

75 per cent or more of the real and/or tangible personal property of which is not taxable in this state.

Approved April 1, 1939.

CHAPTER 128—H. F. No. 580

An act relating to the qualifications of a newspaper as a medium of official and legal publications, and to repeal the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 10935.

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

Section 1. Qualifications for legal newspapers.—A newspaper in order to be qualified as a medium of official and legal publications, shall:

(1) Be printed in the English language from its known office of publication within the city, village or town from which it purports to be issued and in newspaper format and in column and sheet form equivalent in space to at least 450 running inches of single column, two inches wide.

(2) Be issued at least once each week, and if a daily at least five days each week, from a known office, established in such place for such publication and employing skilled workmen and the necessary material for preparing and printing the same; except in any week in which a legal holiday or Thanksgiving day is included, not more than four issues of a daily paper shall be necessary, which provision shall also apply when the legal holiday falls upon Sunday. Provided that the press work on that part of the newspaper devoted to local news of interest to the community which it purports to serve, shall be done in its known office of publication.

(3) 25 per cent of its news columns devoted to local news of interest to the community which it purports to serve. It may also contain general news, comment and miscellany, and must not wholly duplicate any other publication, and be not entirely made up of patents, plate matter and advertisements.

(4) Be circulated in and near its place of publication to the extent of at least 240 copies regularly delivered to paying subscribers and have entry as second class matter in its local post-office.

(5) Have complied with all of the foregoing conditions for at least one year last past.

Provided, however, that any publication which shall have been a duly qualified medium of legal publication or which shall have filed with the proper county auditor an affidavit purporting to set forth its qualifications as a legal publication, under the laws of this state, prior to the passage of this act shall be a legal newspaper and a duly qualified medium of official and legal publication, so long as said publication complies with sub-section 4, hereof.

Suspension of publication for a period of not more than three months within any year, resulting from the destruction of its office by the elements or unforeseen accident to the equipment thereof shall not affect the qualification of such newspaper; 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, and any change of the day of publication, the frequency of publication, or the change of office or place of publication from one place to another within the same county shall not deprive any such publication of its standing as a legal newspaper. Any person interested in the legality of any publication may request the auditor for the county in which such publication is published to furnish proof of the legal standing of the publication in which such legal publication is contained. The county auditor shall then demand of the publisher of such publication to furnish written proof of its qualifications together with a list of the two hundred forty paying subscribers, which shall be then filed by said auditor in his office as a public record. Failure of such publisher to comply with this demand within ten days after receipt of such request shall forfeit the legal standing of such publication, and such publication shall not be a medium of legal publication until such written proof and list shall have been so furnished.

All legal notices shall be printed in the English language.

Sec. 2. Inconsistent acts repealed.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 10935, and all other acts or parts of acts inconsistent herewith are hereby repealed.

Approved April 1, 1939.