

ordinance of such common council. And such common council may regulate and limit the traffic and travel upon such street or avenue or section thereof so set apart as a parkway and may prohibit the hauling of heavy loads over or upon the same, or over or upon any part thereof, and may place such other restrictions upon the use thereof and the vehicles permitted thereon as may be necessary and proper to preserve its character as a parkway. *Provided, however,* such common council shall not have

Exceptions.

power to set aside as a parkway nor to limit the traffic upon any such street or avenue upon and along which any street car line is now located and operated, or which is a direct continuation of and is used in connection with any county road, or to which there are no streets running parallel.

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

Approved April 14, 1903.

S. F. No. 89.

CHAPTER 192.

State auditor authorized to deed real estate, in certain cases.

An act to authorize the state auditor, as ex-officio commissioner of the land office of the State of Minnesota, with the approval of the governor of said state, and of its attorney general, to deed real estate which has become property of the State of Minnesota by escheat.

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

SECTION 1. That in any case where any real estate has become the property of the State of Minnesota by escheat, and where said property is encumbered by taxes, special assessments, or other encumbrances, the state auditor of the State of Minnesota as ex-officio commissioner of the land office of the State of Minnesota, with the approval of the governor of said state and of its attorney general, may make, execute and deliver in the name of the State of Minnesota, its deed to any property situated as above described, to the holder or holders of the several encumbrances upon said land for a consideration to be determined by said state auditor as ex-officio commissioner of the land office of the State of Minnesota, and the governor and the attorney general of said state.

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

Approved April 14, 1903.

CHAPTER 193.

H. F. No. 165.

An act regulating the filing and recording of deeds, conveyances, and other instruments relating to real property within newly organized counties, pending proceedings instituted by the state to test the validity of the organization of such counties, and legalizing such records heretofore made.

Filing and record of deeds and other instruments, during pendency of litigation to test organization of new county.

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

SECTION 1. That during the pendency of an action on behalf of the state, to test the validity of the organization of any new county, all deeds, mortgages, powers of attorney and other instruments relating to and affecting real property within the territory of said newly organized county, which by law are required to be filed and recorded in the office of the register of deeds for the county where said real property is situated, may be recorded in the office of the register of deeds for the county in which said real property was situated before the creation of said new county, and such record shall be effectual to all intents and purposes, and of the same force and effect in all respects, for the purpose of notice, evidence, and otherwise, as if said deeds, mortgages, powers of attorney and other instruments were actually recorded in the office of the register of deeds for said newly organized county. And the register of deeds for the county in which real property was situated prior to the creation of said new county is required to admit to record all such conveyances, deeds, mortgages, powers of attorney and instruments when otherwise executed and acknowledged as required by law, *provided* that nothing herein shall be construed to authorize the record of any such deeds, mortgages, powers of attorney or instruments after said proceedings are terminated in any other than the county where the real property affected by said deeds, mortgages, powers of attorney and other instruments is actually situated.

SEC. 2. That in all cases where any deeds, mortgages,