

Upon the written request of five freeholders and voters of a district, specifying the business to be acted upon, *or upon the adoption of a proper resolution, so specifying, by the school board, or upon a request, so specifying, signed by a majority of the members of the school board*, the clerk shall call a special meeting of such district upon ten days' posted notice and one week's published notice, if there be a newspaper printed in such district, and shall specify in such notice the business named in such request *or resolution* and the time and place of meeting. If there be no clerk in the district, or if he fails for three days after receiving such request *or resolution* to give notice of such meeting, it may be called by like notice signed by five freeholders and voters of the district. No business except that named in the notice shall be transacted at such meeting.

In case it shall be made to appear by affidavit that there are not five voters who are freeholders in any school district, or that there is not a legal school board therein, the county superintendent of schools of the county in which such district is located, shall, if in his opinion there is need for such school meeting, call such meeting by giving notice thereof as hereinbefore provided.

Approved March 31, 1913.

CHAPTER 143—H. F. No. 463.

An Act to provide for the filing of chattel mortgages, bills of sale of chattels, and conditional sale contracts in the office of the register of deeds of the several counties; providing for the transfer of such instruments now on file with clerks and recorders of municipalities, and the records and record books of the same, to the offices of registers of deeds, and providing for mileage and fees for making such transfers, and providing for fees of the registers of deeds for filing such instruments.

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

Section 1. Chattel mortgages, etc., not to be filed with clerk or recorder.—On and after July 1, 1913, no chattel mortgage, bill of sale of chattels, or conditional sale contract, shall be filed with the clerk or recorder of any municipality of this state.

Sec. 2. To be filed with register of deeds.—On and after July 1st, 1913, chattel mortgages, bills of sale of chattels, and conditional sale contracts may be filed with the register of deeds of the county in which the mortgagor or vendor resides, if a resident of the state, and if the mortgagor or vendor, is a non-resident of the state, then in the county in which the property mortgaged or sold is then situate. Duplicates of such chattel mortgage, bill of sale of chattels, or conditional sale contract, or

copies thereof certified by the register of deeds of the county in which any such instrument may be properly on file may be filed with the register of deeds of any other county, wherein any part of such property was situate when the instrument was made.

Sec. 3. Duty of register of deeds—Fees.—Every register of deeds on and after July 1st, 1913, shall receive and file any chattel mortgage, bill of sale of chattels, or conditional sale contract, which shall be executed, witnessed, and acknowledged according to law, and shall immediately number and index the same, and certify on each instrument the exact time of receipt, which certificate shall be prima facie evidence of the facts stated therein. No such instrument shall be removed from the office where filed until cancelled, released, or satisfied. The fees for filing chattel mortgages, satisfactions, and conditional sale contracts, shall be ten cents for each instrument and twenty-five cents for a certified copy thereof, said amount to be paid to the register of deeds at the time of filing, and such fee shall be retained by the register of deeds, as additional salary and compensation for filing such instruments.

Sec. 4. Index book to be kept.—Every register of deeds shall keep in his office an index book in which he shall enter the number given to every such instrument, the names in alphabetical order of the mortgagee and mortgagor, and vendee and vendor, and the exact time of filing the instrument. In case of a chattel mortgage, or conditional sale contract he shall also enter the sum secured thereby, and the satisfaction of the same when made. In case of a bill of sale of chattels, he shall also enter the amount of the consideration expressed in the instrument. Every such instrument so filed shall be notice to all persons of the existence thereof.

Sec. 5. Certified report of proceedings to be filed with register.—On and after July 1st, 1913, the certified report of his proceedings required to be made by the person or officer making a sale of mortgaged property as required by Section 3470, Revised Laws 1905, shall be filed in the office of the register of deeds where the chattel mortgage is filed or to which it has been transferred, and when so filed, such report, or a duly certified copy thereof, shall be prima facie evidence of the facts therein stated, and on and after July 1st, 1913, no such report shall be filed in the office of any clerk, or recorder of a municipality.

Sec. 6. Clerk or recorder to deliver all documents to register of deeds after July 1st, 1913.—Each municipal clerk or recorder shall, on the first day of July, 1913, deliver all chattel mortgages, bills of sale of chattels, and conditional sale contracts then on file with him, and all records of the same in his custody, to the register of deeds of his county, and said register of deeds

shall thereafter be the custodian of the same, and of the records thereof, and no new filing, indexing, or record thereof need be made by said register of deeds.

Sec. 7. Expenses for delivering by clerk or recorder.—Each municipal clerk or recorder shall be paid out of the treasury of his county the sum of ten cents per mile in traveling from his place of business to and returning from the county seat of his county, for delivering said instruments and records to the register of deeds of his county. The register of deeds of each county shall receive the said instruments and records as delivered to him by the several municipal clerks and recorders of his county and safely keep and preserve the same in his office, and endorse on each instrument and record book the date of the receipt of the same by him, and thereafter said instruments and records shall be notice to all persons of the existence and terms thereof with the same force and effect as when filed pursuant to Chapter 67, Revised Laws 1905.

Sec. 8. Fees for receiving and keeping records.—For receiving, keeping and preserving, and endorsing all of said instruments and records transferred to him as aforesaid, there shall be paid to the register of deeds out of the treasury of his county, a fee according to the population of his county as shown by the 1910 national census of the United States of America, which fee shall be as follows:

In counties having a population of 50,000 or less, \$10.00;

In counties having a population exceeding 50,000 and not more than 100,000, a fee of \$25.00;

In counties having a population exceeding 100,000 and not more than 150,000, a fee of \$50.00;

In counties having a population exceeding 150,000 and not more than 200,000, a fee of \$100.00;

In counties having a population exceeding 200,000 and not more than 300,000, a fee of \$125.00;

In counties having a population exceeding 300,000, a fee of \$200.00.

Sec. 9. This act shall not apply to cities of the first class.

Sec. 10. All acts or parts of acts inconsistent herewith are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after July 1st, 1913.

Approved March 31, 1913.