

# 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.

supreme court in which there has not been a final hearing: *provided, always*, that except as aforesaid nothing in this act contained shall be construed so as to divest the supreme court of jurisdiction to hear and finally determine any and all such suits or proceedings now pending in said court: *and provided, further*, that any such suit or proceeding now pending in the supreme court in which there is any issue of fact which has not been finally heard or determined, the said supreme court shall, on request of the attorney of either the plaintiff or defendant in such suit or proceeding, transmit the record to the district court of the proper county, which district court shall thereupon and thereafter have jurisdiction of the case, and shall proceed to try any issue or issues therein, in the same manner and with the same effect as if such suit or proceeding had been originally commenced in such district court: *and provided, further*, that the district court in which such suit or proceeding is pending may grant a change of venue as in ordinary civil actions. (*As amended 1881, c. 40, § 1.*)

See page 835.

(See *State ex rel. Colter v. Burr*, 8 N. W. Rep. 899, 2 Minn. 245.)

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## CHAPTER LXXXI.

### FORECLOSURE OF MORTGAGES.

#### FORECLOSURE BY ADVERTISEMENT.

\*§ 1. **Foreclosure by advertisement within fifteen years.** Every mortgage of real estate, heretofore or hereafter executed, containing therein a power of sale, upon default being made in any condition of such mortgage, may be foreclosed by advertisement within fifteen years after the maturing of such mortgage or the debt secured thereby, in the cases and in the manner hereinafter specified. (1878, c. 53, § 1, *as amended 1879, c. 21, § 1.*)

See page 841.

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## CHAPTER LXXXIV.

### FORCIBLE ENTRIES AND UNLAWFUL DETAINERS.

Add to § 6, page 854:

And if the officer cannot find in his county said person against whom such complaint is made, and said person has no last and usual place of abode therein, then such summons may be served by leaving a true and certified copy thereof upon the premises described in such complaint, not less than six days before the return-day thereof. Such copy may be left with any person using, occupying, or in charge of said premises, or any part thereof, and such action shall thereupon proceed as though a personal service were made of said summons. (*As amended 1881, c. 50, § 1.*)

(Jurisdiction of municipal court of St. Paul in action of forcible entry and detainer. See *ante*, \*§ 82a, p. 96.)

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## CHAPTER LXXXVI.

### APPEALS IN CIVIL ACTIONS.

\*§ 23a. **Dismissal of appeal during vacation.** Any judge of the supreme court shall, during vacation, have the same power as the court at term to dismiss any appeal