

## CHAPTER 57—H. F. No. 241.

*An Act to amend Revised Laws of 1905, Section 3579, as amended by Chapter 434, General Laws of Minnesota for 1909, relating to service of summons and complaint.*

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

Section 1. Affidavit may be taken before an officer of a court of record of the country wherein the affidavit is taken.—That the Revised Laws of 1905, Section 3579, as amended by Chapter 434, General Laws of 1909, be amended to read as follows:

Section 3579. Copies of the summons and complaint shall be served on the defendant personally, and, when such service is made out of this state and *within the United States*, it may be proved by the affidavit of the person making the same, with the certificate of the clerk of the court of the county to the identity of the officer taking the affidavit, and when made without the United States it may be proved by the affidavit of the person making the same, taken before and certified by any United States minister, charge d'affairs, commissioner, consul or commercial agent, or other consular or diplomatic officer of the United States appointed to reside in such country, including all deputies or other representatives of such officer authorized to perform their duties; or before *an officer authorized to administer an oath with the certificate of an officer of a court of record of the country wherein such affidavit is taken as to the identity and authority of the officer taking the same*, but, if personal service cannot well be made, the court may order service of the summons by publication, which publication shall be made as in other actions.

Approved March 17, 1913.

## CHAPTER 58—H. F. No. 454.

*An Act to distribute and appropriate amounts received from the federal government as proceeds from the United States national forests in Minnesota.*

WHEREAS, under an act of congress, approved May 23, 1908, (35 Stat. 260) provision was made for paying to the State of Minnesota twenty-five per cent of the money received from national forest reserves, the following being a copy of said act of congress:

“That hereafter twenty-five per centum of all money received from each forest reserve during any fiscal year, including the year ending June thirtieth, nineteen hundred and eight, shall be paid at the end thereof by the secretary of the treasury, to be

expended as the state or territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated; provided, that when any reserve is in more than one state or territory or county, the distributive share to each from the proceeds of said reserve, shall be proportional to its area therein," and

WHEREAS, the "Superior National Forest" is situated in Cook, Lake and St. Louis counties, and the "Minnesota National Forest" is situated wholly within Cass county, and

WHEREAS, the sum of three thousand and fifty dollars and forty-eight cents (\$3,050.48) has been received from the secretary of the treasury on account of the two aforesaid national forests, which should be expended for public schools and public roads in the counties in which such national forests are located, therefore,

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

**Section 1. Distribution of appropriations made by United States government for national forests in Minnesota.**—All sums heretofore or that may hereafter be received from the United States government, on account of an act of congress approved May 23, 1908 (35 Stat. 260), shall be expended as follows:

One-half for public schools, and the remainder for public roads in the counties in which the national forests are situated. In the case of the "Superior National Forest" the counties of Cook, Lake and St. Louis shall share equally in the distribution of the sum received from that source, and Cass county shall receive the entire sum derived from the "Minnesota National Forest."

**Sec. 2. State auditor to transmit warrants to county treasurers.**—It shall be the duty of the state auditor to transmit his warrant on the state treasury to the county treasurer of the respective counties for the sum that may be due in accordance with this act, which sum or sums are hereby appropriated out of the state treasury from the amounts received from the United States government, pursuant to the aforesaid act of congress.

**Sec. 3. Duties of county boards.**—It shall be the duty of the county board of each county receiving such money to use the portion allotted to public schools to aid in maintaining those school districts that may be situated within or near the national forest, and the portion allotted for public roads shall be used, so far as practicable, in the construction and repair of roads within or near the national forest.

**Sec. 4.** This act shall take effect and be in force from and after its passage.

Approved March 17, 1913.