

times and under such conditions as the court may prescribe. Duplicates of all instruments, voluntary or involuntary, filed and registered with the registrar, may be presented with the originals, and shall thereupon be attested and sealed by him, and endorsed with the file number, and other memoranda on the originals, and returned to the person presenting the same. The registrar shall furnish certified copies of the instruments filed and registered in his office, upon payment of a fee of ten cents per folio for each folio contained in such instrument. The court shall adopt general forms of memorials and notations to be used by the registrars in registering the common forms of conveyance and other instruments.

Approved February 18, 1961.

CHAPTER 13—S. F. No. 40

An act relating to the venue of civil actions; amending Minnesota Statutes 1957, Section 542.10.

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

Section 1. Minnesota Statutes 1957, Section 542.10, is amended to read:

542.10 Change of venue as of right; demand. If the county designated in the complaint is not the proper county, the action may notwithstanding be tried therein unless, within 20 days after the summons is served, the defendant demands in writing that it be tried in the proper county. This demand shall be accompanied by the affidavit of the defendant, or his agent or attorney, setting forth the county of his residence at the time of the commencement of the action. This demand and affidavit, with proof of service thereof upon the plaintiff's attorney, shall be filed with the clerk in the county where the action was begun within 30 days from the date of its service and thereupon the place of trial shall be changed to the county where the defendant resides without any other proceedings. *If the county designated in the complaint is not the county in which the cause of action or some part thereof arose and if there are several defendants residing in different counties, the trial shall be had in the county upon which a majority of them unite in demanding or, if the numbers be equal, in that whose county-seat is nearest. When the place of trial is changed all other proceedings shall be had in the county to which the change is made, unless otherwise provided by consent of par-*

Changes or additions indicated by italics, deletions by ~~strikeout~~.

ties filed with the clerk or by order of the court and the papers shall be transferred and filed accordingly. When a demand for a change of the place of trial is made as herein provided the action shall not for any of the reasons specified in section 542.11 be retained for trial in the county where begun, but can be tried therein only upon removal thereto from the proper county in the cases provided by law.

Approved February 18, 1961.

CHAPTER 14—S. F. No. 111

An act relating to the filing of claims in probate court; and amending Minnesota Statutes 1957, Section 525.411.

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

Section 1. Minnesota Statutes 1957, Section 525.411 is amended to read:

525.411 Filing of Claims. *Subdivision 1.* All claims against a decedent arising upon contract, whether due or not due, shall be barred forever unless filed in court within the time limited. For cause shown and upon notice to the representative, *unless such notice be waived by the representative in writing, and upon such further notice as the court may deem advisable,* the court may receive, hear and allow a claim presented at any time before the final settlement and allowance of the representative's account, *permit the filing of a claim and hear and allow such claim provided that the same has been presented for filing before such final settlement and allowance* and within one year after the date of the filing of the order to file claims.

Subd. 2. Contingent claims arising upon contract which do not become absolute and capable of liquidation within the time limited shall not be filed. Any such contingent claim which becomes absolute and capable of liquidation after the expiration of the time limited but before the settlement and allowance of the final account may be filed and heard on notice to the representative, if the court in its discretion shall so order, notwithstanding the provisions of section 525.431. If allowed it shall be paid as other claims, but only out of the assets with which the representative is chargeable at the time of the filing of such claim. No such claim shall be so filed or

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