

CHAPTER 159.

[S. F. No. 637.]

AN ACT TO VEST IN THE FIRST JUDGE OF THE DISTRICT COURT FOR THE ELEVENTH JUDICIAL DISTRICT CERTAIN POWERS, AUTHORITY AND OFFICIAL TRUSTS HERETOFORE VESTED IN THE TOWN COUNCIL OF THE TOWN OF DULUTH, AND IN THE COMMON COUNCIL OF THE CITY OF DULUTH.

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

SECTION 1. All powers, authority and official trusts heretofore at any time vested in the town council of the town of Duluth, or in the common council of the city of Duluth, under the act of congress "for the relief of citizens of towns upon lands of the United States, under certain circumstances," approved May twenty-third (23d), A.D. one thousand eight hundred and fifty-four (1854), and by or under legislation of this state passed in pursuance or aid of said act of congress, are hereby transferred to and vested in the first judge of the district court for the eleventh (11th) judicial district.

Trusts, &c., heretofore vested in town or city council of Duluth, transferred to first judge eleventh district.

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

When act to take effect.

Approved April 24, 1889.

CHAPTER 160.

[H. F. No. 837.]

AN ACT TO AMEND SECTION TWO (2) OF CHAPTER SEVENTY (70) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO FEES OF THE CLERK OF THE DISTRICT COURT.

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

SECTION 1. That section two (2) of chapter seventy (70) of the general statutes one thousand eight hundred and seventy-eight (1878), be and the same is hereby amended by adding to the end of said section two (2) the following proviso: *Provided*, That for searching the judgment docket books of his office and certifying to the existence or non-existence of judgments docketed therein he

Fees for searching judgment docket books.

shall receive as fees the sum of fifty (50) cents. This act shall not apply to the county of Rice.

When act to
take effect.

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

Approved April 23, 1889.

CHAPTER 161.

[H. F. No. 1064.]

AN ACT ENTITLED AN ACT PROVIDING FOR CHANGING THE PLACE OF TRIAL OF ACTIONS COMMENCED IN MUNICIPAL COURTS AND COURTS OF JUSTICES OF THE PEACE IN CERTAIN CASES.

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

Place of trial
of actions,
changes how
made.

SECTION 1. In any action hereafter brought in any municipal court of any city or town of this state if the county designated as the place of trial in the summons be not the county where the defendant or defendants reside, the action may notwithstanding be tried therein unless the defendant, after answering, and before the time fixed for the trial of said cause demands in writing that the trial be had in the district court of the county where the defendant or defendants reside, and the place of trial shall thereupon be changed to the proper county by the order of the court, and thereupon the clerk of such municipal court shall transmit to the clerk of the district court where the defendant or defendants reside, copies of all papers and files relating to said cause.

Actions, how
transferred.

SEC. 2. When an action has been instituted in any county of this state in any justice court of any county against any person not a resident of the county where the justice issuing the process resides, and said action shall be appealed to the district court in said county where said justice resides, the action may be transferred to the district court of the county where the defendant resides upon filing with the clerk of the district court of the county to which said action has been appealed, an affidavit of the defendant or his attorney setting forth that the defendant, or when there is more than one defendant, a majority, resides in some other county in this state, which affidavit shall be filed within ten (10) days after the appeal has been perfected, and thereupon such action shall be transferred by order of the court to the district court of the county where the defendant or majority of the defendants reside, and the clerk of such district court shall thereupon transmit to the clerk of