

association can establish, the state reserves the right to cancel the lease for the unoccupied part of the site or for the whole, by paying to the Grain Growers' Coöperative Association of Minnesota the value of improvements made on said site covered by said lease.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 20th, 1899.

H. F. No. 189.

CHAPTER 301.

Municipal courts, empowered to receive cash bail.

An act to authorize municipal courts having criminal jurisdiction to receive cash bail in cases of misdemeanors and determining the title to such cash bail when deposited, and authorizing such courts to direct the disposition of such cash bail, and exempting such courts and the clerks and officers of such courts from garnishment therefor, and exempting such cash bail so deposited from attachment and execution.

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

Court to fix amount not to exceed double highest fine.

SECTION 1. Any municipal court of this state having criminal jurisdiction is hereby authorized to accept and receive cash bail for the appearance of any person arrested and brought before such court charged with a misdemeanor. The court shall by order fix the amount of such cash bail, but the amount so fixed shall in no case exceed double the amount of the highest cash fine provided to be imposed in cases of conviction of the crime with which such person so applying to be admitted to bail is charged. After the amount shall have been fixed by the court, the court may, from time to time, reduce the amount so fixed or increase the same, not to exceed the above mentioned limit, as in its discretion shall be deemed advisable.

Court may reduce amount.

Bail to be property of person charged with offense.

SEC. 2. Whenever cash bail shall be deposited for the appearance of any person brought before such court as in this act provided, the same shall for all purposes be deemed the property of the person charged with the offense, whether the same be deposited by such person personally or by any third person or persons in his behalf. And in case such court shall by its order reduce the amount thereof and order the release of any portion thereof, or upon the final disposition of the case order the release of the whole amount on deposit, payment to such

person personally or to any other person on his written order shall be full satisfaction so far as such court and the officers having custody of such cash are concerned.

SEC. 3. Whenever cash bail shall so be ordered by such court to be deposited for the appearance of any such person, the same shall be deposited with the clerk of such court, and the same shall remain so deposited with such clerk until the final disposition of the case and the further order of the court in reference thereto. Such cash shall be disposed of as the court shall direct in one of the following ways: In case of the absolute discharge of the defendant, or in case the court shall order his discharge upon his executing bond to keep the peace, the court shall direct the whole amount remaining on deposit to be at once returned to him. In case the charge against the defendant upon which he shall have already deposited such cash bail shall be withdrawn and a new charge or charges shall be preferred against him, the court may direct the bail so deposited to stand as if deposited for his appearance to answer to such new charge or charges, or it may release part thereof and direct the balance to, so stand, or it may direct the amount to remain on deposit as a portion of an increased amount which such court shall order for his appearance to answer to such new charge or charges, and the defendant may be committed till such additional sum be furnished without such commitment operating to release the amount so deposited. In case of the conviction of such defendant the court may order the amount deposited to be applied upon any fine imposed, and if such fine be less than the amount then deposited, the balance shall be ordered to be at once paid to the defendant. If such fine shall equal the amount then deposited the same may be ordered paid to satisfy such fine. If such fine exceed the amount then deposited, the amount then deposited may be ordered to be applied upon such fine, and the defendant committed until the balance be paid. Such commitment, however, shall not exceed one day's time for each one dollar of such unpaid balance. In case the defendant be convicted and punishment other than a fine be imposed the court shall order the amount then on deposit to be at once returned to him. In case of the death of the defendant before final disposition of the matter, the court shall order the amount then on deposit to be at once paid to his personal representatives, and payment of the whole amount to any one or more of such representatives shall be full satisfaction so far as such court and the officers having custody of such deposit are concerned.

SEC. 4. Whenever any such cash bail shall be deposited as herein provided, whether such deposit be regularly

Bail to be deposited with clerk: disposition of.

Bail exempt from garnishment, etc.

made or not, the said court, and the clerk and the several officers thereof, shall each and all be absolutely exempt from garnishment, and such funds so deposited shall be absolutely exempt from attachment or execution so long as the same shall remain in the physical possession of such court, clerk or other officer of such court.

Power of court to require bond not hereby limited.

SEC. 5. Nothing in this act contained shall be construed as limiting the power of any such court to require a bail bond to be given by any such defendant, but such power shall remain as heretofore, and in case any such defendant shall offer to furnish such bond he shall be allowed to do so without cash bail being required, and if cash bail has already been deposited, such bond may be substituted therefor at any time, and thereupon upon the approval of such bond the court shall order the amount of cash bail then on deposit to be at once returned to the defendant.

Misdemeanor defined.

SEC. 6. Misdemeanors as governed by this act shall be construed to mean all crimes provided for by the statutes of this state which do not amount to felonies, and also all violations of city ordinances.

Forfeited cash bail, how disposed of.

SEC. 7. Cash bail deposited under the provisions of this act and thereafter forfeited shall be disposed of in the manner now provided by law for the disposition of the proceeds of forfeited bail.

SEC. 8. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 20th, 1899.

H. F. No. 482.

CHAPTER 302.

Deputy state treasurer.

An act to fix the salary of the deputy state treasurer and to appropriate money therefor; to amend subdivision twenty (20) of section ten (10) of chapter seven (7) of the General Statutes for the year eighteen hundred and seventy-eight (1878), and to repeal chapter forty-seven (47) of the General Laws of the State of Minnesota for the year eighteen hundred and eighty-one (1881), extra session.

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

Salary of to be \$2,000.

SECTION 1. That the salary of the deputy state treasurer for the fiscal year A. D. one thousand eight hundred and ninety-nine (1899) and annually thereafter shall be two thousand (2,000) dollars.