

cancy, as above provided, then in that event the person receiving the next highest number of votes for such office at such primary election shall be the candidate for such office and if there is no other candidate for such office and a vacancy exists by reason of this fact, the vacancy may be filled by the proper officer placing upon the ballot the name or names of such candidates as are nominated by petition in the manner provided in Sections 213, 214, 215 and 216, Revised Laws 1905, provided that every registered voter of such party who was qualified and participated in the primary election is eligible to sign a petition choosing a nominee to fill said vacancy."

Sec. 9. Not to apply to cities having preferential system of voting.—*The provisions of this act shall not apply to general city elections in cities of the first class operating under a home rule charter, where, by the terms of such charter, a preferential system of voting is provided, with no primary election.*

Sec. 10. This act shall take effect and be in force from and after its passage.

Approved April 19, 1913.

CHAPTER 390—S. F. No. 414.

An Act relating to sheriffs and their deputies and other assistants in counties having an area of more than twenty-five hundred square miles, and a population of more than fifteen thousand (15,000) and less than nineteen thousand (19,000) inhabitants, and to the salaries, fees, mileage, charges and expenses of such officers, and to the appointment of such deputies and other assistants.

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

Section 1. Certain sheriffs to receive salary of \$3,000 per annum.—In each county having an area of more than twenty-five hundred square miles, and now or hereafter having a population of more than fifteen thousand (15,000) and less than nineteen thousand (19,000) inhabitants according to the then next preceding state or federal census, the sheriff shall receive an annual salary of three thousand dollars (\$3,000.00).

Sec. 2. To perform all work for county without additional compensation.—The sheriff in any such county 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 and post all notices named by law to be served or posted in behalf of the state or 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 any other county officer.

Sec. 3. Salaries of assistants.—The sheriff in any such county shall appoint and employ a chief deputy, and one additional deputy who shall each be paid the sum of twelve hundred dollars (\$1,200.00) per annum; one jailer who shall be paid six hundred dollars (\$600.00) per annum; one additional deputy during such times as the district court is in session in his county and such other and additional deputies, bailiffs or court officers as may from time to time be required, ordered or authorized by a judge of said district court or by the county commissioners of said county, each such additional deputy, bailiff or court officers to receive a salary at the rate of one hundred dollars (\$100.00) per month. The salaries of all such deputies, jailers, bailiffs and court officers shall be paid by the county.

Sec. 4. Payments of salaries and expenses.—The salaries aforesaid shall be paid monthly in the same manner as other county officials are now paid, and the same shall be in full compensation for all services rendered by said officers except as hereinafter provided; provided that said sheriff shall be allowed the expenses necessarily incurred by him or any of his said deputies in the performance of their official duties which shall be allowed and paid in the same manner as other claims against such counties are paid and allowed, except that the expenses incurred by them in performing the services required of them in connection with *insane persons and transportation of criminals and other persons to state institutions*, and other charges and expenses incidental thereto shall be allowed and paid as by law in such cases provided. All claims for livery hire shall state the purpose for which such livery was used and have attached thereto a receipt for the amount paid for such livery signed by the person for whom paid; provided, further, that nothing in this act contained shall be construed to prevent such sheriff from collecting all fees, mileage and other expenses or charges provided for or authorized by law and not herein otherwise specifically mentioned, from the state or any department thereof or any other person or corporation, other than his county, and said sheriff shall on the first Monday of each month file with the county auditor of his said county a correct statement of all such fees, mileage, expenses and other charges received by him, and turn all moneys received into the county treasury.

Sec. 5. Chap. 192, G. L. 1909, not modified or repealed.—Nothing herein contained shall be construed to repeal, amend or modify the provisions of Chapter 257 of the Laws of 1907, with reference to matrons, night watchmen and assistant jailers, nor the provisions of Chapter 192, Laws of 1909, with reference to boarding of prisoners.

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

Approved April 19, 1913.