

CHAPTER 364—H. F. No. 552.

An Act to provide for the filing of liens and instruments evidencing liens on or reserving title to personal property 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 registers of deeds for filing such liens and instruments.

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

Section 1. Lien instruments to be filed with register of deeds.—Any instrument evidencing a lien on or reserving title to personal property which instrument by statute may be filed with the clerk or recorder of any municipality, or a true copy thereof shall be filed with the register of deeds in the county in which the said personal property is situate.

Sec. 2. Fees for filing and documents not to be removed.—Every register of deeds on and after July 1st, 1915, shall receive and file any such instrument, which shall be executed, witnessed, and acknowledged according to law, or a true copy thereof 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 such instruments shall be twenty-five cents for each instrument and twenty-five cents for a certified copy thereof, when copy is furnished, 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. 3. Index 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 lien debtor and lien creditor and vendee and vendor, and the exact time of filing the instrument. He shall also enter the sum for which a lien is claimed and the satisfaction of the same when made.

Sec. 4. Municipal clerk to deliver documents to register of deeds before July 1, 1915.—Each municipal clerk or recorder shall, on the first day of July, 1915, deliver all instruments evidencing liens on or reserving title to personal property, 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. 5. Fees for delivering documents.—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.

Sec. 6. Fees for recording documents so filed.—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, \$1.00.

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. 7. Application.—This act shall not apply to cities of the first class, nor to counties wherein the salary of the register of deeds is fixed by special law.

Sec. 8. Inconsistent acts repealed.—All acts or parts of acts inconsistent herewith are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after July 1st, 1915.

Approved April 24, 1915.