

## CHAPTER 195—H. F. No. 64

*An act to amend Mason's Minnesota Statutes of 1927, Section 172, relating to a district court, St. Louis County, Minnesota.*

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

Section 1. **District court—summons—place of trial.**—That Mason's Minnesota Statutes of 1927, Section 172, be and the same hereby is amended to read as follows :

"172. Any party wishing to have any *appeal from an order of the Railroad and Warehouse Commission, any election contest, a lien foreclosure, or any civil cause or proceeding of any kind commenced or appealed* by him in said Court, tried in said City of Virginia, shall in the summons, *Notice of Appeal in such matters, or other jurisdictional instrument* issued therein, in addition to the usual provisions, print, stamp or write thereon the words "to be tried at the city of Virginia", and any party wishing any *such matter commenced or appealed* by him in said Court tried at the Village of Hibbing, shall in the summons, *Notice of Appeal in such matters or other jurisdictional instrument* issued therein, in addition to the usual provisions, print, stamp or write thereon the words "to be tried at the Village of Hibbing," and any party wishing any *such matter commenced or appealed* by him in said Court tried at the City of Ely, shall in the summons, *Notice of Appeal in such matters, or other jurisdictional instrument* issued therein, in addition to the usual provisions, print, stamp or write thereon the words, "to be tried at the City of Ely," and in all cases where any summons, *Notice of Appeal in such matters, or other jurisdictional instrument* contains any such specifications, the case shall be tried at said City of Virginia or the Village of Hibbing or City of Ely, as the case may be, unless the defendant shall have the place of trial fixed in the manner hereinafter set out.

If the place of trial designated is not the proper place of trial, as specified in this act, the cause shall nevertheless be tried in such place, unless the defendant, in this answer in addition to the other allegations of defense, shall plead the location of his residence, and demand that such action be tried at the place of holding said court nearest his residence as herein provided; and in any case where the answer of the defendant pleads such place of residence and makes such demand of place of trial, the plaintiff in his reply, may admit or deny such allegations of residence, and if such allegations of residence be not expressly denied, such case shall be tried at the place so demanded by the defendant, and if the allegations of residence be so denied, then the place of trial shall be determined by the Court on motion.

If there are several defendants, residing at different places in said county, the trial shall be at the place which the majority of such defendants unite in demanding, or if the numbers are equal, at the place nearest the residence of the majority.

Provided, that the venue of any such action may be changed from any one of said places to any other, by order of the Court, in the following cases:

1. Upon written consent of the parties.
2. When it is made to appear, on motion, that any party has been made a defendant for the purpose of preventing a change of venue as provided in this section.
3. When an impartial trial cannot be had in the place where the action is pending; or
4. When the convenience of witnesses and the ends of justice would be promoted by the change.

Application for such change under sub-divisions 2, 3, or 4, shall be made by motion which shall be returnable and heard at the place of commencement of the action."

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

Approved April 18, 1931.

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#### CHAPTER 196—H. F. No. 344

*An act to amend Section 2, Chapter 433, Laws 1929 relating to licensing of Chauffeurs.*

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

Section 1. **Licensing of chauffeurs.**—That Section 2, Chapter 433, Laws 1929, be and the same hereby is amended so as to read as follows:

"Section 2. The secretary of state shall establish a chauffeurs' license division in the motor vehicle department of his office for the purpose of ascertaining and determining the qualifications of applicants for chauffeurs' licenses, and shall conduct examinations of applicants for such license at such times and places as he shall designate, and shall issue licenses only to such applicants as shall be found to have a practical knowledge of the construction, mechanism and operation of motor vehicles and a sufficient knowledge of the traffic