

Section 1. Tax for agricultural societies authorized.—That in addition to all other powers now or hereafter by law conferred upon county boards, authority hereby is given annually to levy a tax of not to exceed one-half of a mill upon all property subject to taxation, and from time to time to appropriate and pay over the proceeds of said tax, when collected, to any county agricultural society of its county which is a member of the state agricultural society, to assist such society in paying its financial obligations now or hereafter incurred.

Approved April 2, 1927.

CHAPTER 112—S. F. No. 343

In act to amend Sections 8250, 8258, 8259, 8262, and 8313, of the General Statutes of the State of Minnesota for 1923, relating to the registration of title to land.

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

Section 1. Lands and interests therein may be registered.—That Section 8250, of the General Statutes of the State of Minnesota, for 1923, be amended to read as follows:

"No land, the title to which is derived from any tax or local assessment sale shall be *first* registered until such title has been adjudged to be valid by a court of competent jurisdiction, and a certified copy of the decree duly recorded with the Register of Deeds; provided, however, that any person may make the application when for at least fifteen years the land has been in the adverse possession of the applicant or those through whom he claims title. No lesser estate than a fee simple, and no mortgage, lien or other charge upon land, shall be registered, unless the estate in fee simple therein is registered, but the fact that the estate or interest of the applicant is subject to any outstanding lesser estate or to a mortgage, or other charge or lien, shall not prevent its registration, and whenever a dock or harbor line has been established by Federal authority, the interest and estate of a riparian proprietor in the submerged lands lying between the original shore line and such established dock line may be registered under this act, subject, however, to the rights of the state of Minnesota in its sovereign capacity in the same, and such registration shall not in any manner affect or change the rights of the state with respect to such lands."

Sec. 2. Examiner of titles.—That Section 8258 of the General Statutes of the State of Minnesota for 1923, be amended to read as follows:

"The Judges of the District Court shall appoint a competent attorney in each County within their respective Districts to be an

Examiner of Titles and legal adviser to the Registrar in said County, and may appoint one deputy Examiner, who shall act in the name of the Examiner and under his supervision and control, and his acts shall be the acts of the Examiner. The Examiner of Titles shall hold office subject to the will and discretion of the District Court by which he is appointed. His compensation and that of his Deputy or Deputies shall be fixed and determined by the said Court, and shall be paid in the same manner as the compensation of other County employeess is paid; provided, however, that in all Counties having a population of less than 75,000 inhabitants, the fees and compensations of the Examiners shall be determined by the Judge of the District Court, and shall in every instance be paid by the person applying to have his title registered."

Sec. 3. Reference to examiner—reports.—That Section 8259 of the General Statutes of the State of Minnesota for 1923, be amended by adding thereto the following:

In all cases where under the provisions of this act application is made to the Court for any order or decree, the Court may refer the matter to the Examiner of Titles for hearing and report in like manner as herein provided for the reference of the initial application for registration."

Sec. 4. Form of summons—service.—That Section 8262 of the General Statutes of the State of Minnesota for 1923, be amended so that, that part of said Section which reads as follows: "The clerk shall also, within twenty (20) days after the first publication of the summons, send a copy thereof by mail to all defendants who are not residents of the state, and whose place of address is known to applicant or stated in the application, or in the order directing the issuance of the summons," shall read as follows:

"The clerk shall also, at least twenty (20) days before the entry of the decree which shall be entered in said matter, send a copy of the summons by mail to all defendants who are not residents of the state, and whose place of address is known to applicant, or stated in the application, or in the order directing the issuance of the summons."

Sec. 5. Acquiring title by action—new certificate.—That Section 8313 of the General Statutes of the State of Minnesota for 1923, be amended so as to read as follows:

"Upon the expiration of the time allowed by law for redemption of registered land, after it has been set off, or sold on execution, or taken or sold for the enforcement of any lien, or charge of any nature, the person who claims under such execution, or under any certificate, deed or other instrument made in the course of proceedings to enforce such execution or lien, may apply to the court for an order directing the entry of a new certificate to him, and upon such notice, as the court may require.

the petition shall be heard, and a proper order or decree rendered therein. *Provided, however, that in case the claim of title is based upon a tax certificate, tax or assessment deed, the petition or application shall be filed with the Clerk of the Court, who shall docket the same in the "Land Registration Docket," and a copy thereof certified by the Clerk shall by the petitioner be filed with the Registrar who shall enter upon the register a memorial thereof, which shall have the force and effect of a Lis Pendens. Such an application of the petitioner shall be referred to the Examiner of Titles for examination and report in like manner as herein provided for the reference of initial applications for registration. The summons shall be issued in the form and served in the manner as in initial applications. It shall contain a statement that the action is brought to register a title based upon a tax or assessment sale made subsequent to the initial registration. Such an application shall be heard by the Court and the applicant shall be required to show affirmatively that all the requirements of the statute to entitle him to register his title have been complied with. The decree shall show the condition of the title to such land, and who is the owner thereof. It shall provide, if the applicant is found to be the owner, for the cancellation of the outstanding certificate and the Registrar shall issue a new certificate for said land, in lieu and in place of the outstanding certificate upon presentation to him of a duly certified copy of such decree, according to its terms. If the applicant is not adjudged to be the owner then the decree shall provide for the cancellation of the memorial of the registration of the certified copy of the application."*

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 4, 1927.

CHAPTER 113—S. F. No. 318

An act to repeal Chapter 332, Session Laws of the State of Minnesota for 1925, relating to the condemnation and vacation of cemeteries, in cities of the first class.

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

Section 1. **Law repealed.**—That Chapter 332, Session Laws of the State of Minnesota, for 1925, be and the same hereby is repealed.

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

Approved April 5, 1927.