

led "An act to establish a probate code" be and the same is hereby amended as follows, by adding thereto, to said section nine, the following:

Compensation  
of Judge.

*Provided further* that in all counties having a population of not less than one thousand and not to exceed ten thousand the board of county commissioners of such county may allow the judge of probate of such county such a sum in addition to the amount above stated, and fixed, as in the discretion of such board of county commissioners shall be just" providing the said additional amount shall not make his total salary as probate judge more than six hundred dollars per annum. Such salary so fixed and allowed by the board of county commissioners shall be paid at the same time and in the same manner as above provided.

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

Approved April 25th 1895.

S. F. No. 539.

## CHAPTER 101.

To amend  
Chap. 200 G. L.  
1889.

*An act to amend chapter (200) of the laws of 1889, entitled An act giving liens for the better security of mechanics, material men, laborers and others.*

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

Commence-  
ment of lien.

SECTION 1. That section one (1) of chapter two hundred (200) of the general laws of 1889 be amended by adding thereto at the end thereof the words: "Such liens shall attach at the time of the furnishing of the first item of such labor, skill, material or machinery, and shall be preferred and be prior to any mortgage or other incumbrance of which the lienholder had no notice at the time of furnishing such first item and which mortgage or other incumbrance was unrecorded at the time such lien attached."

Taxable costs.

SEC. 2. That section ten of said act be amended by adding thereto at the end thereof the following words: Every lienholder who has obtained a lien under this chapter, whether he is plaintiff or defendant, shall be entitled to tax as costs a sum to be fixed by the court, not to exceed twenty-five (25) dollars where the amount recovered is less than five hundred dollars, and a sum not to exceed five per cent (5%) of the amount recovered when such amount is five hundred dollars or over.

Such costs shall be inserted in the judgment and made

a lien upon the property against which recovery has been had with a like effect as the amount recovered.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 25th 1895.

## CHAPTER 102.

H. F. No. 25.

*An act to amend section four (4) of chapter thirty-nine (39) of the general statutes of eighteen hundred and seventy-eight (1878), as amended by chapter seventy-nine (79) of the general laws of Minnesota for the year eighteen hundred and eighty-nine (1889), relating to the filing of chattel mortgages.*

Chattel mortgages.

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

SECTION 1. Every chattel mortgage upon property situated at the time of the execution of such mortgage in a county not organized into townships or situated in an unorganized township of a county which is organized, shall be filed in the office of the register of deeds for such county, and the register of deeds of every such county shall file all such instruments when presented for that purpose, indorse thereon the time of reception, the number thereof, and shall enter in a suitable book to be provided by him at the expense of the county, with an alphabetical index thereto, under the head of mortgagors and mortgagees respectively, the names of each party to such instrument, and in separate columns opposite to such names, the number of the instrument, the date thereof, the amount secured thereby, when due, and the date of filing the same. Such instrument shall remain on file for the inspection of all persons interested. And every chattel mortgage of property so situated which heretofore has been filed with the respective registers of deeds of such counties, shall henceforth have the same force and effect as notice, as those executed and filed after the passage of this act.

Filing—index.

Effect.

SEC. 2. This act shall take effect from and after its passage.

Approved April 5th, 1895.