

## CHAPTER 81.

AN ACT RELATING TO ACTIONS BROUGHT TO DETERMINE ADVERSE CLAIMS TO REAL ESTATE UNDER SECTION TWO (2) OF CHAPTER SEVENTY-FIVE (75) GENERAL STATUTES A. D. ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878.)

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

SECTION 1. That in any action brought to determine any adverse claim, estate, lien, or interest in real property, under section two (2) of chapter seventy-five (75) of the General Statutes A. D. one thousand eight hundred and seventy-eight (1878), the plaintiff may include as defendant in such action, and insert in the title thereof, in addition to the names of such persons or parties as appear of record to have, and other persons or parties who are known to have some title, claim, estate, lien or interest in the lands in controversy, the following, viz: "Also all other persons or parties unknown, claiming any right, title, estate, lien or interest in the real estate described in the complaint herein." And service of the summons may be had upon all such unknown persons or parties defendant, by publication, as provided by law in case of non-resident defendants. And all such unknown persons or parties so served, shall have the same rights as are provided by law in case of all the other defendants upon whom service is made by publication, and the action shall proceed against such unknown persons or parties in the same manner as against the defendants who are named, upon whom service is made by publication, and with like effect; and any such unknown persons or parties who have or claim any right, estate, lien or interest in the said property in controversy, at the time of the commencement of the action duly served as aforesaid, shall be bound and concluded by the judgment in such case, if the same is in favor of the plaintiff therein, as effectually as if the action was brought against such defendant by his or her name, and personal service of the summons obtained.

*Provided*, however, that such judgment shall not bind such unknown persons or parties defendants, unless the plaintiff shall file a notice of *lis pendens* in the office of Register of Deeds, as provided by law, before commencing the publication of the said summons, and a copy of said notice of *lis pendens* be printed and published with said summons, and following next thereafter in the columns of the newspaper wherein said summons is printed and published.

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

Approved November 22, 1881.

Plaintiff may include defendants.

Service of summons.

Notice of *lis pendens*.