

the county board may have such hearings and order the annexation notwithstanding any limitation of time provided in said laws. Upon such detachment and annexation the property of the petitioner is taxable for payment of any school purpose obligations authorized by or outstanding against the district to which annexation is made, and for only such school purpose obligations, if any, incurred to which said property was subject prior to the date of the petition.

Sec. 2. This act is subject to Chapter 368, Laws of 1959, and approval by the school board of Independent School District No. 23, and the Board of County Commissioners of Becker County.

Approved April 10, 1961.

CHAPTER 269—H. F. No. 526

An act relating to intoxicating liquor and the issuance of licenses to certain clubs; amending Minnesota Statutes 1957, Section 340.11, Subdivision 6.

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

Section 1. Minnesota Statutes 1957, Section 340.11, Subdivision 6, is amended to read:

Subd. 6. "On sale" licenses may be issued, except in cities of the first class, in addition to the limitations, as herein provided, to bona fide clubs in existence for 20 years ~~which are duly incorporated and which licenses shall be for the sale of intoxicating liquors to members only for a license fee of \$100.~~ *and to bona fide clubs of congressionally chartered veterans organizations, which clubs have been in existence for ten years prior to January 1, 1961. All such clubs shall be duly incorporated to be eligible to apply for a license. Licenses issued shall be for the sale of intoxicating liquors to members only. The license fee shall be \$100.*

Approved April 10, 1961.

CHAPTER 270—H. F. No. 600

An act relating to real property conveyances; providing certain procedures in regard to defaults in contracts for such

Changes or additions indicated by italics, deletions by ~~strikeout~~.

conveyances; amending Minnesota Statutes 1957, Section 559.21, as amended.

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

Section 1. Minnesota Statutes 1957, Section 559.21, as amended by Laws 1959, Chapter 618, Section 1, is amended to read:

559.21 Termination of contract of sale; notice, service and return, costs, reinstatement. 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, either within or without the state, a notice specifying the conditions in which default has been made, and stating that such contract will terminate 30 days after the service of such notice unless prior thereto the purchaser shall comply with such conditions and pay the costs of service, together with an amount to apply on attorneys' fees actually expended or incurred, of \$50 when the amount in default is less than \$500, and of \$100 when the amount in default is \$500 or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45 days prior to the date of service of said notice. Such notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of said notice or doing any other preliminary act or thing whatsoever. Service of the 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.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first publication of the 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 the premises, shall have the same effect as the personal service of the notice upon the purchaser, his personal representatives

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or assigns, either within or without the state as herein provided for. In case of such service by publication, as herein provided, the notice shall specify the conditions in which default has been made and state that such contract will terminate 90 days after the service of such notice, unless prior thereto the purchaser comply with such conditions and pay the costs of service and attorneys' fees as provided herein, and the purchaser, his personal representatives or assigns, shall be allowed 90 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 and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate. *In the event that such notice was not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes.* 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 section 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.

Approved April 10, 1961.

CHAPTER 271—H. F. No. 650

[Coded in Part]

An act relating to taxation, providing that certain taxes on tobacco products are direct taxes on the consumer; amending Minnesota Statutes 1957, Section 297.32, Subdivision 1, as amended by Extra Session Laws 1959, Chapter 70, Article VII, Section 1; and by adding a new subdivision thereto.

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

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.