

CHAPTER 97—S. F. No. 209.

An act authorizing and empowering county boards, in counties having no city of the first class within them, but having abstract records, to cause and direct such abstract records when necessary to be transcribed.

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

Section 1. Transcript of abstract records authorized compared and checked back.—That in counties having within them no city of the first class, but having abstracts of land title of record in the office of the register of deeds, the county board is hereby authorized and empowered to have such abstract records transcribed, compared with the original records and checked back whenever the immediate necessity for so doing appears to the said board.

Sec. 2. To be performed by register of deeds and compensation for same.—The work provided for in section 1 of this act shall be performed by the register of deeds and persons employed by him therefor. The said register of deeds for performing said work shall receive as compensation such sum as may be fixed by the county board of his county not exceeding two cents for each description, transfer or entry so transcribed, compared with the original records and checked back. Provided, however, that the total amount to be paid for performing said work shall not in any county exceed two thousand five hundred dollars (\$2,500.00) within any 20 years, nor shall any county during any period of 20 years pay, nor the register of deeds of said county during such time receive, for such work to exceed the said sum of two thousand five hundred dollars (\$2,500.00).

Sec. 3. Inconsistent acts repealed.—All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved March 23, 1917.

CHAPTER 98—S. F. No. 264.

An act to amend Section 2288 of the Revised Laws, 1905, (being Section 4955 of the General Statutes of Minnesota, 1913), relating to attorneys' liens.

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

Section 1. Lien for attorneys fees extended to money or property of client involved in action or property in hands of adverse party—amount to be determined by court—procedure—not to affect rights of certain parties—filing in register of deeds office.—That section 2288 of the Revised Laws, 1905, (section

4955, General Statutes 1913), be, and the same is hereby amended so as to read as follows:

"2288. An attorney has a lien for his compensation whether the agreement therefor be express or implied:

1. Upon the papers of his client coming into his possession in the course of his employment.

2. Upon money in his hands belonging to his client.

3. Upon the cause of action from the time of the service of the summons therein, or the commencement of the proceeding, and upon the interest of his client in any money or property involved in or affected by any action or proceeding in which he may have been employed, from the commencement of said action or proceeding, and, as against third parties, from the time of filing the notice of such lien claim, as provided in this section.

4. Upon money or property in the hands of the adverse party to the action or proceeding in which the attorney was employed, from the time such party is given notice of the lien.

5. Upon a judgment, and, whether there be a special agreement as to compensation, or whether a lien is claimed for the reasonable value of the services, the lien shall extend to the amount thereof from the time of giving notice of his claim to the judgment debtor, but this lien is subordinate to the rights existing between the parties to the action or proceedings.

6. The liens provided by subdivisions 3, 4 and 5 of this section may be established, and the amount thereof determined, by the court, summarily, in the action or proceeding, on the application of the lien claimant or of any person or party interested in the property subject to such lien, on such notice to all parties interested therein as the court may, by order to show cause, prescribe, or, such liens may be enforced, and the amount thereof determined, by the court, in an action for equitable relief brought for that purpose.

Judgment shall be entered under the direction of the court, adjudging the amount due and the sale of the property subjected to the lien, or some part thereof, to satisfy said amount, and directing the sheriff to proceed to sell the same according to the provisions of law relating to the sale of real estate on execution, and to make report to the court.

A certified transcript of the judgment shall be delivered to the sheriff, and shall be his authority for making the sale.

If the property so sold is real estate, the same shall be subject to redemption in the manner provided by law for redemption of real property sold on execution.

Such liens shall not affect the right or title of bona fide purchasers or incumbrances of the property subject thereto, for value and without notice; but a duly verified notice of intention to claim such lien, specifying the property on which the lien is claimed, and the amount thereof, if under express agreement, or, if not, then

the reasonable value of the services for which such lien is claimed, filed as herein provided, shall charge subsequent purchasers and incumbrancers of such property with notice of said lien from the time of such filing.

If the lien is claimed on the client's interest in real estate involved in or affected by the action or proceeding, such notice of intention to claim a lien thereon shall be filed in the office of the register of deeds in and for the county within which the same is situated. If the lien is claimed on personal property said notice shall be filed in the same manner as provided by law for the filing of chattel mortgages.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 23, 1917.

CHAPTER 99—S. F. No. 329.

An act to authorize cities in this state now or hereafter having a population of more than fifty thousand inhabitants to issue and sell bonds for improving parks and parkways.

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

Section 1. **\$125,000 park bond issue authorized for Minneapolis.**—Any city in this state now or hereafter having a population of over 50,000 inhabitants is hereby authorized and empowered, acting by and through the common council of such city, by ordinance duly enacted by an affirmative vote of not less than two-thirds of all the members-elect of such common council, upon request of the board of park commissioners of said city, or of such other governing body as may have charge and supervision of the parks and parkways of such city, to issue and sell one hundred and twenty-five thousand dollars (\$125,000) par value of the bonds of such city for the purpose of improving parks and parkways.

Sec. 2. **To be issued notwithstanding present indebtedness.**—The bonds authorized by section 1 of this act, or any portion thereof, may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or in any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act and for the current interest thereon, and the common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **To run thirty years at 4 per cent and how issued.**—No bonds shall be issued by any such city for the purpose here-