

the district where such action originated or in any other district, when such cases are brought before him by consent of all parties to the action; and the acts and judgments of such judge and courts, so done and rendered, shall have the same force and effect as if done by a judge of the district court in which such actions are pending and in the district where they are pending."

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

Approved April 20, 1891.

## CHAPTER 78.

[S. F. No. 835.]

AN ACT AMENDING SECTION ONE HUNDRED AND NINETYNINE (199) OF CHAPTER SIXTY-SIX (66) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878).

General Statutes  
1878, amending  
Chap. 66, Sec.  
199.

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

SECTION 1. Section one hundred and ninety-nine (199) of Chapter sixty-six (66) of the General Statutes of Minnesota one thousand eight hundred and seventy-eight (1878) is hereby amended so as to read as follows: "Writs of injunction, attested and sealed as other process of the courts, may issue, upon order of the court or a judge thereof as hereinafter set forth; but the period during which performance of an act is stayed by injunction forms no part of the time for performance of such act."

Writs of injunction  
not to limit  
time of performance  
of any act.

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

Approved April 21, 1891.

## CHAPTER 79.

[H. F. No. 306.]

AN ACT TO AMEND SECTIONS SIXTY (60) AND SIXTY-ONE (61) OF CHAPTER SIXTY-SIX (66) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878); RELATING TO SERVICE ON FOREIGN CORPORATIONS.

General Statutes  
1878, amending  
Chap. 66, Secs. 60  
and 61.

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

SECTION 1. That sections sixty (60) and sixty-one (61) of Chapter sixty-six (66) of the General Statutes of Minne-

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. 253.

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.