

sota for the year of one thousand eight hundred and seventy-eight (1878) be and the same is hereby amended so as to read as follows:

Providing the manner of serving summons or process in collections against foreign corporations.

"Sec. 60. That the summons or any process in any civil action or proceeding wherein a foreign corporation or association is defendant, which has property within this state, or the cause of action arose therein, may be served by delivering a copy of such summons or process to the president, secretary or any other officer, or to any agent of such corporation or association; and such service shall be of the same force, effect and validity as like service upon domestic corporations; *Provided*, If any such corporation or association has, by an appointment in writing filed with the secretary of this state, appointed or designated some person or resident of this state upon whom summons or process can be served, such summons or process shall be served upon such person so designated; and *Provided further*, That any such action or proceeding may be commenced and tried in any county in which the cause of action arose, subject to be removed for cause as in other cases.

This act to supersede other provisions.

"Sec. 61. This act shall have full force and effect, notwithstanding any provisions of the general statutes or other law of the state inconsistent herewith."

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

Approved April 1, 1891.

CHAPTER 80.

[H. F. No. 143.]

General Statutes 1878, amending Chap. 66, Sec. 263.

AN ACT TO AMEND SECTION TWO HUNDRED AND FIFTY-THREE (253) OF CHAPTER SIXTY-SIX (66) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO NEW TRIALS:

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

Amending the causes for a new trial, in the fourth cause, of inadequate or insufficient damages.

SECTION 1. That said section be and the same is hereby amended so as to read as follows:

"Sec. 253. A verdict, report or decision may be vacated and a new trial granted, on the application of the party aggrieved, for any of the following causes materially affecting the substantial rights of such party:

"*First*—Irregularity in the proceedings of the court, jury, referee or prevailing party, or any order of the court or referee, or abuse of discretion, by which the moving party was prevented from having a fair trial.

"*Second*—Misconduct of the jury or prevailing party.

“*Third*—Accident or surprise which ordinary prudence could not have guarded against.

“*Fourth*—Excessive or inadequate and insufficient damages, appearing to have been given under the influence of passion or prejudice.

“*Fifth*—That the verdict, report or decision is not justified by the evidence, or is contrary to law.

“*Sixth*—Newly discovered evidence, material for the party making the application, which he could not with reasonable diligence have discovered and produced at the trial.

“*Seventh*—Error in law occurring at the trial and excepted to by the party making the application.”

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

Approved March 24, 1891.

CHAPTER 81.

[S. F. No. 28.]

AN ACT TO AMEND SECTION ONE (1) OF CHAPTER SIXTY-EIGHT (68) OF THE GENERAL STATUTES OF EIGHTEEN HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO HOMESTEAD EXEMPTION.

General Statutes
1878, amending
Chap. 68, Sec. 1.

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

SECTION 1. That section one (1) of Chapter sixty-eight (68) of the General Statutes of eighteen hundred and seventy-eight (1878) be and the same is hereby amended by inserting after the word “lot,” in the sixth (6th) line thereof, the following words: “Of the original plat or any rearrangement or subdivision of such plat, or of any part thereof, as the same shall exist at the date of the commencement of the action or proceeding in which the execution or other process hereinafter mentioned shall issue, or of the death under which the homestead is claimed, or, in case the buildings occupy parts of two (2) or more lots as legally platted at the time the exemption is claimed, a quantity of land not exceeding in area one of the original lots in the same block.”

Limiting the
holding under
homestead ex-
emption within
an incorporated
village or city.

SEC. 2. Nothing herein contained shall apply to or affect any action or proceeding now pending in any court in this state.

SEC. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 16, 1891.