

the clerk hire herein allowed shall be fixed by the board of county commissioners at the July session, such allowance for clerk hire to be paid by county auditor's warrant in monthly installments.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.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 April 13, 1901.

CHAPTER 377.

S. F. No. 350.

An act to amend section 106, chapter 11, General Statutes of 1878, as amended by chapter 263, General Laws of 1887, being section 1624 of the General Statutes of 1894, relating to the record of deeds in certain cases.

Amendment.
record of
deeds.

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

SECTION 1. That section 106, chapter 11, General Statutes of 1878, as amended by chapter 263, General Laws of 1887, being section 1624 of the General Statutes of 1894, be amended to read as follows:

Section 1624. When any deeds, plat of any townsite, or instrument affecting the same, or any other conveyance of real estate, is presented to the county auditor for transfer, he shall ascertain from the books and records in his office if there be delinquent taxes due upon the land described therein, or if it has been sold for taxes; and if there are delinquent taxes due, he shall certify to the same; and upon the payment of such delinquent or other taxes that may be in the hands of the county treasurer for collection, he shall transfer the same, and note upon every deed of real property so transferred, over his official signature, "taxes paid and transfer entered;" or if the land described has been sold or assigned to an actual purchaser for taxes, "paid by sale of land described within"; and unless such statement is made upon such deed or other instrument, the register of deeds shall refuse to receive or record the same. A violation of the provisions of this section by the register of deeds shall be deemed a misdemeanor, and, upon conviction thereof he shall be punished by a fine not less than one hundred dollars, nor exceeding one thousand dollars, and he shall be liable to the grantee of any instrument so recorded for the amount of any damages sustained; *provided*, that sheriffs' or referees' certificates of sales on executions, decrees, or

Auditor's
certificate
as to taxes
due or delinquent.

When paid
by sale
of land.

Register of
deeds not
to record,
unless certified by
county
auditor.

Provision
not to ap-
ply to
sheriff's or
referee's
certificate.
Nor to
town or vil-
lage plats,
in certain
cases.
Nor to
Ramsey
and Henne-
pin coun-
ties.

Nor to
deeds to
railroads, to
lands, not
taxable
prior to
1900.

foreclosures of mortgages, may be recorded by the register of deeds without any such certificate from the county auditor. *And provided*, that the provisions of this section shall not apply to the filing of any town or village plat for the purpose of incorporation, in so far as the land therein embraced is included in a plat already filed in the office of the register of deeds, or in so far as the description of lands therein is not changed by said plat, nor to the filing of a copy of any town or village plat, in case the original plat of such town or village, filed in the office of the register of deeds, shall have been lost or destroyed; *provided*, this act shall not apply to Ramsey and Hennepin counties.

And provided, that the provisions of this section shall not apply to the filing and record of any deed or deeds heretofore executed, conveying title to any railroad or railway company, to any lands in this state, not taxable prior to the year 1900.

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

Approved April 13, 1901.

H. F. No. 222.

CHAPTER 378.

Amendment.
Certain city
and county
officers.

An act entitled an act to amend "An act to prohibit certain city and county officers from holding any other office during the term for which they were elected or appointed," and to except from its provisions certain appointive offices.

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

SECTION 1. That section 1 of chapter 131 of the General Laws of the State of Minnesota for the year 1897 be and the same is hereby amended so as to read as follows:

Only to
hold one
office, ex-
cept in cer-
tain cases.

Section 1. It shall be unlawful for any person hereafter elected to any of the following offices, that is to say, the office of councilman, assemblyman or alderman in any city or in the office of county commissioner in any county in this state to hold any other office in such city or county during the term for which he was elected or appointed, except an office elective by the people in the district wherein he shall have resided thirty days previous to such election, and also except an office to which he may be appointed by the judges of any court of record exclusively, and also except any officer appointed to the