

district court in which such action is pending; and, in either case, such allowance or settlement shall be made upon the files in the cause, the minutes of the judge or referee, if obtainable, and upon such proof of what transpired at the trial as may be presented by affidavit on behalf of the parties to the action with like effect in all respects as if such bill were allowed or case settled by the judge or referee who tried the cause. The case or bill, being examined and found or made conformable to the truth, shall be allowed and signed by the judge, referee or other officer acting as such judge or referee, as provided herein.

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

Approved March 8, 1901.

S. P. No. 22.

CHAPTER 27.

Amendment.
Notice in
summons.

An act to amend section 54 of chapter 66 of the General Statutes of 1878, the same being section 5195 of the General Statutes of 1894, relating to notice to be contained in summons.

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

SECTION 1. That section 54 of chapter 66 of the General Statutes of 1878, the same being section 5195 of the General Statutes of 1894, be, and the same is hereby amended so as to read as follows:

Notice to be contained in summons. The summons shall also contain a notice, in substance as follows:

First—In an action arising on contract or judgment for the payment of money only, that he will take judgment for a sum specified therein, if the defendant fails to answer the complaint.

Second—In other actions for the recovery of money only, that he will, upon such failure, have the amount he is entitled to recover ascertained by the court, or under its direction and take judgment for the amount so ascertained.

Third—In other actions that, if the defendant fails to answer the complaint, the plaintiff will apply to the court for the relief demanded therein.

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

Approved March 8, 1901.