

Subd. 3. **Sole use.** Such fund shall be used solely for the purposes set forth in subdivision 2, and no part thereof may be used to pay any expense in connection with the preparation of printer's copy therefor.

Sec. 5. **Appropriation.** There is hereby appropriated out of the general revenue fund in the state treasury to be placed in the Minnesota Annotations Revolving Fund, the sum of \$50,000.

Approved April 21, 1945.

CHAPTER 462—H. F. No. 850

An act relating to the Minnesota Statutes; appropriating money therefor; and repealing Minnesota Statutes 1941, Chapter 648.

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

Section 1. **Biennial publication.** Subdivision 1. **Revisor to prepare copy.** Immediately after the end of the biennial session of the Legislature in 1947 and each biennial session thereafter, the revisor of statutes shall prepare and deliver to the commissioner of administration printer's copy for a volume to be called "Minnesota Statutes," appending thereto the year of such biennial session, which shall contain the constitution of the United States, the constitution of this state, all general and permanent statutes in force, a table of the statutes which have been revised by the revisor of statutes, an alphabetical index, a table showing the terms of the district courts, and such other information as the revisor of statutes deems desirable and practicable, and which shall conform, as far as practicable, in classification, arrangement, printing, and binding with Minnesota Statutes 1945. The decimal system of numbering of sections contained in Minnesota Statutes 1945 shall be continued in all future editions of Minnesota Statutes.

Subd. 2. **New laws incorporated.** The revisor of statutes shall, as soon as possible after the adjournment of each such biennial session of the Legislature, incorporate with the body of the text of the Minnesota Statutes the amendments made to any of the statutes contained therein at such session of the Legislature and at any extra session of the Legislature held

since the last preceding biennial session, and omit any sections or statutes expressly repealed.

Subd. 3. Specifications for copy. When printer's copy for any edition of Minnesota Statutes is prepared, the revisor of statutes shall compile and include therein, in an appropriate place and classification, having reference to the arrangement and classification thereof, all laws of a general and permanent nature which were enacted at such biennial session and at any extra session held since the last preceding biennial session, assigning to such laws such chapter and section identification, by the decimal system of numbering, as is appropriate. After each section so included there shall be placed a source note indicating the chapter and section of the session law from which the same was derived. Chapters and sections so compiled and included shall be prima facie evidence of the law contained therein in all courts and proceedings.

Sec. 2. Printing; certificate by revisor. Upon delivery of such printer's copy, the commissioner of administration shall print and deliver, as soon as possible, an edition sufficient to supply the demand. After making the necessary comparison, the revisor shall annex, at the end of one copy of each edition, which shall be filed in the office of the secretary of state as a public record, his certificate certifying that he has compared each printed section therein with the original section of the statutes or with the original section contained in the enrolled act from which the section was derived, together with all amendments of such original section and that all sections appear to be correctly printed. All other copies of the edition shall contain a printed copy of such certificate.

Sec. 3. Prima facie evidence. Any volume of Minnesota Statutes so certified by the revisor of statutes shall constitute prima facie evidence of the statutes contained therein in all courts and proceedings, and any section in any such volume may be amended or repealed by reference to the section number, without reference to the legislative act from which it was compiled.

Sec. 4. Powers of revisor. Subdivision 1. The revisor of statutes, in preparing printer's copy for editions of the statutes, shall not alter the sense, meaning, or effect of any legislative act, but may renumber sections and parts of sections thereof, change the wording of headnotes, rearrange sections, change reference numbers to agree with renumbered chapters or sections, substitute the proper section or chapter numbers for the terms "this act," "the preceding section," and the like, substitute figures for written words and vice versa and change

capitalization for the purpose of uniformity, and correct manifest clerical or typographical errors.

He shall have power:

- (1). To correct therein all words misspelled in enrolments;
- (2) To correct all manifest grammatical and clerical errors, including punctuation, but no such correction shall constitute an alteration of, or a departure from, the enrolment; and
- (3) To transfer sections or to divide sections so as to give to distinct subject matters a section number, but without changing the meaning.

Subd. 2. On questions of orthography Funk & Wagnalls New Standard Dictionary of the English language shall be taken as the standard.

Sec. 5. **Numbers retained.** All chapters and sections of Minnesota Statutes shall retain the numbers and titles given them in Minnesota Revised Statutes until changed by the revisor or by statute.

Sec. 6. **Headnotes.** The headnotes of the sections of any edition of the Minnesota Statutes printed in black-face type are intended to be mere catch-words to indicate the contents of the section and are not any part of the statute, nor shall they be so deemed when any of such sections, including the headnotes, are amended or reenacted, unless expressly so provided.

Sec. 7. **Duties.** Subdivision 1. The revisor of statutes shall keep an accurate and complete record of all legislation enacted by the Legislature and of all bills introduced in the Legislature.

Subd. 2. He shall prepare and submit to the Legislature such clarifying bills relating to the statutes as can be completed from time to time.

