

and all the rights or privileges herein vested in any city or town or village shall in such case be vested in such county, and any and all acts, powers, duties or authority herein vested in or to be exercised by the common council of any city, or the corporate authorities of any town or village shall in the case of any county so issuing its bond, be exercised by the board of county commissioners of said county.

*Provided*, That if any town, city or village shall act upon the question of giving aid to such railroad, such town, city or village shall be exempt from any taxation for the payment of principal or interest of any bonds that may be granted by such county, in which such town, village or city is situated, providing also that the voters of said town, village or city shall not enter into the question of decision as to granting aid to such railroad.

*Provided, further*, That any action taken under the provision of this act, when such action shall be against the issuing of such bonds, such action shall be final and any further action shall be barred.

*Provided, also*, The provisions of section eleven of this act shall not apply to the county of Blue Earth.

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

Approved March 10, 1879.

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## CHAPTER LXXXVII.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF MINNEAPOLIS," APPROVED FEBRUARY THIRTEENTH, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR, AND AMENDED BY SUBSEQUENT ACTS.

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

SECTION 1. That section three of an act entitled "an act to establish a municipal court in the city of Minneapolis," approved February thirteenth, A. D. one thousand eight hundred and seventy-four, as amended by subsequent acts, including chapter sixty-five, of the special laws of the year one thousand eight hundred and seventy-eight be, and the same is hereby, amended so as to read as follows:

Sec. 3. The judge of the municipal court shall be a resident of the city of Minneapolis, a person learned in the law, and duly admitted to practice as an attorney in the courts of this state.

Before entering upon the duties of his office he shall take and subscribe an oath as prescribed in the general statutes for judicial officers, which oath shall be filed in the office of the city clerk of said city. He shall have the general powers of judges of courts of record, and may administer oaths, take and certify acknowledgments in all cases, and as a conservator of the peace shall have all power and authority which is or may be by law vested in justices of the peace or any other judicial officer. There shall be one special judge of said municipal court, whose manner of election, term of office, powers and duties, and qualifications, shall be the same as those of the municipal judge, except as otherwise provided in this act, and his successor shall be elected, and vacancies filled in like manner. In case of a press of business in said court, at the request of the municipal judge, or in case of the absence or sickness of the municipal judge, at the request of the mayor or acting mayor of said city; the said special judge shall act as judge of said court, and when the special judge so acts at the request of the municipal judge, each may have and exercise the powers of said court. The said special judge shall not act as judge of said court except as above provided; and when such special judge shall act as judge of said court, at the request of the mayor or acting mayor of said city, as above provided for, he shall receive compensation therefor from said city, at the rate of eight dollars per day, but he shall not be entitled to compensation from said city when acting at the request of the municipal judge, unless the city council shall so direct previous to the performance of such services. This section shall not incapacitate such special judge from acting as attorney in any case in said court, but when he is acting as judge of said court he shall take no action in such case, save as to adjourn the same.

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

Approved March 8, 1879.

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## CHAPTER LXXXVIII.

AN ACT AMENDING PARTS OF THE CHARTER OF THE CITY OF ST. PAUL, AND ACTS AMENDATORY THEREOF.

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

SECTION 1. Section one of an act to regulate and establish the salary and fees of certain officers in Ramsey county, Minnesota, approved March eighth, eighteen hundred and seventy-eight, is hereby amended by adding thereto the following proviso: *Provided, however,* that nothing herein contained shall prohibit the common council, by a three-fourths vote, whenever it shall be made to appear