

S. F. No. 182.

## CHAPTER 26.

To amend Sec.  
14 Chap. 88  
G. S. 1878.

*An act to amend section fourteen, of chapter eighty-eight of the general statutes of one thousand eight hundred and seventy-eight, relating to attorneys and counselors.*

Be it enacted by the Legislature of the state of Minnesota.

SECTION 1. That section fourteen of chapter eighty-eight of the general statutes of eighteen hundred and seventy-eight, be and hereby is amended so as to read as follows, to wit:

Party to substitute attorney for record attorney disabled.

Sec. 14. When the attorney of a party to any action, or proceeding in any court of record in this state, dies, becomes insane, or is suspended, the party to such action or proceeding, for whom such attorney appears, as the sole attorney, shall within ten days after such disability appoint another attorney and forthwith notify the adverse party, or his attorney, in writing thereof, and in case such party fails within said time to appoint another attorney, and at least twenty days before any further proceedings be had against him, he shall be required by notice in writing by such adverse party, to appoint another attorney; *provided*, if such party is a non-resident, such notice may be served on the clerk of the court wherein such action or proceeding is pending.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 25, 1895.

H. F. No. 694.

## CHAPTER 27.

To amend sec.  
8 Chap. 73  
G. S. 1878.

*An act to amend section eight (8) of chapter seventy-three (73), general statutes of eighteen hundred and seventy-eight (1878) of Minnesota and amendments thereto, relating to evidence.*

95 C 27  
99-M - 460

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

Conversations with deceased persons—when admissible.

SECTION 1. That section eight (8) of chapter seventy-three (73), general statutes of eighteen hundred and seventy-eight (1878) be amended to read as follows: "It shall not be competent for any party to an action, or interested in the event thereof, to give evidence therein of or concerning any conversation with or

admission of, a deceased or insane party or person, relative to any matter at issue between the parties; *provided*; that where the testimony of the party or person, since deceased, or insane, shall have been taken prior to death or disability, either in form of a deposition or by court stenographer in court and can be had and read as the testimony of such witness; wherein such party or person shall have testified concerning any conversation with the opposite party or person or concerning admissions made to such party; upon a trial of the issues after the death or disability of such party or person as contemplated in this section, the opposite party may testify fully in reference to conversations and admissions to which the aforesaid deposition or evidence shall relate.

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

Approved April 25, 1895.

CHAPTER 28.

*An act to amend section fifty-one (51) of chapter sixty-six (66) of the general statutes of eighteen hundred and seventy-eight (1878) relating to change of place of trial of civil actions.*

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

SECTION 1. That section fifty-one (51) of chapter sixty-six (66) of the general statutes of one thousand eight hundred and seventy-eight (1878) be amended so as to read as follows:

Sec. fifty-one (51). If the county designated for that purpose in the complaint is not the proper county, the action may notwithstanding be tried therein, unless the defendant before the time for answering expires demands in writing that the trial be had in the proper county, which demand shall be accompanied by an affidavit of the defendant, his attorney, or agent, as to the actual residence of the defendant at the time of the commencement of the action and upon filing due proof of the service of such demand and affidavit upon the attorney of plaintiff in the office of the clerk of the district court in the county in which such action is commenced such action shall thereupon be transferred and the place of trial thereof changed to the county of which such defendant is a resident without any other steps or proceedings whatever. Where in any action there are

H. F. No. 228.

To amend Sec. 51 Chup. 66 G. S. 1878.

95 C 28  
66-M - 213  
70-M - 186  
68-NW 976  
72-NW 1070  
75-NW 592  
77-NW 41  
95 C 28  
72-M 153  
74-M 211  
77-M 302  
79-NW 960  
83-NW 342

95 C 28  
83-M - 448  
80-M - 373  
86-NW 416  
88-NW 758

(Change of venue—when.

95 c 28  
05 - 245  
86-M - 289  
92-NW 518

C. 28

88-M . 95  
92-M . 205  
92-M . 402