

his own services and for all expenses incurred by him for supplies and assistance in his work shall be the sum of three thousand (3,000) dollars per annum.

SEC. 2. That said sum of three thousand (3,000) dollars shall be appropriated annually for such payment to the reporter. \$3,000 appropriated

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 18, 1899.

## CHAPTER 271.

H. F. No. 325

*An act to amend chapter two hundred and twenty-nine (229) of the General Laws of eighteen hundred and ninety-five (1895), establishing municipal courts in cities of less than five thousand (5,000) inhabitants.* Municipal courts in cities of less than 5,000

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

SECTION 1. That section four (4) of chapter two hundred and twenty-nine (229) of the General Laws of eighteen hundred and ninety-five (1895) be amended so as to read as follows: Sec. 4, c. 229, Laws 1895, amended.

Sec. 4. Before entering upon the discharge of the duties of his office, the judge of said court 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 clerk or recorder of said city. He shall have the general powers of judges of courts of record, and may take and certify acknowledgments in all cases, and as a conservator of the peace shall have all the powers and authority which is by law vested in justices of the peace, or any other judicial officer. In all cities where there has been, or may hereafter be, a municipal court established, under the provisions of said chapter two hundred and twenty-nine (229), at the next general city election occurring more than thirty (30) days after the passage of this act, or the establishment of such municipal court, there shall be elected by the qualified electors of such cities a special judge of such municipal court, whose term of office shall be for four (4) years and until his successor is elected and qualified. He shall be a qualified elector of said city and shall take and subscribe the same oath as the municipal judge, which oath shall also Judge of to take oath.

Powers of judge.

Term of office; qualifications of; how elected.

Powers and  
duties of  
judge.  
Vacancy;  
Special Judge.

be filed in the office of the clerk or recorder of said city. His powers and duties while acting as the judge of said court shall be the same as the municipal judge. In case of a vacancy in the office of special judge, the governor of Minnesota shall appoint some suitable person to fill such office until the next general city election occurring more than thirty (30) days after such appointment. At the request of the municipal judge, or in case of his sickness or absence, then upon the request of the mayor of such city, said special judge shall act as the judge of said court. Said special judge shall not act on the trial or examination of any case, or otherwise, except as above provided, and any such special judge while acting as the judge of said court shall receive as compensation the fees herein provided for the judge of said court. This section shall not incapacitate any such special judge from acting as an attorney in any case or proceeding in said court, but when acting as judge of said court, he shall take no action in said case save to adjourn the same.

Powers and  
duties of  
Special Judge.

Sec. 11, c. 229,  
Laws 1895,  
amended.

SEC. 2. That section eleven (11) of said chapter two hundred and twenty-nine (229) be and the same is hereby amended so as to read as follows:

Summons,  
how served.

SEC. 11. The summons in this court shall be served in the same manner as prescribed by statute for the service of summons in the district courts of this state, in all cases or classes of cases whereof this court has jurisdiction, except that in service of summons by publication the period of such publication shall be three (3) consecutive weeks instead of six (6).

Sec. 18, c. 229,  
Laws 1895,  
amended.

SEC. 3. That section eighteen (18) of said chapter two hundred and twenty-nine (229) be and the same is hereby amended so as to read as follows:

Costs allowed  
to prevailing  
party.

SEC. 18. Costs shall be allowed to the prevailing party in all civil actions in said court as follows: When he appears by attorney. To the plaintiff on judgment in his favor by default, three (3) dollars; on judgment in his favor after issue joined, when the amount of the judgment, exclusive of costs and disbursements, or the value of the property recovered, as alleged in the complaint, is less than fifty (50) dollars, three (3) dollars. When such amount or value is more than fifty (50) dollars and less than one hundred (100) dollars, five (5) dollars; when such amount or value is one hundred (100) dollars or more, ten (10) dollars. To the defendant on a judgment in his favor, after a trial on the merits, when the amount claimed by the plaintiff or the value of the property sought to be recovered, as alleged in the complaint, does not exceed fifty (50) dollars, three (3) dollars. When such

amount or value is more than fifty (50) dollars, five (5) dollars.

SEC. 4. That section nineteen (19) of said chapter two hundred and twenty-nine (229) be and the same is hereby amended so as to read as follows:

Sec. 19, c. 229, Laws 1895, amended.

Sec. 19. Costs and disbursements shall be taxed and allowed either by the clerk or judge of said court, in the same manner provided by law for the taxation of costs and disbursements in courts of justice of the peace.

Courts and disbursements, how taxed.

SEC. 5. That said chapter two hundred and twenty-nine (229) be amended by adding thereto the following:

C. 229, Laws 1895, supplemented.

Sec. 41. It shall be lawful for the judge of said municipal court, or the special judge while acting as judge, to perform any and all the duties provided in this act to be performed by the clerk of said court, including the signing and issuing of any and all process or papers in his own name as judge or special judge, as the case may be.

Judge may perform duties of clerk.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 18, 1899.

CHAPTER 272.

H. F. No. 447.

*An act to provide for the better enforcement of the liability of stockholders of corporations.*

Corporations; enforcement of liability of stockholders.

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

SECTION 1. Whenever any corporation created or existing by or under the laws of the State of Minnesota, whose stockholders or any of them are liable to it or to its creditors, or for the benefit of its creditors, upon or on account of any liability for or upon or growing out of, or in respect to the stock or shares at any time held or owned by such stockholders, respectively, whether under or by virtue of the constitution and laws of said State of Minnesota, or any statute of said state, or otherwise, has heretofore made or shall hereafter make an assignment for the benefit of its creditors under the insolvency laws of this state; or whenever a receiver for any such corporation has heretofore been or shall hereafter be appointed by any district court of this state, whether under or pursuant to any of the provisions of chapter seventy-six (76) of the General Statutes of eighteen hundred and ninety-four (1894) of Minnesota and the acts amendatory thereof,

Procedure when assignment is made or receiver appointed.