

whatsoever. Service of said notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Provided, however, that three weeks' published notice, and *if the premises described in said contract are actually occupied, then in addition thereto*, the personal service of a copy of said notice within ten days after the first publication of said notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of *said* premises, shall have the same effect as the personal service of said notice upon said purchaser, his personal representatives or assigns, either within or without the state as herein provided for; and provided further, that in case of such service by publication as herein provided, the said notice shall specify the conditions in which default has been made and shall state that such contract will terminate ninety days after the service of such notice, unless prior thereto the purchaser shall comply with such conditions and pay the costs of service, and the purchaser, his personal representatives or assigns, shall be allowed *ninety days from and after* the service of such notice to comply with the conditions of such contract.

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 proof of service thereof, and the 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; but this act shall in no case be held to apply to contracts for the sale or conveyance of lands situated in another state or in a foreign country.

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

Approved April 8, 1925.

CHAPTER 164—S. F. No. 731.

An act to amend Section 3830, General Statutes 1923, relating to the licensing of persons operating milk or cream testing apparatus.

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

Section 1. **Non-resident not to secure license.**—That Section 3830, General Statutes 1923, be and the same hereby is amended so as to read as follows:

3830. Any person desiring to secure such license shall make application therefor on a blank to be prepared and provided by the dairy and food commissioner, and such applicant, before such license

may be issued, shall pass a satisfactory examination in person and prove by actual demonstration that he is competent and qualified to properly use such tester and make an accurate test with the same. *Provided, however, that no person who is not a resident of the United States shall be licensed under the provisions of this act.*

Approved April 9, 1925.

CHAPTER 165—S. F. No. 1033.

An act to legalize and validate mortgages on real property and the records thereof made, executed and delivered by special administrators pursuant to orders of the probate court between January 1, 1921, and January 1, 1924, and heretofore duly recorded in the offices of the registers of deeds of the respective counties wherein the real property described therein is situate.

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

Section 1. Mortgage foreclosures legalized.—That all mortgages on real property and the records thereof made, executed and delivered by special administrators pursuant to orders of the probate court between January 1, 1921, and January 1, 1924, and heretofore duly recorded in the offices of the registers of deeds of the respective counties wherein the real property described therein is situate hereby are legalized and validated to the same effect as though the same had been duly made, executed and delivered by general administrators thereunto duly authorized by orders of the probate court.

Sec. 2. Not to affect pending actions.—The provisions of this act shall not affect any action or proceeding now pending in any of the courts of this state.

Approved April 9, 1925.

CHAPTER 166—S. F. No. 1188.

An act to legalize mortgage foreclosure sales heretofore made.

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

Section 1. Mortgage foreclosures legalized.—Every mortgage foreclosure sale by advertisement heretofore made in this state, under power of sale in the usual form contained in any mortgage duly executed and recorded in the office of the register of deeds or registered with the registrar of titles of the proper county of this state, together with the record of such foreclosure sale, is hereby legalized and made valid and effective to all intents and purposes, as against either or all of the following objections, viz: