

and ninety-four (1894), be and the same is hereby amended so as to read as follows:

Second.—If against a minor under the age of fourteen (14) years who is a resident of the state and can be found therein, to such minor personally, and also to his father, mother or guardian, or if there is none within this state, then to any person having the care or control of such minor, or with whom he resides or by whom he is employed; if such minor, though a resident of the state, cannot be found within the same, of which the return of the sheriff of the county that after diligent search he cannot be found within his county, shall be *prima facie* evidence, such service may be made by delivering a copy of the summons to such father, mother or guardian if within the state, and by leaving a copy thereof at the house of such minor's usual abode, with some person of suitable age and discretion then resident therein.

To minor and parents or guardians.

If absent, to parents or guardians.

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

Approved April 23, 1897.

CHAPTER 223.

S. F. No. 348.

An act requiring notice to the vendee or purchaser under any contract for the future conveyance of land hereinafter made to be given before the rights of any vendee or purchaser can terminate.

Notice to vendee or purchaser.

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

SECTION 1. No owner of real estate or owner of any equity therein shall hereafter make or execute a contract for deed, bond for deed or other instrument for the future conveyance of any such real estate or equity therein, shall have the right to declare a cancellation, termination or forfeiture thereof or thereunder, except upon written notice to the vendee or purchaser, as hereinafter provided; and such notice shall be given to such vendee or purchaser notwithstanding any provision or condition in any such instrument to the contrary.

Written notice necessary for cancellation of contract.

SEC. 2. Whenever any default shall have been made in the terms or conditions of any such instrument hereinafter made, and the owner or vendor shall desire to cancel or terminate the same, he shall cause a written notice to be served upon the vendee or purchaser, stating that such default has occurred, and that said con-

In case of default of conditions.

tract will be cancelled or terminated, and shall recite in said notice the time when said cancellation or termination shall take effect, which shall not be less than thirty (30) days after the service of such notice.

manner of
serving
notice.

SEC. 3. Such notice shall be served upon the vendee or purchaser, or his assigns, in the manner now provided for the service of summons in the district court of this state, if such person to be served resides in the county where the real estate covered by such contract, bond or other instrument, is situated. If such vendee or purchaser, or his assigns, as the case may be, is not within the county where such real estate is situated, then such notice shall be served by the publication in a weekly newspaper within said county; or, if there is no weekly newspaper within such county, then in a newspaper published at the capital of this state, for a period of three successive weeks.

30 days al-
lowed to ful-
fill conditions.

SEC. 4. Such vendee or purchaser shall have thirty (30) days after the service of such notice upon him in which to perform the conditions or comply with the provisions upon which the default shall have occurred; and upon such performance and upon making such payment, together with the costs of service of such notice, such contract, or other instrument, shall be reinstated, and shall remain in force and effect the same as if no default had occurred therein. No provision in any contract for the purchase of land or an interest in land shall be construed to obviate the necessity of giving the aforesaid notice, and no contract shall terminate until such notice is given, any provision in such contract to the contrary notwithstanding.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.

S. P. No. 219.

CHAPTER 224.

Village ordi-
nances and
contracts.

An act entitled an act to amend section one (1) of chapter one hundred and ninety-one (191) of the general laws of Minnesota for eighteen hundred and ninety-three (1893), relating to village ordinances and contracts in certain cases.

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

Amendment.

SECTION 1. That section one (1) of chapter one hundred and ninety-one (191) of the general laws of Min-