

Such officer shall thereupon certify such copy to be correct and shall file the same in his office and note such transfer upon the record.

All such instruments heretofore executed, together with a like copy shall be presented in like manner to such officer within one year from the passage of this act, whereupon such officer shall make a record of such assignment or transfer in the manner above set forth.

The record as herein provided of any such instrument shall be taken and deemed notice to parties.

Provided, that the recording in the office of the register of deeds of any such assignment or any quitclaim deed transferring any interest in such land shall have the same force and effect as the record above provided.

When void.—Sec. 2. Every such assignment or transfer not so recorded shall be void:

First. As against any subsequent purchaser for a valuable consideration who has caused a record of the transfer to him to be made in the manner above provided, before the recording of the prior transfer.

Second. As against any party claiming under a judgment or decree of a court of competent jurisdiction heretofore entered or hereafter to be entered in an action in which the party appearing to be the owner or holder of such certificate or deed as shown by the record in the office of such official custodian, was made a party and was bound by the judgment or decree.

Approved April 21, 1909.

CHAPTER 341—H. F. No. 285.

An Act to amend section 3637, Revised Laws 1905, as amended by chapter 322, General Laws 1907, relating to salaries of judges of probate and clerk hire.

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

Compensation of probate judges and clerk hire for same officials.—Section 1. That section 3637, Revised Laws, 1905, as amended by chapter 322, General Laws, 1907, be and the same is hereby amended to read as follows:

3637. In all counties in which the compensation of judges of probate is not fixed by special law, the probate judges shall receive annual salaries as follows:

In counties in which the population according to the last completed state or national census is less than three thousand

(3,000), four hundred dollars (\$400.00); if the population is three thousand (3,000) and less than six thousand (6,000), five hundred and seventy-five dollars (\$575.00); if six thousand (6,000) and less than nine thousand (9,000), seven hundred and twenty-five dollars (\$725.00); if nine thousand and less than fifteen thousand, (15,000) one thousand dollars (\$1,000); if fifteen thousand (15,000) and less than twenty-two thousand (22,000) thirteen hundred and fifty dollars (\$1,350.00); if twenty-two thousand and less than thirty thousand, fifteen hundred dollars (\$1,500.00); if thirty thousand and less than thirty-five thousand, eighteen hundred dollars (\$1,800.00); if thirty-five thousand and less than forty-five thousand, two thousand dollars (\$2,000.00); if forty-five thousand and less than one hundred and fifty thousand, three thousand dollars (\$3,000.00); if one hundred and fifty thousand and over, forty-five hundred dollars (\$4,500.00).

In addition to the foregoing salaries annual compensation for clerk hire for probate judges shall be as follows:

In counties having a population of forty-five thousand (45,000) and less than one hundred thousand (100,000), fourteen hundred dollars (\$1,400.00); if population is one hundred thousand (100,000) and less than two hundred thousand (200,000), thirty-three hundred dollars (\$3,300.00), of which eighteen hundred dollars (\$1,800.00) shall be for the salary of the clerk of such court and the balance for additional clerk hire, and stenographer; if two hundred thousand (200,000) or over, the judge of probate shall appoint and employ one clerk of court who shall be paid the sum of twenty-five hundred dollars (\$2,500.00) per annum, one deputy clerk of court who shall be paid the sum of thirteen hundred dollars (\$1,300.00) per annum, and four general clerks who shall be paid the sum of one thousand dollars (\$1,000.00) per annum each.

In counties having a population of twelve thousand (12,000) and less than forty-five thousand (45,000) three hundred dollars (\$300.00), and such further sum as the county board may allow probate judges not to exceed nine hundred dollars (\$900.00) annually.

Provided, that no clerk hire shall be allowed or paid, except on the certificate of the probate judge, that the same has been paid or incurred by him.

In counties having less than twelve thousand (12,000) the county board may allow clerk hire, if deemed necessary, to an amount not exceeding one-fourth of the salary of the judge of such court.

All such salaries and clerk hire shall be paid monthly from the county treasury upon the warrant of the county auditor.

In all counties having a population of two hundred thousand (200,000) and over, probate judges and clerks shall charge for

their services the fees prescribed by law, which shall be paid into the county treasury.

Provided, that in all counties of this state having a population of less than one hundred thousand (100,000) inhabitants, whether the salary of the judge of probate therein is fixed by general or special law, a judge of probate or clerk may charge, receive, and retain fees for taking acknowledgments and administering oaths, outside of probate duties, and for certified copies of the records and files of the court for which the compensation shall be as provided by section 3634, Revised Laws of 1905.

Salary probate judge and clerk hire in counties having more than 100,000 and less than 200,000 population.—Sec. 2. In all counties in this state having a population of more than one hundred thousand and less than two hundred thousand inhabitants according to the last completed state or national census and an area of more than five thousand square miles, whether or not the matters herein contained are now regulated by a special or a general law or laws, the annual salary of the probate judge shall be three thousand six hundred dollars.

In addition to the foregoing salary, annual compensation for clerk hire, for probate judges in any such county or counties shall be a sum not greater than four thousand two hundred dollars to be determined, allowed, and approved by the board of county commissioners.

All such salaries, and clerk hire shall be paid monthly from the county treasury, upon the warrant of the county auditor.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.

CHAPTER 342—H. F. No. 327.

An Act pertaining to the duties of the surveyor generals in scaling timber cut from state lands.

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

Merchantable timber defined.—Section 1. The surveyor general of each district shall scale all timber cut on any of the state lands in charge of the auditor. All such scaling shall be done upon the land from which the timber was cut, and all the pieces scaled shall be numbered consecutively, and the number of each entered upon the minutes of the scaler. In the making of such scale such allowance shall be made for defects therein as will make the same equal to "merchantable" timber, and the term