonfeasance in the performance of his official duties; first giving to such officer a copy of the charges against him, and an opportunity to be heard in his defence. (*As amended 1881, c. 21, § 1.*)

See page 165.

§ 11. (SEC. 6.) **Appointment, how long to continue.** In all offices not otherwise provided for, when a vacancy is authorized to be filled by appointment, such appointment shall continue until the next general election occurring after there is sufficient time to give the notice prescribed by law, and until a successor is elected and qualified. All county officers now holding by virtue of an election shall hold their office for the full term thereof, as now prescribed by law for such county officers. (*As amended 1879, c. 53, § 1.*)

See page 166.

\*§ 14. **Suspending county treasurer.** Whenever it shall appear from the report of the public examiner that the treasurer of any county has been guilty of malfeasance or nonfeasance in the performance of his official duties, the governor may suspend such treasurer from office, if he shall deem the public interests so to require. (1881, c. 108, § 1.)\*

See page 167.

\*§ 15. **Same—notice to county auditor—treasurer ad interim.** In case of such suspension, the governor shall immediately notify the auditor of the county, who shall

(\*An act providing for the suspension and removal of county treasurers for malfeasance or nonfeasance in office, and for the appointment of county treasurers ad interim, approved March 7, 1881.)