

CHAPTER 110.

[H. F. No. 762.]

AN ACT TO AMEND SECTION TWENTY (20) OF CHAPTER SEVENTEEN (17) OF THE SPECIAL LAWS OF MINNESOTA OF THE YEAR EIGHTEEN HUNDRED AND EIGHTY-NINE (1889), THE SAME BEING "AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF TOWER."

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

SECTION 1. That section twenty (20) of Chapter seventeen (17) of the Special Laws of the year eighteen hundred and eighty-nine (1889) be and the same is hereby amended so as to read as follows:

Sec. 20. *Title to Real Estate—Equitable Issue.*—In case it shall appear from the pleadings or upon the trial of any civil action that the title to real estate is involved in the action, or that the issues of the action are of a purely equitable nature, the municipal court shall not proceed further therein, but shall transfer the action to the district court of said county, and the case shall be proceeded with in said district court as if originally commenced therein.

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

Approved April 15, 1891.

CHAPTER 111.

[H. F. No. 883.]

AN ACT TO AMEND CHAPTER ELEVEN (11) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND EIGHTY-NINE (1889), BEING AN ACT TO REDUCE THE LAW INCORPORATING THE CITY OF BRAINERD, COUNTY OF CROW WING, STATE OF MINNESOTA, AND THE SEVERAL ACTS AMENDATORY THEREOF, INTO ONE (1) ACT, AND TO AMEND THE SAME.

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

SECTION 1. Section four (4) of Chapter eleven (11) of the Special Laws of eighteen hundred and eighty-nine (1889) is hereby amended so as to read as follows:

"There shall be an election by the qualified electors of said city, for all elective officers hereinafter provided for, held on the first (1st) Tuesday in May, A. D. eighteen hundred and ninety-one (1891), at such place or places in each ward as may be established by resolution or ordinance of the council, and the term of office of all officers elected at such election shall commence on the second (2d) Tuesday in May, eighteen hundred and eighty-nine (1889)."

SEC. 2. Section five (5) of said Chapter eleven (11) is hereby amended so as to read as follows:

“The elective officers of said city shall be a mayor, a treasurer and a city assessor, who shall be resident freeholders and qualified electors of said city, and who shall have resided therein for a period of one (1) year next preceding their election; a municipal judge and a special municipal judge, who shall be persons learned in the law and duly admitted to practice in the courts of this state, and be qualified electors of Crow Wing county, and two (2) aldermen in each ward, to be voted for by the qualified electors of their respective wards; all aldermen shall be resident freeholders and qualified electors of their respective wards and shall have resided in said city for the period of one (1) year next preceding their election.

“All other officers necessary for the proper management of the affairs of said city, and not otherwise provided for in this act, shall be appointed by the city council. The appointment of such officers shall be determined by ballot, and it shall require the concurrence of a majority of all the members of the city council present to appoint such officers.”

SEC. 3. Section six (6) of said chapter eleven (11) is hereby amended so as to read as follows:

“All officers of said city elected on the first (1st) Tuesday in May, eighteen hundred and ninety-one (1891), and all officers thereafter appointed, whose terms of office would otherwise expire on the second (2d) Tuesday in May, eighteen hundred and ninety-two (1892), shall hold and continue in said offices respectively until the second (2d) Tuesday after the first (1st) Monday in November, eighteen hundred and ninety-two (1892), and until their successors are elected and qualified.

“There shall be no election for the elective officers of said city, after the election on the first (1st) Tuesday in May, eighteen hundred and ninety-one (1891), as provided in section one (1) of this act, until the first (1st) Tuesday after the first (1st) Monday in November, eighteen hundred and ninety-two (1892), at which time there shall be an election, by the qualified electors of said city, for all the elective officers hereinbefore provided for, at such place or places in each ward as may be established by ordinance or resolution of the council; and thereafter there shall be an election, by said qualified electors, for all said elective officers of the first (1st) Tuesday after the first (1st) Monday in November in each even numbered year, and said election, together with the election to be held on the first (1st) Tuesday in May, eighteen hundred and ninety-one (1891), as hereinbefore provided, shall be known and hereinafter designated in this act as ‘the city election,’ and wherever in said chapter eleven (11) the words ‘annual election,’ or ‘annual city election,’ occur, the same shall be read and construed to mean ‘the city election,’ as aforesaid.”

SEC. 4. Section fourteen (14) of said Chapter eleven (11) is hereby amended so as to read as follows:

“The term of office of the assessor of said city heretofore appointed by the city council shall terminate on the passage of this act, and all the duties hereafter to be performed by the assessor shall be performed by the person elected under the provisions of this act. The term of office of every officer elected under this act, unless herein otherwise provided for, shall commence on the second (2d) Tuesday after the

first (1st) Monday in November next succeeding the day of his election, and shall continue for the period herein specified and until his successor is elected and qualified."

SEC. 5. Section eighteen (18) of said Chapter eleven (11) is hereby amended by striking out the words "in each year," in the first line of said section.

SEC. 6. Section nineteen (19) of said Chapter eleven (11) is hereby amended by striking out the words "first (1st) Tuesday in May," wherever the same may occur, and by inserting in lieu thereof the words "first Tuesday after the first (1st) Monday in November."

SEC. 7. Section thirty (30) of said Chapter eleven (11) is hereby amended by striking out the words and figure "one (1) year," wherever the same may occur, and by inserting in lieu thereof the words and figure "two (2) years."

SEC. 8. Section forty eight (48) of said Chapter eleven (11) is hereby amended by striking out the first (1st) sentence of said section.

SEC. 9. Section fifty-seven (57) of said Chapter eleven (11) is hereby amended by inserting after the words and figures "eighteen hundred and eighty-nine (1889)," where the same occur, the words "or as soon thereafter as may be."

SEC. 10. Section ninety-eight (98) of said Chapter eleven (11) is hereby amended by striking out the words "first (1st) meeting after each annual election," where the same occur in the first (1st) and second (2d) lines of said section, and by inserting in lieu thereof the words "second (2d) regular meeting in May of each year."

SEC. 11. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved April 7, 1891.

CHAPTER 112.

[H. F. No. 19.]

AN ACT TO AMEND "AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF TOWER," BEING CHAPTER SEVENTEEN (17) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND EIGHTY-NINE (1889).

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

SECTION 1. That section six (6) of Chapter seventeen (17) of the Special Laws of the state of Minnesota of the year eighteen hundred and eighty-nine (1889), be and hereby is amended so as to read as follows:

Sec. 6. *Powers of Court—Process—Forms.*—The municipal court shall have full power and authority to issue all process, civil and criminal, except summons in civil action, necessary or proper to carry into effect the jurisdiction given it by law and its judgments and other determinations; and it shall have and possess all the powers usually possessed by courts of record at common law, subject to modifications by the statutes of this state applicable to courts of record, except that