

## CHAPTER 415—S. F. No. 856.

*An act to amend Section 935, General Statutes 1923, relating to compensation of county attorneys in certain counties.*

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

Section 1. **Salary of County attorneys in certain counties.**—That Section 935, General Statutes 1923, be amended to read as follows :

"935. In all counties in which the compensation of the county attorneys is not fixed by special law, or by law classifying counties otherwise by population alone, the salary of the county attorney shall be as follows :

In counties whose population according to the last completed state or national census, is less than forty-five thousand, the salary of the county attorney shall be fixed by the county board *in an amount not exceeding twenty-five hundred dollars per year*; and not less than one thousand dollars per year; if dissatisfied with the amount so fixed, any county attorney may appeal to the district court within thirty days by filing with the auditor a notice thereof. The court either in term or vacation and upon eight days notice to the chairman of the board, shall hear such appeal and summarily determine the amount of such salary for the term of office by an order, a copy of which shall be filed with the auditor.

In counties whose population is forty-five thousand or more and less than seventy-five thousand the salary shall be two thousand five hundred dollars per year, which shall be paid monthly by the county. The provisions of this act shall not apply to counties having more than seventy-five thousand inhabitants."

Approved April 23, 1927.

## CHAPTER 416—S. F. No. 201.

*An act to provide for the negotiability of bonds, notes, debentures, or promises to pay, when secured by a mortgage, deed of trust, indenture, or lien, upon any property when properly certified notwithstanding certain recitals therein.*

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

Section 1. **Negotiable instruments.**—That any bond, note, debenture, or promise to pay, which shall be secured by a mortgage, deed of trust, indenture, or lien upon any property, real, personal or mixed, and which shall have been authenticated, certified or approved by the authorized signature of

a duly authorized mortgagee, trustee, registrar, or fiscal agent, when otherwise so drawn as to fall under and within the provisions of the uniform Negotiable Instruments Act (Chapter 272 General Laws of 1913), shall be deemed to be a "negotiable instrument" as defined by law and shall be held and construed to be such "negotiable instrument" notwithstanding the fact that it shall refer to or recite that it is issued under, in connection with, or secured by such mortgage, deed of trust, indenture, or other lien of any kind or nature, and whether or not the terms of said mortgage, deed of trust, indenture, or lien, purport to be incorporated therein or made a part thereof, or otherwise.

Sec. 2. This act shall not be construed to affect any action now pending in any of the courts of this state.

Approved April 23, 1927.

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CHAPTER 417—S. F. No. 659.

*An act to amend Chapter 23A, General Statutes 1923, known as Workmen's Compensation Act, and providing for action in the district court for compensation and certain remedies and procedure therein.*

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

Section 1. Procedure in case of dispute.—Section 4302, Chapter 23A, General Statutes 1923, is hereby amended by adding to said section sub-sections 4302A and 4302 B, which sections shall read as follows:

*"Section 4302A. At any time after the filing of a petition for compensation, the petitioner, his agent or attorney, may file an affidavit stating that the employer named in said petition is a non-resident or is a foreign corporation, and that the service of said petition and other notices as provided by this act cannot be made on said employer. Thereupon the petitioner may commence an action in the district court of the county where the employe in respect to whom compensation is claimed resided at the time of injury or death, as the case may be. Such action shall be commenced and proceed in the same manner as is provided by law for actions in the District Court. The complaint in such action shall contain a statement that a petition for compensation in said matter has been filed with the Industrial Commission of Minnesota, together with the affidavit as hereinbefore provided, and a statement of the facts upon which the right to compensation or other relief is based, as provided in this chapter. In any such action the property of defendant may be attached by writ of attachment or proceedings in garnishment, and the summons may be served*