

S. F. No. 59.

CHAPTER II.

Land titles
Amendments
to chap. 237.
Laws of 1901.

An act to amend chapter two hundred and thirty-seven (237) of the General Laws of one thousand nine hundred and one (1901), relating to land titles.

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

SECTION 1. Subdivision "C" of section four (4) of chapter two hundred and thirty-seven (237), General Laws of One Thousand Nine Hundred and One (1901), relating to land titles, is hereby amended to read as follows:

Basis of pay-
ments.

"C." The description of the land and the assessed value thereof, exclusive of improvements according to the last official assessment, the same to be taken as a basis for the payments required under section eighty-three (83) and subdivision "A" of section ninety-six (96) of this act.

SEC. 2. Section sixteen (16) of said act is hereby amended so as to read as follows:

Applications
certified.

Sec. 16. At the time of the filing of the application in the office of the clerk of the court, a copy thereof certified to by the clerk shall be filed in the office of the register of deeds, which copy shall be recorded and indexed by the register of deeds with the records of deeds and shall have the force and effect of a *lis pendens*.

SEC. 3. Section 20 of said chapter two hundred and thirty-seven (237) is hereby amended by adding at the end thereof the following proviso, to-wit:

Assenting
defendant.

Provided, that if any named defendant assents in writing to the registration as prayed for, which assent shall be endorsed upon the application or filed therewith and be duly witnessed and acknowledged, then in all such cases no service of summons upon said assenting defendant need be made.

SEC. 4. Section 20, C. of said chapter 237 is hereby amended by striking out the words "ten days" where they occur therein, and inserting in lieu thereof the words "twenty days."

SEC. 5. Section 36 of said chapter two hundred and thirty-seven (237) is hereby amended by striking out the words "thirty-first" where they occur therein and by inserting in lieu thereof the word "thirtieth."

SEC. 6. Section 75 of said chapter two hundred and thirty-seven (237) is hereby amended to read as follows:

SEC. 75. Nothing contained in this act shall include, affect or impair the jurisdiction of the probate court to order an executor or administrator or guardian to sell or mortgage registered land for any purpose for which such order may be granted in the case of unregistered land. The purchaser or mortgagee taking a deed or mortgage executed in pursuance of such order of the probate court shall be entitled to register his title and to the entry of a new certificate of title or memorial of registration upon application to the district court and upon the filing in the office of the registrar of titles an order of said court directing the entry of such certificate.

Jurisdiction
of probate
court

SEC. 7. Section 80 of said chapter two hundred and thirty-seven (237) is hereby amended to read as follows:

SEC. 80. Examiners of title shall, upon the request of the registrar of titles, advise him upon any act or duty pertaining to the conduct of his office, and shall, upon request, prepare the form of any memorial to be made and entered by the registrar of titles. An examiner of titles shall have full power to administer oaths and examine witnesses concerning any matter involved in his investigation of titles.

Examiners of
title. Duties.

SEC. 8. Subdivision "A" of section 96 of said chapter two hundred and thirty-seven (237) is hereby amended to read as follows:

"A." At or before the time of filing of the certified copy of the application with the registrar the applicant shall pay to the registrar on all lands having an assessed value of one thousand (\$1,000) dollars or less, one dollar (\$1), and twenty-five cents on each one thousand (\$1,000) dollars or major fraction of the assessed value of said land, additional.

Fees of regis-
trar.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 6, 1902.