

amended by adding thereto the following, viz: To be paid upon allowance by the Board of County Commissioners in the same manner as other claims are paid.

Compensation
of board of
auditors.

SEC. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

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

Approved February 21, 1881.

CHAPTER 49.

AN ACT TO AMEND SECTION NINETY-NINE (99), TITLE SIX (6), OF CHAPTER SIXTY-SIX (66), GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), IN RELATION TO ACTIONS.

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

SECTION 1. That section ninety-nine (99), title six (6), of chapter sixty-six (66) of the General Statutes of one thousand eight hundred and seventy-eight (1878), be and the same hereby is amended so as to read as follows:

Frivolous
answers may
be stricken
out.

Section 99. Sham, irrelevant or frivolous answers, defenses or replies, and frivolous demurrers, may be stricken out, or judgment rendered notwithstanding the same, on motion as for want of an answer.

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

Approved February 19, 1881.

CHAPTER 50.

AN ACT TO AMEND SECTION SIX (6), OF CHAPTER EIGHTY-FOUR (84), OF GENERAL STATUTES [OF] ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO THE SERVICE OF SUMMONS IN FORCIBLE ENTRY ACTIONS.

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

SECTION 1. Section six (6), of chapter eighty-four (84), of General Statutes of one thousand eight hundred and seventy-

eight (1878), of the State of Minnesota, is hereby amended by adding at the end of said section the following words, that is to say:

Forcible entry
—how sum-
mons shall be
served.

And if the officer cannot find in his county said person against whom such complaint is made and said person has no last and usual place of abode therein, then such summons may be served by leaving a true and certified copy thereof upon the premises described in such complaint not less than six (6) days before the return day thereof; such copy may be left with any person using, occupying or in charge of said premises or any part thereof, and such action shall thereupon proceed as though a personal service were made of said summons.

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

Approved February 18, 1881.

CHAPTER 51

AN ACT TO AMEND SECTION SEVENTEEN (17), CHAPTER THIRTY-SIX (36) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO EDUCATION.

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

Extinct school
districts—how
funds shall be
disposed of.

SECTION 1. That the following words be added to proviso second (2d), section seventeen (17), chapter thirty-six (36), of the General Statutes of one thousand eight hundred and seventy-eight (1878): In case a common school district becomes extinct, or has heretofore become extinct, in consequence of having all its territory attached to other districts, any funds in the county treasury, or in the hands of the treasurer of such extinct district, after the payment of all debts of such district, properly and legally payable out of such funds, shall be distributed by the county auditor to the districts to which its territory has been annexed, in proportion to the valuation of the real property so annexed to each.

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

Approved February 25, 1881.