

CHAPTER 543

CIVIL ACTIONS, COMMENCEMENT

Sec. 543.08	Summons, service upon certain domestic corporations	Sec. 543.19	Personal jurisdiction over non-resident individuals
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NOTE: For rules of civil procedure, district court, see Appendix 8.

- 543.01 [Superseded, Rules of Civil Procedure, Rules 3.01, 86.01 and 86.02]
- 543.02 [Superseded, Rules of Civil Procedure, Rules 4.01, 12.01, 86.01 and 86.02]
- 543.03 [Superseded, Rules of Civil Procedure, Rules 4.02, 86.01 and 86.02]
- 543.04 [Superseded, Rules of Civil Procedure, Rules 3.02, 4.042, 86.01 and 86.02]
- 543.05 [Superseded, Rules of Civil Procedure, Rules 4.03(a), 86.01 and 86.02]
- 543.06 [Superseded, Rules of Civil Procedure, Rules 4.03(e), 86.01 and 86.02]
- 543.07 [Superseded, Rules of Civil Procedure, Rules 4.03(d), 86.01 and 86.02]
- 543.08 **SUMMONS, SERVICE UPON CERTAIN DOMESTIC CORPORATIONS.**

If the action be against a private domestic corporation, the summons may be served by delivering a copy thereof to its president, vice-president, secretary, cashier, or treasurer, or to any director or managing agent thereof.

If such domestic corporation have no officer within the state upon whom service can be made, of which fact the return of the sheriff that none can be found in his county shall be conclusive evidence, service of the summons upon it may be made by depositing two copies thereof, together with a fee of \$5 with the secretary of state, which shall be deemed personal service upon such corporation. One of such copies shall be filed by such secretary, and the other forthwith mailed by him to the corporation, if the place of its main office be known to him or be disclosed by the files of his office.

If the defendant be a foreign corporation the summons may be served by delivering a copy to any of its officers or agents within the state, provided that any foreign corporation having an agent in this state for the solicitation of freight and passenger traffic or either thereof over its lines outside of this state, may be served with summons by delivering a copy thereof to such agent. If a foreign insurance corporation, two copies shall be delivered to the insurance commissioner, who shall file one in his office and forthwith mail the other postage prepaid to the defendant at its home office.

If such foreign corporation shall have appointed a resident agent authorized to accept service of process, and shall have caused such appointment to be filed and recorded as required or authorized by law, delivery of a copy of the summons to such agent shall be deemed service thereof on such corporation.

[*R L s 4109; 1913 c 218 s 1; 1955 c 820 s 48*] (9231)

NOTE: All except the second paragraph and the second sentence of the third paragraph is superseded by Rules of Civil Procedure, Rules 4.03(c), 86.01 and 86.02.

- 543.09, 543.10 [Superseded, Rules of Civil Procedure, Rules 4.03 (c), 5.02, 86.01 and 86.02]
- 543.11, 543.12 [Superseded Rules of Civil Procedure, Rules 4.04, 86.01 and 86.02]
- 543.13 [Superseded, Rules of Civil Procedure, Rules 4.043, 86.01 and 86.02]
- 543.14 [Superseded, Rules of Civil Procedure, Rules 4.06, 86.01 and 86.02]
- 543.15 [Superseded, Rules of Civil Procedure, Rules 4.04, 12.01, 86.01 and 86.02]
- 543.16 [Superseded, Rules of Civil Procedure, Rules 5.01, 86.01 and 86.02]
- 543.17 [Superseded, Rules of Civil Procedure, Rules 5.02, 86.01 and 86.02]
- 543.18 [Superseded, Rules of Civil Procedure, Rules 5.02, 6.05, 86.01 and 86.02]

543.19 **PERSONAL JURISDICTION OVER NON-RESIDENT INDIVIDUALS.**

Subdivision 1. As to a cause of action arising from any acts enumerated in this subdivision, a court of this state with jurisdiction of the subject matter may exercise personal jurisdiction over any foreign corporation or any non-resident individual, or his personal representative, in the same manner as if it were a domestic corporation or he were a resident of this state. This section applies if, in person or

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through an agent, the foreign corporation or non-resident individual:

- (a) Owns, uses, or possesses any real or personal property situated in this state, or
- (b) Transacts any business within the state, or
- (c) Commits any tort in Minnesota causing injury or property damage, or
- (d) Commits any tort outside of Minnesota causing injury or property damage within Minnesota, if, (1) at the time of the injury, solicitation or service activities were carried on within Minnesota by or on behalf of the defendant, or (2) products, materials or things processed, serviced or manufactured by the defendant were used or consumed within Minnesota in the ordinary course of trade.

Subd. 2. The service of process on any person who is subject to the jurisdiction of the courts of this state, as provided in this section, may be made by personally serving the summons upon the defendant outside this state with the same effect as though the summons had been personally served within this state.

Subd. 3. Only causes of action arising from acts enumerated in subdivision 1 may be asserted against a defendant in an action in which jurisdiction over him is based upon this section.

Subd. 4. Nothing contained in this section shall limit or affect the right to serve any process in any other manner now or hereafter provided by law or the Minnesota Rules of Civil Procedure.

Subd. 5. Non-resident individual, as used in this section, means any individual, or his personal representative, who is not domiciled or residing in the state when suit is commenced.

[1967 c 427 s 1]