

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

Section 1. **Law repealed.**—That Mason's Minnesota Statutes of 1927, Section 371, be and the same is hereby repealed.

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

Approved April 19, 1937.

CHAPTER 299—H. F. No. 249

An act to amend Mason's Minnesota Statutes 1927, Section 9397, providing for regulations as to publications of retractions.

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

"9397. **Damages for libel.**—In an action for damages for the publication of a libel in a newspaper, the plaintiff shall recover no more than special damages, unless a retraction be demanded and refused as hereinafter provided. He shall serve upon the publisher at the principal place of publication, a notice, specifying the statements claimed to be libelous, and requesting that the same be withdrawn. And if a retraction thereof be not published *on the same page and in the same type and said statement headed in 18 point type or larger 'RETRACTION'*, as were the statements complained of, in a regular issue thereof published within one week after such service, he may allege such notice, demand, and failure to retract in his complaint, and may recover both special and general damages if his cause of action be maintained. And, if such retraction be so published, he may still recover general damages, unless the defendant shall show that the libelous publication was made in good faith and under a mistake as to the facts. If the plaintiff was a candidate for office at the time of the libelous publication, no retraction shall be available unless published *on the same page and in the same type and said statement headed in 18 point type or larger 'RETRACTION'*, as were the statements complained of, in a regular issue thereof published within one week after such service, and also in a conspicuous place on the editorial page, nor if the libel was published within one week next before the election: Provided, that this section shall not apply to any libel imputing unchastity to a woman.

Approved April 19, 1937.