

372,000 acres and not more than 373,000 acres, and containing not less than 18 nor more than 20 full or fractional townships, the annual salary of the Judge of Probate shall be \$2,400.00, payable in the manner provided by law.

Sec. 2. Probate Clerk hire in certain counties.—In every such county the sum of \$800.00 per year, and such further sum not exceeding \$400.00 in any one year, shall be allowed for clerk hire in the office of the Judge of Probate, to be determined and paid in the manner provided by law.

Approved February 24, 1937.

CHAPTER 38—S. F. No. 278

An act to amend Mason's Minnesota Statutes of 1927, Section 8187 providing a method for showing of record the cancellation of leases for twenty years or more.

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

Section 1. Cancellation of leases, in certain cases.—That Mason's Minnesota Statutes of 1927, Section 8187, is hereby amended so as to read as follows :

“In case of a lease of real property, when the landlord has a subsisting right of re-entry for the failure of the tenant to pay rent, he may bring an action to recover possession of the property, and such action is equivalent to a demand for the rent and a re-entry upon the property; but if, at any time before possession has been delivered to the plaintiff on recovery in the action, the lessee or his successor in interest as to the whole or any part of the property, pays to the plaintiff or brings into court the amount of the rent then in arrears, with interest and costs of the action, and an attorney's fee not exceeding five dollars, and performs the other covenants on the part of the lessee, he may be restored to the possession, and hold the property according to the terms of the original lease.

Provided, however, that if the lease under which the right of re-entry is claimed is a lease for a term of more than twenty years, re-entry cannot be made into said land or such action commenced by the landlord unless, after default, he shall serve upon the tenant, also upon all creditors having a lien of record legal or equitable upon the leased premises or any part thereof, a written notice that the lease will be cancelled and terminated unless the payment or payments in

default shall be made and the covenant or covenants in default shall be performed within thirty days after the service of such notice, or within such greater period as the lessor shall specify in said notice, and if such default or defaults shall not be removed within the period specified within said notice, then said right of re-entry shall be complete at the expiration of said period and may be exercised as provided by law; provided further, that if any such lease shall provide that the landlord after default, shall give more than thirty days' notice in writing to the tenant of his intention to terminate the tenancy by reason of default in terms thereof, then the length of the notice to terminate shall be the same as provided for and required by the lease.

And provided further, as to such leases for a term of more than twenty years, if at any time before the expiration of six months after possession obtained by the plaintiff by *abandonment or surrender of possession by the tenant* or on recovery in the action, the lessee or his successor in interest as to the whole or part of the property, or any creditor having a lien legal or equitable upon the leased premises or any part thereof, pays to the plaintiff, or brings into court, the amount of rent then in arrears, with interest and the costs of the action, and performs the other covenants on the part of the lessee, he may be restored to the possession and hold the property according to the terms of the original lease; provided, that the provisions of this act shall not apply to any action or proceeding now pending in any of the courts of this state.

Upon recovery of possession by the landlord in the action a certified copy of the judgment shall be recorded in the office of the Register of Deeds of the county where the land is situated if unregistered land or in the office of the Registrar of Titles of such county if registered land and upon recovery of possession by the landlord by abandonment or surrender by the tenant an affidavit by the landlord or his attorney setting forth such fact shall be recorded in a like manner and such recorded certified copy of such judgment or such recorded affidavit shall be prima facie evidence of the facts stated therein in reference to the recovery of possession by such landlord."

Approved February 24, 1937.

CHAPTER 39—H. F. No. 262

An act authorizing the Commissioner of Conservation to sell certain school lands of the Township of Mudgett in Mille Lacs County. Be it enacted by the Legislature of the State of Minnesota:

Section 1. Conservation Commissioner to sell certain school lands.—The Commissioner of Conservation is hereby authorized