

tracts are to be awarded, and in case any portion of such work is within the limits of any incorporated village, by also posting notices in three (3) of the most public places in such village, and such notices shall contain a brief description of such work and shall state the time and place of awarding the contract for the same and at the time and place mentioned in such notice, it shall be the duty of such board to let such contract to the lowest responsible bidder, who shall in all cases be required to enter into a written contract evidencing the same, and said board shall require a satisfactory bond for the faithful performance of such contract. In case bids so received are not satisfactory to said board of county commissioners they shall readvertise for new bids.

SEC. 4. In case of an actual and unforeseen emergency arising from the breakage in machinery located about the Court House of any such county, that cannot be allowed to wait for the time required to advertise for bids, as herein required, then such repairs may be made without advertising for bids; provided, however, such work is authorized by a majority of the board of county commissioners and such action shall be ratified and recorded in the official proceedings of said board at their next meeting.

In case of
emergencies.

SEC. 5. All acts and parts of acts, whether general or special, inconsistent with this act are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 10, 1902.

CHAPTER 51.

S. F. No. 81.

An act fixing and regulating the salaries, compensation, duties and help of sheriffs in counties having or which may hereafter have a population of two hundred thousand (200,000) inhabitants, or over.

Salary of
sheriff in
counties of
200,000.

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

SECTION 1. The salary of the sheriff of each county of this state, having or which may hereafter have a population of two hundred thousand (200,000) inhabitants, or over, shall be five thousand (5,000) dollars per annum.

\$5,000 per
annum.

Duties.

SEC. 2. The sheriff shall perform all the duties and services now or which may hereafter be required by law to be performed by him, and in addition shall serve all papers, post all notices required by law to be served or posted on behalf of the state or of the county for which he is elected, including all papers to be served or notices to be posted by the board of county commissioners, the county auditor or by any other county officer. •

**Appointees
and sal-
aries.**

SEC. 3. The sheriff shall appoint and employ one chief deputy, who shall be paid fifteen hundred (1,500) dollars per annum; one jailer, who shall be paid twelve hundred (1,200) dollars per annum; two outside deputies, who shall be paid fifteen hundred (1,500) dollars per annum each, and each of whom shall be required, in addition to the services to be performed for such compensation, to keep and maintain a team and to pay their own traveling expenses within said county while in the performance of the official duties assigned to them as such; and one outside deputy, who shall receive a salary of twelve hundred (1,200) dollars per annum.

**Court dep-
uties.**

SEC. 4. The sheriff shall also appoint and employ as many court-room deputies as there are district court judges in and for said county, who shall attend the courts of said judges and perform such other duties pertaining to the sheriff's office as the latter shall require; and the compensation of each of said deputies shall be nine hundred (900) dollars per annum.

SEC. 5. The sheriff shall also appoint one book-keeper, one assistant jailer, one night watchman, one matron and one cook, whose compensation shall be fixed by the board of county commissioners.

**Monthly
payments.**

SEC. 6. The above-named salaries and compensation of the sheriff, deputies and employes shall be paid monthly in the same manner as other county officials are paid, and the same shall be in full compensation for all services rendered by said sheriff, deputies and employes, respectively, in their official capacity. Said deputies and employes shall perform such duties pertaining to the office of sheriff as he may assign to them at any time.

**Case of
riot, etc.**

SEC. 7. In case of riot or other disturbances requiring additional deputies to keep the peace, or in case of emergencies, the sheriff may, upon the written order of the district court or any judge thereof within and for said county authorizing the same, appoint such additional temporary deputy or deputies as and for a period fixed

as said order may designate, who shall perform such official duties as the sheriff may assign to them and shall receive as compensation three (3) dollars per day from the county treasury for such services.

SEC. 8. In all civil actions, wherein the service is not performed on behalf of such county, the sheriff shall charge the same fees for his services as are now or may hereafter be allowed by law, and such fees shall be paid into the county treasury.

Fees in
civil actions.

SEC. 9. For all services to be rendered by the sheriff, designated in the foregoing section of this act, where the amount of said services is known before the same are performed, it shall be the duty of the sheriff to demand and receive the same before performing the services required. In cases where the amount cannot be ascertained until after the performance of such services, the sheriff shall not make any return of the performance thereof until the proper fees and compensation therefor have been paid to him.

Fees payable
before ser-
vice.

