

MINNESOTA STATUTES 1953 ANNOTATIONS

648.01-648.10 PUBLICATION OF STATUTES

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complaint in intervention. Trial court dismissed both complaints, and plaintiff and intervenor appealed. Appellate court held that intervenor's petition should not have been dismissed on the ground that no cause of action was pending, since trial court's order sustaining a demurrer to plaintiff's complaint was not a final adjudication. An action is a prosecution in court of some demand or assertion of right by one person against another. A supplemental complaint is to introduce material facts which have occurred after service of original complaint. A supplemental complaint cannot be used to remedy a defective cause of action in the original complaint, but must be confined to its proper function of enlarging or changing the relief to which a party may be entitled in aid of a good cause of action alleged in the original complaint. *Muirhead v Johnson*, 232 M 408, 46 NW(2d) 502.

A county may grow into or out of a specified class by gain or loss of population or assessed valuation. OAG Oct. 16, 1951 (519-L).

CHAPTER 648

PUBLICATION OF MINNESOTA STATUTES AND ANNOTATIONS

STATUTES

648.01-648.10 Repealed, 1945 c 462 s 17.

648.11 MINNESOTA STATUTES 1945

Importance of legislative precedent in development of American Law. 33 MLR 103.

Legislative folklore. 37 MLR 34.

The act adopting the Minnesota Revised Statutes, approved March 8, 1945, and filed with the secretary of state March 9, 1945, reads as follows: (1) a revision of an existing statute is presumed not to change its meaning, even if there be alterations in the phraseology, unless such intention to change the law clearly appears from the language of the revised statutes; (2) in reenacting a statute, however, intention to change the meaning may as clearly appear from the omission of old as by adding new language; (3) enactment of statutes lies wholly within the legislative field, and what the legislature has authority to enact it has like authority to amend or even repeal; (4) when in 1945 the legislature adopted and enacted the compilation and revision of the general statutes of this state as the "Minnesota Revised Statutes," it thereby recognized and declared the same to be an official compilation, revision, and code. As such, the language chosen and used in the revised statutes must be given effect as the latest expression of the legislative will; (5) where the statutory language is clear and unambiguous, there is no room for construction or interpretation. *State ex rel v Washburn*, 224 M 269, 28 NW(2d) 652.

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MINNESOTA STATUTES

648.31 BIENNIAL PUBLICATIONS

The Minnesota Statutes revolving fund may pay the cost of printing the court rules as a part of publishing the Minnesota Statutes. OAG Aug. 8, 1951 (500).

MINNESOTA STATUTES 1953 ANNOTATIONS

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PUBLICATION OF STATUTES 648.45

When in 1945 the legislature adopted and enacted the compilation and revision of the general statutes of the state as the "Minnesota Revised Statutes," it thereby recognized and declared the same to be an official compilation, revision, and code. As such the language chosen and used in the revised statutes must be given effect as the latest expression of the legislative will. *State ex rel v Washburn*, 224 M 269, 28 NW(2d) 652.

648.38 PRINTED VOLUMES

The authority of the commissioner of administration ends with the publication of portions of the statutes in book form and the sale thereof. There is no statutory authority empowering him, or anyone else, to permit anyone to copy the annotations or to use the metal type and other composition material necessary for the printing of particular chapters of the statutes and annotations. OAG Oct. 4, 1947 (500.)

648.39 SALE AND DISTRIBUTION

A city has authority to purchase the current edition of the Minnesota Statutes for the use of its municipal judge. OAG Dec. 12, 1950 (306-A).

The Minnesota Statutes revolving fund may pay the cost of printing the court rules as a part of publishing the Minnesota Statutes. OAG Aug. 8, 1951 (500).

A village may purchase such law books for its municipal court as its governing body deems advisable. Books so purchased are the property of the village. OAG Dec. 21, 1951 (306-A).

648.45 REVOLVING FUND

The Minnesota Statutes revolving fund may pay the cost of printing the court rules as part of publishing the Minnesota Statutes. OAG Aug. 8, 1951 (500).