

Sec. 5. Salaries specified not to include other items.—The salaries hereinbefore provided for are not to be held to include the salaries of jailors or matrons or the pay of deputies whose attendance is required at terms of court, nor the compensation allowed the sheriffs for the board and care of prisoners, as these various items are now or may hereafter be provided for by law, and whenever because of any riot or industrial strike, in the opinion of the sheriff, require the appointment of other deputies, the number so to be appointed and the compensation to be allowed each one so appointed shall be fixed and determined upon by the district court, upon the application of any such sheriff, by an order to be filed with the clerk of that court, and each such deputy so appointed shall be paid the amount of compensation provided for in and by the terms of any such order in the manner that deputies in attendance upon the terms of that court are paid.

Sec. 6. When fees and other compensation are to be allowed.—For all services rendered by such sheriffs or their deputies for which payment is not made out of the county revenue fund, the same fees and compensation shall be allowed them as is otherwise provided by law.

Sec. 7. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after January 1st, 1915.

Approved March 27, 1913.

CHAPTER 136—S. F. No. 83.

An Act to amend Section 4442, Revised Laws 1905, relating to notice to terminate contracts for sale of land and the service of said notice.

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

Section 1. Personal service without the state to have same effect.—That Section 4442, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

“Section 4442. When default is made in the conditions of any contract for the conveyance of real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, a notice specifying the conditions in which default has been made, and stating that such contract will terminate thirty days after the service of such notice unless prior thereto the purchaser shall comply with such conditions and pay the costs of service. 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 shall be made by three weeks' published notice. *Provided, that personal service of said notice without the state, proved by the affidavit of the person making the same, made before an authorized officer having a seal, shall have the same effect as the published notice herein provided for.* 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, 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."

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

Approved March 31, 1913.

CHAPTER 137—S. F. No. 175.

An Act to amend Section 2965 of the Revised Laws of 1905 relating to the exemptions of private cemeteries from public taxes and assessments, from levy and sale on execution and that no road or street shall be laid through the same without the consent of the owners.

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

Section 1. **100 acres laid out for cemetery purposes exempt from taxation.**—That Section 2965 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

"Section 2965. Exemptions.—All lands, not exceeding *one hundred* acres in extent, so laid out and dedicated as a private cemetery, shall be exempt from public taxes and assessments, and shall not be liable to levy and sale on execution, or to be applied in payment of the debts of any owner thereof, so long as the same remains appropriated to the use of a cemetery; and no road or street shall be laid through the same without the consent of the owners."

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

Approved March 31, 1913.