

Nineteen Hundred Thirty-One  
Supplement

to

# Mason's Minnesota Statutes

(1927 thru 1931)

Containing the text of the acts of the 1929 and 1931 Sessions of the  
Legislature, both new and amendatory, and notes showing repeals,  
together with annotations from the various courts, state  
and federal, construing the constitution, statutes,  
charters and court rules of Minnesota



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county, to the sheriff of the county, or all of them. No judge or other officer of such municipal court, excepting the special municipal judge, if any, shall prepare or draw any pleadings or other papers in any civil actions in said municipal court, nor shall they institute, for another, any civil action in such court. (As amended Feb. 21, 1931, c. 23, §1.)

**§228. Powers and duties—Practice—Rules—Fees.**

Right of defendant to appeal after plea of guilty in municipal court. Op. Atty. Gen., Dec. 9, 1930.

**§229. Costs and disbursements.**

Where defendant prevailed on his counterclaim in amount equal to plaintiff's recovery, defendant was entitled to costs. 179M461, 229 NW579(2).

"Costs" refers to disbursements where no statutory costs are involved.—Id.

**§233. Fees in criminal cases—Etc.**

It is not the duty of a city attorney to prosecute violators of state laws within the city limits in justice court, and in assisting in such a prosecution he is not entitled to compensation from the city, but county attorney might allow compensation out of his contingent fund. Op. Atty. Gen., Feb. 18, 1931.

**§236. Appeals to district court.**

The district court is not required to make findings of fact in an appeal upon questions of law alone from judgments of the municipal courts in cities of the class of Worthington. Iowa Mortgage Corp. v. K., 233NW18. See Dun. Dig. 6905.

Defaulting defendant in municipal court was not entitled to notice of entry of judgment as respected time for appeal. Pandolfo v. S., 236 NW483. See Dun. Dig. 486(74).

**§237. Courts in cities of fourth class, etc.**

Judge of municipal court, organized under this section, may also hold the office of member of school board of an independent school district. Op. Atty. Gen., April 15, 1931.

**COURT COMMISSIONER**

**§246. Election—Term of office.**

Laws 1929, c. 341, §2 (§997-4), fixes salary at \$3,500 and marriage fees in counties of 415,000 population.

**§250. Vacancy.**

**Editorial note:** This section seems to be superseded by §822, a later enactment, conferring power of appointment to fill vacancy, on the county board.

Section 250, and not section 822, governs an appointment to fill a vacancy in the office of court commissioner. Op. Atty. Gen., Jan., 26, 1931.

CHAPTER 5A

**Salaries of Certain State Officers and Employees**

Act limiting amount which may be paid state officer or employee for use of automobile. Laws 1931, c. 331, §§254-47, 254-48.

**§252. Amount—Payment.**

**2. Judicial Department.**

**Salary of chief justice, associate justices and commissioners.**—The annual salary of the chief justice of the supreme court shall be \$9,000.00 and that of each associate justice and each commissioner of the supreme court \$8,500.00. (Act Apr. 24, 1929, c. 322, §1.)

The above provision amends this paragraph with respect to the salaries of the chief justice, associate justices, and the commissioners.

**6. Office of Attorney General.**

**Salary of attorney general and assistants.**—The annual salary of the attorney general is hereby fixed at \$7,000.00 and of the deputy attorney general at \$6,000.00, and of the several assistant attorneys general, other than

the assistant attorney general who is a member of the rural credit bureau, at \$5,000.00. (Act Apr. 25, 1929, c. 382, §1.)

The above provision amends this subdivision "so as to read as" above. As to whether it amends the provisions of the former law which are not embraced in the amendatory act may be open to question.

**8. Office of State Librarian.**

The salary of the assistant state librarian is hereby fixed at twenty-one hundred dollars annually, payable in semi-monthly installments. (Ex. Sess. '19, c. 31, §1.)

**Explanatory note**—Laws Ex. Sess. 1919, c. 31, §1, impliedly amended Laws Ex. Sess. 1919, c. 30, by increasing the salary of the assistant librarian to the amount above stated.

**22. District Court Judges.**

Governor attempted to veto this bill but did not return it in time. See State v. Holm. 172M 162, 215NW200.

CHAPTER 5B

**Public Officers and Employees in General**

**STATE EMPLOYEES RETIREMENT ASSOCIATION**

**§254-1. Words and phrases defined.**—That the following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

1. "State Employee" shall mean any person

holding a state office or regularly employed by the state in any capacity whatever and whose salary is paid either by warrant of the state auditor or from the fees or income of any department or agency of the state, excepting court commissioners, district judges, and the president, deans, professors, and instructors in the state university and in the