

laws of one thousand eight hundred and sixty-eight is hereby repealed. Repeal of former act.

SEC. 3. This act shall take effect and be in force from and after its passage, but shall not apply to the treasurer of Ramsey county. When act to take effect.

Approved March 5, 1870.

CHAPTER XXXVIII.

An Act to amend Section Two Hundred and Twenty-Seven, of Chapter Eight, of the General Statutes, relating to Clerks of District Court. March 7, 1870.

SECTION 1. Amendment to Section Two Hundred and Twenty-Seven (227) of Chapter Eight (8) of the General Statutes. Clerk may appoint a deputy.

2. When act to take effect.

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

SECTION 1. That section two hundred and twenty-seven, of chapter eight, of the general statutes, be amended so as to read as follows:

Sec. 227. He may at his discretion, with the approval of the judge of his court, appoint a deputy clerk, for whose acts he shall be responsible. Said deputy shall be appointed under the hand and official seal of the clerk, with the approval of the judge indorsed on such appointment; and the deputy appointed under and in pursuance of the provisions of this article may administer oaths, take acknowledgments, and perform all the duties pertaining to the office of clerk of the district courts. Clerk may appoint a deputy.

SEC. 2. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 7, 1870.

CHAPTER XXXIX.

An Act to amend Section Seventy, of Title Two, of Chapter One Hundred and Twenty, of the General Statutes of One Thousand Eight Hundred and Sixty-Six, relating to the fees and expenses of Sheriffs in the conveyance of convicts to State Prison.

Feb'y 23, 1870.

SECTION 1. Amendment to Section Seventy (70) of Chapter One Hundred and Twenty (120) of the General Statutes. Sheriffs' fees and expenses incurred in conveying convicts to State Prison—to be approved by the State Auditor.

2. When act to take effect.

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

SECTION 1. That section seventy, of chapter one hundred and twenty, of the general statutes of one thousand eight hundred and sixty-six be amended so as to read as follows :

Sec. 70. The necessary expenses and legal fees of sheriffs and other officers, incurred in conveying convicts to state prison, shall be approved by the auditor of state and be paid out of the state treasury. Said auditor may allow for said expenses and fees the following rates : Three dollars per day for time of sheriff necessarily spent going to and from the prison, two dollars and fifty cents per day for each guard necessary, and such sums as may be necessary for railroad fare and actual traveling expenses. Not more than one guard shall be allowed for one prisoner, and one additional guard for every two additional prisoners. When conveyance by team is necessary, a team and driver may be employed at a rate of compensation not exceeding five dollars per day—forty miles per day to be estimated as a day's travel. All bills shall be rendered in writing and fully itemized and verified by oath, and accompanied by the receipt of the warden of the state prison for the delivery of such convict or convicts.

Fees of sheriffs for taking convicts to prison—to be approved by the auditor.