

Provided that when the defendant is, upon proper demand made, entitled to a change of the place of trial from the county in which the action against him was commenced to the county in which he resides, upon the ground that the county designated in the complaint is not the proper county, such action cannot for any of the reasons or upon any of the grounds specified in this section be retained for trial in the county where the same was commenced, but can only be tried therein upon removal there-to from the proper county upon order of the district court in and for such proper county.

Third—A change of venue may in all civil cases be made upon the consent in writing of the parties or their attorneys. When the place of trial is changed, all other proceedings shall be had in the county to which the place of trial is changed unless otherwise provided by the consent of the parties in writing duly filed, or order of the court, and the papers shall be filed or transferred accordingly.

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

Approved April 21, 1903.

When
place of
trial is
changed.

S. F. No. 404.

CHAPTER 346.

Duties of
surveyors
general
of logs

An act to require the surveyors general of logs and lumber to inspect and survey cedar posts, poles and farm poles, cedar electric light, telephone and telegraph poles and to provide for the compensation thereof.

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

Requires
inspection
of cedar
posts, tele-
phone and
telegraph
poles.

SECTION 1. The surveyor general of each district shall by himself, or his deputy, at the request of the owner of any cedar posts, or farm poles, cedar electric light, telephone and telegraph poles, or at the request of any sheriff, coroner or constable, who has replevied, attached or levied upon any cedar posts, farm poles or cedar electric light, telephone and telegraph poles, or at the request of any person who has a written order from the owner thereof for the delivery thereof, repair to any part of his district and inspect and survey such cedar posts, and farm poles, electric light, telephone and telegraph poles, and upon completion of such inspection and survey, to make out a true and correct scale bill, or inventory thereof which shall contain

a certificate of the name of the person by whom, the time when and the place where such material was inspected and surveyed and at whose request and to whom inspected, surveyed and scaled and the scale mark placed thereon, the number of the different pieces and sign the same; which scale bill or inventory shall be recorded in the books of his office and, upon being paid his fees for such services he shall deliver the original scale bill or inventory to persons for whom the material was scaled, or the person requesting the survey, and such scale bill or inventory and the record thereof shall each be prima facie evidence of the facts therein stated. *Providing* that said surveyor general of logs and lumber in scaling any cedar posts or farm poles, cedar electric light, telephone and telegraph poles shall be governed by the following specifications, to wit:

Standard specifications of cedar posts—Length of 7-foot posts may be 6 feet 10 inches, length of 8 foot posts may be 7 feet 10 inches, cut from live timber and peeled. Size of posts at top end may be $\frac{1}{4}$ inch less than diameter specified. Pipe rot is allowed, and other rot defects which do not impair the strength of the post for the uses of a fence post. Four inches sweep one way is admissible. Discoloration or evidence of age, no defect, providing stock is reasonably sound and cut down live timber. Green, fresh cut or water soaked posts must be plump measure for diameter specified. Standard specifications.

Large posts and small poles—Sizes, 4-inch 10 feet to 4-inch 25 feet, inclusive. Size at top end may be $\frac{1}{4}$ inch less than diameter specified. Lengths may be two inches scant. On posts and poles 10, 12, 14, 16 and 18 feet long 4 inch crook one way allowed, 20 and 25 feet 5 inch crook allowed. Pipe holes in tops allowed. Must be cut from live timber and in other respects conform to post specifications. Green fresh cut or water soaked stock must be plump measure for diameter specified.

