

Such notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served in the same manner as a summons in the district court.

If the person to be served is not a resident of the state, or cannot be found therein, of which facts the return of the sheriff of the county where the real estate lies that he cannot be found in such county shall be prima facie evidence, service may be made by three weeks' published notice.

If within the time mentioned the person served complies with such conditions and pays the costs of service, the contract shall be thereby reinstated, but otherwise shall terminate.

A copy of the notice, with the proof of service thereof and an affidavit of the vendor or his successor in interest or that of his agent or attorney showing that the purchaser has not complied with the terms of the notice, may be recorded with the register of deeds, and shall be prima facie evidence of the facts therein stated.

Provided, that this act shall not be construed so as to apply to contracts for lands situated in another state or foreign country.

Approved April 22, 1909.

CHAPTER 356—H. F. No. 242.

An Act authorizing appropriations by boards of county commissioners in counties now or hereafter having a population of two hundred and seventy-five thousand (275,000) inhabitants or more, for public improvements in or about navigable lakes.

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

County board may appropriate \$25,000 for public improvements in or about navigable lakes.—Section 1. That whenever there exists, in any organized county in the state of Minnesota now or hereafter having a population of two hundred and seventy-five thousand (275,000) inhabitants or more, a navigable lake, or lakes, which is, or are, wholly or for the greater part thereof within the territory or limits of said county (and which is, or are, not, either wholly or in part, within the corporate limits of any city in said county), the board of county commissioners of said county is hereby authorized and empowered to appropriate each year, from the revenue fund of said county, such sums for public improvements on, in or about said lake or lakes, as in the opinion of said board may be necessary.

Provided, that the total amount of said sum or sums so appropriated during any year shall not exceed the sum of twenty-five thousand dollars (\$25,000).

Provided, further, that the question of population shall be determined by the official census next preceding any appropriation made under the provisions of this act.

Repealing clause.—Sec. 2. That chapter 74, Laws of 1903, as amended by chapter 62, Laws of 1905, be and the same is hereby repealed so far as the provisions of said chapter 74, as amended by said chapter 62, are inconsistent with the provisions of section 1 hereof.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

CHAPTER 357—H. F. No. 488.

An Act to authorize cities in the State of Minnesota now or hereafter having a population of over fifty thousand inhabitants, to issue and sell bonds for acquiring and improving sites for children's public playgrounds.

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

\$100,000 bonds authorized for children's public playgrounds
—Control of grounds.—Section 1. Any city in the state of Minnesota now or hereafter having a population of over fifty thousand inhabitants is hereby authorized and empowered, acting by and through the common council of such city, by ordinance duly enacted by an affirmative vote of not less than three-fourths of all members elect of such common council, to issue and sell not exceeding one hundred thousand dollars (\$100,000.00) par value of the bonds of such city, the proceeds thereof to be used for acquiring and improving sites for children's public playgrounds in such cities.

Such playgrounds shall be public parks and shall be under the direction, supervision and control of the park board or other governing body having direction and supervision of public parks in such cities, and all funds derived from the sale of the bonds hereby authorized shall be credited to the park fund of such city, to be disbursed under the direction of such park board or other governing body, for the use and purposes of such children's public play grounds.

Provided, that not more than twenty-five thousand dollars (\$25,000.00) par value of such bonds shall be issued during any one calendar year.