SEC. 10. On the first Monday of each month, the sheriff shall file with the county auditor and county treasurer, duplicates containing a full and detailed statement of all business done in his office, the amount and from whom fees have been received, the amount and from whom fees remain unpaid, and a detailed statement of all expenses incurred by him in the administration of his said office for the preceding month; and the sheriff shall on said first Monday of each month, pay over to the county treasurer all moneys received by him in his official capacity as sheriff for the preceding month, and shall take duplicate receipts therefor from said county treasurer, and shall file one of said receipts upon said date with the county auditor of said county, who shall thereupon countersign said duplicate receipts. Said statements, required by this section to be filed as above mentioned, shall be verified by the oath of the sheriff to the effect that the same are in all respects just and true. The county auditor shall not deliver to the sheriff a warrant for his monthly salary until said statement and duplicate receipt required herein have been filed with him.

Monthly
reports.

SEC. 11. For all services rendered by the sheriff outside of the county for which he is elected, he shall be allowed and paid from the county treasury his actual expenses necessarily incurred in the performance of such services. He shall render a sworn statement to the board

Expenses al-
lowed outside
of county.

of county commissioners of such services, and shall therein state that he has received no rebate nor discount on the amount so charged, and that he has actually and in fact paid the charges specified in said statement, and that he obtained the most reasonable terms possible in incurring such expenses, and when reasonably practicable such statement shall be accompanied by vouchers.

False statement.

SEC. 12. Any false statement made by the sheriff to said county auditor or county treasurer or board of county commissioners, as herein required, shall be grounds for his removal from office by the governor.

SEC. 13. The board of county commissioners shall provide the necessary meals for jurors while being kept together considering cases.

SEC. 14. The board of county commissioners shall provide the sheriff with all necessary food, cooking utensils and dishes for the board of prisoners, and all laundry and toilet supplies for the jail.

Monthly report of jail statistics.

SEC. 15. At the end of each calendar month, the sheriff shall make to the board of county commissioners and the county auditor duplicate statement specifying the names of all prisoners in jail during said month, the cause of commitment, the length of time while in jails during said month, whether on behalf of the United States, a county or a municipality. It shall be the duty of the county auditor to forthwith proceed to collect the amounts due for the board of all said prisoners, and to pay the same to the county treasurer, and said county auditor shall keep an account of all moneys due said county for the board of such prisoners, and the dates and amounts of payments thereon.

SEC. 16. Sections nine (9) and eleven (11) of chapter one hundred fifty-seven (157) of the General Laws of eighteen hundred ninety-three (1893) shall not apply to counties having or which may hereafter have a population of two hundred thousand (200,000) inhabitants, or over.

Bond of \$20,000.

SEC. 17. The sheriff before entering upon the duties of his office shall file and record his commission with the register of deeds of his county, and shall execute a bond in the sum of twenty thousand (20,000) dollars for the faithful performance of the duties of his office, as required by law, which bond shall be approved by the board of county commissioners.

SEC. 18. When any civil suit is brought against the sheriff by reason of the performance or non-performance of any official act of his as sheriff, it shall be the duty of the county attorney of said county to appear as attorney for said sheriff upon the latter's request, and defend said suit.

County attorney.

SEC. 19. The board of county commissioners shall provide and furnish said sheriff with all necessary stationery, blanks and blank books for the proper performance of the duties of his office. Said books shall be public records and open to inspection at all times by any officer of the state or county, and shall not be removed from the office of the sheriff except upon an order issued by a judge of the district court.

County to furnish sheriff supplies.

SEC. 20. In determining at any time to what counties this act should apply, reference shall be had to the United States or state census last taken, and the population of any county as ascertained thereby shall govern.

SEC. 21. During the year 1902, all expenses and expenditures incurred under this act shall be paid out of any moneys in the county treasury not otherwise appropriated.

SEC. 22. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 23. This act shall take effect and be in force from and after April 1, 1902.

Approved March 6, 1902.

CHAPTER 52.

S. F. No. 56.

An act to amend section two (2) of chapter three hundred and four (304), of the General Laws of Minnesota for the year one thousand nine hundred and one (1901), prohibiting the sale of goods and merchandise, in certain cases, without first obtaining a license therefor.

Licenses to sell goods temporarily in cities or villages.

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

SECTION 1. That section two (2), of chapter three hundred and four (304), of the General Laws of one thousand nine hundred and one (1901), being an act entitled "An act to prohibit the sale of goods and merchandise in certain cases without first obtaining a license therefor, and proscribing penalties for a violation of its provisions." Approved April 13, 1901, be and the same hereby is amended so as to read as follows: