

"217. The judges of such courts shall be elected at the regular city or village elections, for the term of four years, beginning on the first Monday of the month next following their election, and until their successors qualify. When a new court is organized more than 90 days prior to a regular election, the Governor shall appoint a judge or judges thereof to serve until they are elected and qualified, and vacancies shall be filled by like appointments for the unexpired term. Provided, that in the absence or disability of the municipal judge and special municipal judge of such court, if there be one, the mayor or president of the council may designate a practicing attorney to sit in place of such municipal judge from day to day. All municipal judges and special municipal judges shall be men learned in the law and residents of the city or village. The salary of each shall be paid monthly by the city or village and shall be fixed by resolution adopted by a majority of the council of such city or village, and approved by the mayor or president, and shall not be diminished during his term. Provided, however, that where there shall be a municipal judge and a special municipal judge, the special municipal judge shall act only in the absence or disability of the municipal judge, and receive as compensation therefor an amount per diem to be fixed and paid by the council of such city or village; and provided further, that any such special municipal judge shall not be prohibited from practicing in said municipal court or in any other court, but he shall not sit in the trial of any cause or proceeding wherein he may be interested, directly or indirectly, as counsel or attorney, or otherwise. Provided that in all cities over 7,000 population and having an assessed valuation of more than \$10,000,000, the city council may pay the special municipal judge a salary of \$50.00 per month in lieu of compensation on a per diem basis."

Approved April 6, 1937.

CHAPTER 155—H. F. No. 598

An act to amend Mason's Minnesota Statutes 1936 Supplement, Section 3750-4, relating to firemen's relief association in cities of the first class.

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

Section 1. **Fireman relief associations in cities of first class.**—That Mason's Minnesota Statutes 1936 Supplement, Section 3750-4, be and the same is hereby amended so as to read as follows:

"3750-4. Every fireman as herein defined shall be eligible to apply for membership in the relief association in the city in which

he is employed within the time and in the manner hereinafter set forth. Any such fireman desiring to become such member shall, not later than 90 days from the time when he is regularly entered on the payrolls of such fire department, make written application for membership in such relief association on forms supplied by such association, accompanied by one or more physician's certificates as required by the by-laws of said association. After such application has been filed, the board of examiners of the association shall make a thorough investigation thereof and file their report with the secretary of the association. Such application must be acted upon by the association within six months from the date applicant was entered on the payroll of the fire department. Provided, however, that no fireman who is more than 35 years of age when his application is filed can become a member of the relief association, except that such age limitation of 35 years shall not apply on application for reinstatement in such association.

Any fireman, as that term is herein defined, actively employed as such in any city of the first class on January 1, 1937, may be eligible to membership in a firemen's relief association. Such fireman shall make application within 90 days from and after the passage of this act. His application must be acted upon by the association within six months thereafter.

Upon the acceptance of said application, the membership of such applicant shall become effective as of the date when he was entered on the payroll of the department, provided the applicant shall make up all dues which he would have paid had he been a member of the Firemen's Relief Association from the date he entered upon the payroll of the department. All payments, benefits and privileges to which said firemen are entitled as members of said fund shall be governed by Mason's Minnesota Statutes, 1936 Supplement, Section 3750-1 and 3750-38."

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

Approved April 5, 1937.

CHAPTER 156—H. F. No. 499

An act relating to the fixing of minimum compensation for clerks of district court in certain counties.

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

Section 1. **Compensation for Clerk of District Court in certain cases.**—In all counties of this state containing not less than