

the register of deeds of the proper county prior to the foreclosure, *provided*, that such copy has been filed in such office prior to the passage of this act.

Second. Where a foreign executor or administrator failed to file for record with the register of deeds of the proper county, an authenticated copy of his letters or other record of his appointment, prior to the foreclosure, but did file such authenticated copy in said office subsequent to the foreclosure and prior to the passage of this act.

Sec. 2. The provisions of this act shall not affect any action now pending in any court in this state.

Approved April 21, 1909.

CHAPTER 313—H. F. No. 631.

An Act to amend section 573, Revised Laws of 1905, relating to salaries of county attorneys.

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

Salary of county attorneys in certain counties.—Section 1. That section 573, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 573. In all counties in which the compensation of the county attorneys is not fixed by special law the salary of the county attorney shall be as follows:

In counties whose population, according to the last completed state or national census, is less than forty-five thousand, the salary of the county attorney shall be fixed by the county board not exceeding two thousand dollars per year; if dissatisfied with the amount so fixed, any county attorney may appeal to the district court within thirty days by filing with the auditor a notice thereof. The court, either in term or vacation, and upon eight days' notice to the chairman of the board, shall hear such appeal and summarily determine the amount of such salary for the term of office by an order, a copy of which shall be filed with the auditor.

In counties whose population is forty-five thousand and less than seventy-five thousand, the salary shall be two thousand five hundred dollars per year, which shall be paid monthly by the county, which provision of this act shall not apply to counties having more than seventy-five thousand inhabitants.

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

Approved April 21, 1909.