Sec. 8. **Printed volumes.** The Minnesota statutes shall be printed in the general form of Minnesota Statutes 1941 and each full page of printed matter shall be eight and one-half inches high and five inches wide.

Sec. 9. **Sale and distribution.** Subdivision 1. The commissioner of administration shall purchase 1,000 copies of each edition of Minnesota Statutes, to be distributed by him as follows:

3 copies, to each justice of the supreme court;

1 copy to each judge of a district court;

1 copy to the clerk of each district court for use in each courtroom of the district court of his county;

50 copies to the state law library;

50 copies to the law school of the University of Minnesota;

20 copies to the office of the attorney general;

1, or more, copies, as may be necessary, to the various executive officers, heads of departments, administrative boards and societies of the state government;

1 copy to each member of the Legislature;

1 copy to each legislative committee as required;

4 copies to the secretary of the senate;

4 copies to the chief clerk of the house of representatives;

1 copy to each judge, district attorney, clerk of court of the United States and the deputy clerk of each division of the United States district court in this state, the secretary of state of the United States, the library of Congress, and the state historical society.

Subd. 2. Each county shall purchase from the commissioner of administration one copy each for the use of the judge of probate, county attorney, auditor, treasurer, register of deeds, and superintendent of schools.

Subd. 3. Each city, village, borough, and town shall purchase from the commissioner of administration, for the use of each justice of the peace, judge of the municipal court, clerk of the municipal court, and clerk of the city, village, borough, or town, as the case may be, such number of copies as the city, village, borough, or town shall determine is needed.

Sec. 10. **Stamped "state property."** All copies of Minnesota Statutes distributed to any state or other public officer, except members and officers of the Legislature and officers of the United States, shall have stamped or written thereon the name of the office, together with the words "State Property," and shall be kept for the use of such office.

Sec. 11. **Metal type and similar preserved.** The type, stereotype matrices, electrotypes, or stereotype plates and the linotype matrices thereof of the Minnesota Statutes shall be

and remain the property of the State of Minnesota. The commissioner of administration shall store and safely keep all type, matrices, electrotypes or stereotype plates and the lino-type matrices thereof of the Minnesota Statutes in such manner that they may be readily accessible at all times.

Sec. 12. Sale. The commissioner of administration may sell the Minnesota Statutes to the state or any political subdivision thereof or to any person at the estimated cost thereof, which shall not include any cost of revision nor the original cost of the metal type, matrices, electrotype or stereotype plates, or the cost of storage thereof.

Sec. 13. Pamphlets authorized. The commissioner of administration is required to print and deliver in pamphlet form such editions or parts of the Minnesota Statutes as may be necessary for the use of public officers and departments, the cost thereof to be borne by the office or department requesting the same. Such printing shall be discretionary, limited to actual needs as shown by experience or other competent proof, and the printing shall be done from the plates from which the Minnesota Statutes have been printed, so far as can be done.

Sec. 14. Separate books. When there is a sufficient demand for the printing of codes or parts of the Minnesota Statutes in separate book or pamphlet form the commissioner of administration may print and sell such books or pamphlets.

Sec. 15. Revolving fund. Subdivision 1. The Minnesota Statutes Revolving Fund is hereby created for the purpose of carrying out the provisions in this act for the printing and distribution of the Minnesota Statutes, and shall be kept in the state treasury and shall be paid out in the manner prescribed by law for money therein.

Subd. 2. Such fund shall consist of the money appropriated therefor and the money transferred to it as provided in this section, which are reappropriated to the commissioner of administration for the purposes herein set forth.

Subd. 3. All money now in the revolving fund created by Laws 1941, Chapter 548, Section 7, is hereby transferred to said fund, and all money which may be hereafter received by the commissioner of administration from the sale of Minnesota Statutes and from the sale of pamphlets and codes printed therefrom shall be deposited in said fund.

Subd. 4. Such fund shall be used solely for the payment of expenses incurred by the commissioner of administration

in the printing, publication, sale, and distribution of Minnesota Statutes, and no part of such fund may be used in the payment of any expense incurred for preparing printer's copy for any edition of Minnesota Statutes.

Sec. 16. **Appropriation.** There is hereby appropriated out of the general revenue fund in the state treasury to be placed in the "Minnesota Statutes Revolving Fund" the sum of \$30,000.

Sec. 17. **Repeal.** Minnesota Statutes 1941, Chapter 648, is hereby repealed.

Approved April 21, 1945.

CHAPTER 463—H. F. No. 885

An act relating to appeals to the supreme court; amending Minnesota Statutes 1941, Section 605.09.

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

Section 1. Minnesota Statutes 1941, Section 605.09, is amended to read as follows:

605.09. **Appeal to supreme court.** 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 sustaining a demurrer, or from an order overruling a demurrer if the court certifies that the question presented by the demurrer which it overrules by such order is important and doubtful and makes such certification