Standard telegraph, telephone and electric poles—Sizes 5-inch 25 foot and upwards. Above poles must be cut from live growing timber, peeled and reasonably well proportioned for their length. Tops must be reasonably sound, and when seasoned must measure as follows: 5-inch poles 15 inches circumference at top end; 6-inch poles, 18 $\frac{1}{2}$ inches circumference at top end; 7-inch poles, 22 inch circumference at top end. If poles are green, fresh cut or water soaked, then 5-inch poles must be 5 Sizes of telephone, telegraph and electric poles.

inches plump in diameter at top end, 6-inch poles must be $19\frac{1}{2}$ inches in circumference, and 7-inch poles, $22\frac{3}{4}$ inches in circumference at top end. One way sweep allowable not exceeding one inch for every five feet, for example, in a 25-foot pole sweep not to exceed five inches and in a 40-foot pole eight inches; in longer length one inch additional sweep permissible for each additional five feet in length. Measurement for sweep shall be taken as follows: That part of the pole when in the ground (six feet) not being taken into account in arriving at sweep, tightly stretch a tape line on the side of the pole where the sweep is greatest, from a point six feet from the butt to the upper surface at top, and having so done, measure widest point from tape to surface of pole and if, for illustration, upon a 25-foot pole said widest point does not exceed five inches said pole comes within the meaning of these specifications. Butt rot in the center including small ring rot outside of the center; total rot must not exceed 10 per cent of the area of the butt. Butt rot of a character which plainly seriously impairs the strength of the pole above ground is a defect. Wind twist is not a defect unless very unsightly and exaggerated. Rough large knots if sound and trimmed smooth are not a defect.

Compensation
of surveyor
general.

SEC. 2. Such surveyor general shall receive, as compensation for such services, for inspecting and surveying farm posts or small poles twenty cents (20c) for each hundred pieces, or fraction thereof; for inspecting cedar electric light, telephone and telegraph poles ten cents (10c) per hundred feet, lineal measure.

SEC. 3. The Laws of Minnesota relating to the duties of the surveyor generals in inspecting and surveying logs and lumber and the records and rules thereof including fee for travel as provided in section 2402, Statutes 1894, shall, so far as applicable, apply to the inspection and survey and marking of cedar posts and farm poles, cedar electric poles, telephone and telegraph poles as herein provided for.

Keep rules
posted.

SEC. 4. The surveyor general shall keep posted, in his office a written rule, regulation or scale which shall govern him in the inspection and survey of such products. The rules and regulations now adopted or may be hereafter amended by the Northwestern Cedar Men's association shall be followed by such surveyor in establishing such rules and regulations as far as they may be deemed by him applicable.

SEC. 5. Surveyor general of logs and lumber of each district is hereby authorized to appoint such additional deputies as may be deemed necessary for the inspection of such cedar material.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 347.

H. F. No. 675.

An act to amend section thirty-six (36) of chapter one hundred and seventy-five (175) of the General Laws of one thousand eight hundred ninety-five (1895), as amended by chapter two hundred and fifty-eight of the General Laws of eighteen hundred and ninety-seven (1897), and as amended by chapter one hundred and ninety-eight (198) of the General Laws of eighteen hundred and ninety-nine (1899), authorizing the organization of mutual creamery fire insurance companies, and mutual retail hardware fire insurance companies, and mutual dwelling house fire insurance companies.

Organization of mutual fire insurance companies.

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

SECTION 1. That section thirty-six (36) of chapter one hundred and seventy-five (175) of the General Laws of eighteen hundred and ninety-five (1895), as amended by chapter two hundred and fifty-eight (258) of the General Laws of eighteen hundred and ninety-seven (1897), as amended by chapter one hundred and ninety-eight (198) of the General Laws of eighteen hundred and ninety-nine (1899), be amended so as to read as follows:

Section 36. No policy shall be issued by a purely mutual fire insurance company hereafter organized, until not less than seven hundred and fifty thousand (750,000) dollars of insurance, in not less than three hundred (300) separate risks upon property located in Minnesota has been subscribed for and entered on its books. *Provided*, that mutual fire insurance companies, hereafter organized, for the purpose of writing fire insurance upon creamery and cheese factory buildings and their contents and equipments exclusively, may and are hereby authorized to issue policies, when not less than fifty thousand (50,000) dollars, in not less than twenty-five (25) separate risks, upon creamery and cheese factory buildings or their contents

Creamery insurance companies may be organized with 25 separate risks.