

appearing in the files shall stand as the complaint and answer respectively in such action. *Provided, however, that any pleading may be amended at the time of the trial in the said municipal court at the discretion of said court.*"

Approved July 15, 1937.

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CHAPTER 68—S. F. No. 92

*An act to amend Section 1, Part 4, Chapter 166, of the Laws of 1935, relating to the qualifications of a legal newspaper.*

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

Section 1. **Qualifications of legal newspaper.**—That Part 4, Chapter 166, of the Laws of 1935 be and the same hereby is amended to read as follows:

"Be circulated in and near its place of publication to the extent of at least two hundred and forty copies regularly delivered to paying subscribers and having entry as second class matter in its local post-office. Any person interested in the legality of any publication may request of the county auditor of the county in which such publication is made proof of the legal standing of the newspaper in which such publication is contained. The county auditor shall then demand of the publisher of such newspaper as a public record proof of these qualifications, together with a list of the two hundred forty paying subscribers. Failure of such publisher to comply with this demand within ten days after receipt of such request shall then forfeit the legal standing of such newspaper.

All of the foregoing conditions shall have existed for at least one year last past, provided, however, that any newspaper which shall have been a duly qualified medium of legal publication under requirements of Section 10935, Mason's General Statutes of Minnesota, 1927, for at least one year immediately preceding the passage of this act as amended, or which shall at any time prior to the time this act shall take effect conform to the requirements herein provided for, shall not affect the qualification or validity of such newspaper as a medium of official and legal publication, and such newspaper shall be deemed to be a legal newspaper, provided that suspension of publication for a period of not more than three months within said year, resulting from the destruction of its office by the elements of unforeseen accident to the equipment thereof shall not affect the qualification of such newspaper after it shall have resumed; nor shall the consolidation of one newspaper with another published in the same

county, nor any change in the name or ownership thereof, disqualify it or invalidate any publication continuously made therein, before and after the change; provided further that any newspaper located in a county of more than 150,000 and less than 250,000 population, which shall have been published daily or weekly, regularly and without suspension of publication, fifteen years or more immediately prior to the date this act goes into effect, in one city or village; or any newspaper located in a county of over 250,000 population, which shall have been published daily or weekly, regularly and without suspension of publication, three years or more immediately prior to the date this act goes into effect, in one city or village, and having a regular office and editorial rooms, shall be deemed to be a legal newspaper, notwithstanding that it is not printed at the place from which it purports to be issued, and notwithstanding that it is not equipped with skilled workmen and the necessary material for preparing and printing the same, or that it is not printed in the English language, providing it shall conform to all the other requirements of said Section 10935, Mason's General Statutes of Minnesota, 1927; *provided further that any newspaper, which shall have been published continuously over 75 years, under the ownership of the same publisher over forty years, in the same city or village and which within one year prior to the passage of this act changed the frequency of publication from a weekly to a daily publication, shall be deemed to be a legal newspaper;* provided further that all legal notices shall be printed in the English language.

Neither the change of the day of publication, or the change of office or place of publication from one place to another within the same county shall deprive it of standing as a legal newspaper, and it shall be deemed to be a legal newspaper notwithstanding such change of the day of publication, *the frequency of publication*, or change of office and place of publication within the same county."

Approved July 15, 1937.

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#### CHAPTER 69—S. F. No. 130

*An act to amend Session Laws of 1923, Chapter 419, Section 6, as amended by Laws of 1927, Chapter 125, Section 1, as amended by Laws of 1929, Chapter 152, as amended by Laws of 1937, Chapter 247, relating to the salaries, compensation, duties and help of certain county officials in counties having, or which may hereafter have, a population of 380,000 inhabitants or over.*

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