

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

ENDORSED.—Received at Executive Office, March 2d, 1883, at 4, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

Service of Summons.

CHAPTER 106.

NON-RESIDENT ADMINISTRATOR TO APPOINT AGENT.

AN ACT to Provide for the Appointment of an Agent to Receive Service for a Non-resident Executor, Administrator or Guardian, and for other purposes.

Be it Enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. NON-RESIDENT TO APPOINT AGENT UPON WHOM SUMMONS MAY BE SERVED.] Every executor, administrator or guardian appointed in, but residing out of the Territory, shall, before entering upon the duties of his trust, in writing, appoint an agent residing in the county where he is appointed, and shall by such writing stipulate and agree that the service of any legal process against him as such executor, administrator or guardian if made on said agent shall be of the same legal effect as if made on himself personally within the Territory. Such writing shall give the proper address of such agent and shall be filed in the office of the judge of the probate court where such appointment is made.

§ 2. NOTICE BY PUBLICATION—WHEN.] If any executor, administrator or guardian has absconded or conceals himself or has removed or absented himself from the Territory, notice may be given him of the pendency of any proceedings in which he is interested in any court by publication, in such manner as the court may direct, and the court may proceed upon such notice as if the citation had been personally served.

§ 3. This act shall take effect immediately.

Approved, March 9, 1883.