

CHAPTER 419—S. F. No. 569.

An Act to legalize the collection and retention of certain fees by Judges and Clerks of Probate Courts.

WHEREAS, doubts have arisen as to the legality of the acts of judges and clerks of probate courts in collecting and retaining fees prescribed by law, from the enactment of the Revised Laws, 1905, down to the enactment of chapter 322, General Laws, 1907.

NOW THEREFORE,

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

Retaining of fees declared lawful.—Section 1. That all acts of judges of probate and clerks of probate courts in collecting and retaining fees, as authorized and prescribed by law, in all counties of the state of Minnesota having a population of two hundred thousand or less, prior to the enactment of chapter 322, General Laws 1907, be and the same are hereby declared to be lawful.

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

Approved April 22, 1909.

CHAPTER 420—S. F. No. 589.

An Act relating to payment to the State Treasurer of moneys heretofore paid or hereafter to be paid into court or to an officer of a court and for the escheat of certain of such moneys to the State of Minnesota.

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

Money to be paid into state treasury—Application to be made within twenty years.—Section 1. In every case where money heretofore has been paid or hereafter shall be paid into any court or to the officer of any court in the state of Minnesota under any statute or order of court for the benefit of or to be paid to any person or persons, and the same shall not have been paid over to the person entitled thereto within five (5) years after the date on which such person is entitled to receive the same it shall be the duty of the clerk or other officer of the court having charge of such money immediately to pay the same into the state treasury. The person entitled thereto or his successor in the right may apply to the court in which such money was deposited at any time within twenty (20) years from the time the money is so paid into the state treasury for an order for the payment of the money to him, and upon the court being satisfied that the party making such application is the person entitled to

the money or successor to his right the court shall make an order for the payment of such money to the applicant; and the treasurer upon presentation of a duly certified copy of such order shall pay the same to the person named in said order as entitled to receive the same. In case any money so paid to the treasurer shall not so be claimed by the person entitled thereto within such twenty (20) years it shall escheat to the state.

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

Approved April 22, 1909.

CHAPTER 421—S. F. No. 624.

An Act to amend Section 4501 of the Revised Laws of 1905, relating to foreclosure or execution sale.

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

Payment of interest on mortgages.—Section 1. That section 4501 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

“4501. Foreclosure or execution sale—Taxes, Insurance and Interest—The purchaser at any sale, upon foreclosure of mortgage or execution or at any judicial sale during the year of redemption, may pay any taxes or assessments on which any penalty would otherwise accrue, and may pay the premium upon any policy of insurance procured in renewal of any expiring policy upon mortgage premises, and may in case any interest upon any prior or superior mortgage shall become due during such year of redemption pay the same, and in all such cases, the sums so paid, with interest, shall be part of the sum required to be paid to redeem from such sale. Such payments shall be proved by the affidavit of the purchaser, his agent or attorney, stating the items and describing the premises, which must be filed for record with the register of deeds, and a copy thereof shall be furnished to the sheriff at least ten days before expiration of the year of redemption.”

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

Approved April 22, 1909.