

CHAPTER 88.

AN ACT TO PROVIDE FOR THE SERVICE OF PROCESS UPON
NON-RESIDENT PARTIES IN ACTIONS RESPECTING REAL
ESTATE.

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

Non-resident
owners may
appoint an
agent to accept
service of pro-
cess.

SECTION 1. Any person or persons, co-partnership or corporation, not resident of this State, owning or claiming any interest in or lien upon any lands lying within this State, may file in the office of the Secretary of State of the State of Minnesota, a written agreement, duly executed and acknowledged, in the manner provided by law for the execution and acknowledgment of deeds, thereby stipulating and agreeing upon the part of the party or parties executing the same, that service or process and summons in any action or proceeding concerning such real estate, or any interest therein *or lien thereon, hereafter commenced in any of the courts of* this State, in which such owner or claimant shall be made a party, may be made upon such agent or agents as shall be designated in such agreement, who shall be resident of this State, and authorizing such agent or agents for such party or parties to admit such service of process or summons upon him or them, and agreeing that the service of process or summons upon such agent or agents shall be valid and binding upon such party or parties. Such agreement shall designate such agent or agents, and the place of residence of such agent or agents, and shall be recorded in the office of the Secretary of State, in a book to be provided for that purpose, and he shall be entitled to demand and receive, for the filing and recording thereof, and of any revocation thereof, a fee of fifteen (15) cents for each folio of one hundred (100) words contained therein. Service of process or summons, or of any writ or notice in such action, shall be made upon the person or persons so designated as such-agent or agents, in the manner provided by law for the service of process upon persons residing in this State, and shall be held and deemed a valid and effectual service thereof upon such owner or claimant in like manner, and shall have the same effect in all respects as if served personally upon such owner or claimant within the State; but where such party in the action appears by his attorney therein, the service of papers shall be upon the attorney instead of the party, as by law provided.

Filing of agree-
ment in Secre-
tary of State's
office.

The original record of such agreement, or a duly certified copy of such record thereof, shall be deemed and taken to be sufficient evidence thereof; and no service by publication

of summons in such action shall be made upon any person or persons, co-partnership or corporation, non-resident of this State, who shall have made and had recorded such agreement in accordance with the provisions hereof, while the same shall remain in force and unrevoked. *Provided*, that no agreement made under the provisions of this act shall in anywise affect any action or proceeding commenced prior to the taking effect thereof. *And provided further*, that such owner or claimant may at any time revoke or amend any such agreement made by him or them : but such revocation shall in no wise affect any action or proceeding which shall have been commenced prior to the recording of such revocation, which shall be executed, acknowledged, and recorded in like manner as hereinbefore provided in respect to the original agreement. *Provided further*, that this act, or anything therein contained, shall not apply to nor in anywise affect any action or proceeding for the collection of any tax, general or special.

Service by publication not to be made so long as agreement is on record.

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

When act to take effect.

Approved March 3, 1877.

CHAPTER 89.

AN ACT TO PROVIDE FOR THE PAYMENT OF EXPENSES OF THE SPECIAL COMMITTEE ON GRASSHOPPERS.

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

SECTION 1 That the sum of two hundred dollars (\$200), or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of paying the expenses of the special committee on grasshoppers.

Appropriation to grasshopper committee.

SEC. 2. That the money hereby appropriated shall be drawn upon the warrant of the chairman of said committee.

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

When act to take effect.

Approved January 20, 1877.