

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

Section 1. Minnesota Statutes 1957, Section 64.27, is amended to read:

64.27 Commissioner to accept service. Each foreign association now transacting business in this state and each such association applying for admission shall, before being licensed, appoint, in writing, the commissioner and his successors in office to be its true and lawful attorney, upon whom all legal process in any action or proceeding against it shall be served and, in such writing, shall agree that any lawful process against it, which is served upon such attorney, shall be of the same legal force and validity as if served upon the association, and that the authority shall continue in force so long as any liability remains outstanding in this state.

Copies of the appointment, certified by the commissioner, shall be deemed sufficient evidence thereof and shall be admitted in evidence with the same force and effect as the original thereof might be admitted. Service may only be made upon such attorney, must be made in duplicate, and shall be deemed sufficient service upon the association; provided, that no such service shall be valid or binding against any such association when it is required thereunder to file its answer, pleading, or defense in less than 30 days after the date of such service. When legal process against any such association is served upon the commissioner, he shall forthwith forward, by registered mail, one of the duplicate copies, prepaid and directed to its secretary or corresponding officer. The plaintiff in the process so served shall pay to the commissioner, for the use of the state, at the time of service, a fee of \$3, which shall be recovered by him as part of the taxable costs, if he prevails in the suit.

Approved April 7, 1959.

CHAPTER 182—H. F. No. 1028

[Not Coded]

An act authorizing the sale of certain state owned property of the state sanatorium Ah-Gwah-Ching; providing for the expenses of such sale in appropriating certain moneys from the proceeds of the sale thereof.

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

Section 1. **Ah-Gwah-Ching, sale of.** The commis-

sioner of administration may sell at public sale, after competitive bidding, or at public auction all or any of the real estate owned by the state of Minnesota and situated in the county of Cass and described as follows:

The Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty-four (34), South Half of the Northeast Quarter ($S\frac{1}{2}$ of $NE\frac{1}{4}$) of Section Thirty-four (34), South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) of Section Thirty-five (35), West Half of the Northwest Quarter of the Southwest Quarter ($W\frac{1}{2}$ of $NW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section Thirty-five (35), West Half of the Southwest Quarter of the Southwest Quarter ($W\frac{1}{2}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section Thirty-five (35), Government Lot Two (2) of Section Thirty-five (35), all lying within Township One Hundred Forty-two (142) Range Thirty-one (31) West and that portion of Lot Six (6), Township One Hundred Forty-one (141), Range Thirty-one (31) West lying west of a line running from the Southwest Corner of the Southeast Quarter of the Southwest Quarter (SW Corner of $SE\frac{1}{4}$ of $SW\frac{1}{4}$) of Section Thirty-five (35), Township One Hundred Forty-two (142), Range Thirty-one (31) West to a point where the south line of Lot Six (6) intercepts the Shore of Shingobee Bay. Comprising approximately 439 acres more or less.

Sec. 2. Such sale shall be had after publication of notice of such sale in a newspaper of general circulation at least once during two successive weeks and a newspaper of general circulation in the county in which the real estate is situated. Sale shall be made to the highest responsible bidder either at public sale, after competitive bidding, or at public auction.

Sec. 3. The governor upon the recommendation of the commissioner of administration shall deliver to the successful bidder a quitclaim deed covering the real estate sold to him in such form as the attorney general shall prescribe.

Sec. 4. The expenses of conducting either the public sale, after competitive bidding, or the public auction, including the auctioneer's fees, if any, and the cost of making any surveys preliminary to sale shall be paid from the proceeds of the sale, and such moneys as are necessary therefor are hereby appropriated for such purposes.

Sec. 5. The sale of any of the real estate described in this act to one or more bidders, depending upon the de-

terminations of the commissioner of administration, shall be for cash.

Approved April 7, 1959.

CHAPTER 183—H. F. No. 1091

An act providing for the regulation of railroads by the railroad and warehouse commission; amending Minnesota Statutes 1957, Section 218.021, Subdivision 1.

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

Section 1. Minnesota Statutes 1957, Section 218.021, Subdivision 1 is amended to read:

Subdivision 1. **Common carriers, unlawful acts.** It shall be unlawful for any common carrier:

(1) To charge, demand, collect or receive for any service a greater or a lesser sum than that fixed in its published schedules.

(2) To change or discontinue any published rate, charge or classification, minimum weight or rule relating to the same, or operation of any regularly scheduled intrastate passenger trains, without approval of the commission.

(3) To make or give any undue or unreasonable preference or advantage, or any undue or unreasonable prejudice or disadvantage, to any person, company, firm, corporation, transit point or locality or to any particular description of traffic.

(4) By any special rate, rebate, drawback or other device, directly or indirectly, to charge, demand, collect or receive a greater or less compensation for any service rendered in the transportation of any property within this state than the regular established schedule of rates and charges for like and contemporaneous service for any other person, or for the public generally; or, directly or indirectly, to offer or give any shipper, in connection with or as an inducement or reward for receiving any property for transportation, any gift, gratuity or free pass or any rate less than that offered to the public.

(5) Except as expressly permitted, to charge a greater rate per ton or per ton mile for a single carload of freight of any kind or class than for a greater number of carloads of