

CHAPTER 250—S. F. No. 347.

An Act to amend section 442, Revised Laws 1905, relating to assessors and overseers of roads in territory not organized into towns.

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

County board to fix compensation of assessor or overseer of roads.—Section 1. That section 442, Revised Laws, 1905, be and the same is hereby amended so as to read as follows:

“442. The board of each county, any part of which is not organized into towns, shall at its meeting in January in each year divide such unorganized territory into one or more assessment and road districts, and appoint a qualified person residing therein as assessor for each district, and another as overseer of roads therein, each of whom shall possess the powers and perform the duties of a town assessor and town overseer of roads respectively. Each shall hold his office for the term of one year. The compensation of any such assessor or overseer of roads shall be fixed by the county board, not exceeding four dollars per day.”

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

Approved April 19, 1909.

CHAPTER 251—S. F. No. 367.

An Act amending section 4719 of the Revised Laws of 1905, respecting the reception of account books in evidence.

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

Reception of account books in evidence.—Section 1. That section 4719 of the Laws of 1905, be, and the same is hereby amended to read as follows:

“Section 4719. Whenever a party in any cause or proceeding shall produce at the trial his account books, and prove that the same are his account books kept for that purpose, that they contain the original entries for moneys paid, goods or other articles delivered, services performed or material furnished; that such entries were made at the time of the transactions therein entered; that they are in his handwriting or that of a person authorized to make charges in said books, and are just and true to the best knowledge and belief of the person making the proof, such books, subject to all just exceptions as to their credibility, shall be received as prima facie evidence of the charges therein contained. If any book has marks which show that the items

have been transferred to a ledger, it shall not be received unless the ledger is produced.

Provided, that the entry of charges or credits, involving money, goods, chattels or services furnished or received, when the furnishing or receipt thereof constitutes a part of the usual course of business of the person on whose behalf such entry is made, shall be received as evidence tending to prove the fact of the furnishing or receiving of such moneys, goods, chattels or services, whether the same be contained in an account book, or in a so-called loose-leaf, card or similar system of keeping accounts, and whether the same be made by handwriting, type-writing or other similar means, if it shall appear that such entry was made by a duly authorized person contemporaneously with the transaction therein referred to, as a part of the general system of accounts of the person on whose behalf the entry is made, and that the same is made in the usual and ordinary course of said business."

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

Approved April 19, 1909.

CHAPTER 252—S. F. No. 712.

An Act to amend section 122 of the Revised Laws of 1905, relating to salaries of judges and officers of the supreme court and of the district court.

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

Supreme court marshal to receive \$900 per annum.—Section 1. That section 122, Revised Laws 1905, as amended by chapter 175, General Laws 1907, be and the same hereby is amended so as to read, as follows:

"Section 122. The annual compensation of the judges and other officers of the judicial department hereinbefore named shall be as follows, all to be paid by the state unless otherwise specified, and in monthly installments:

First: The justices of the supreme court, seven thousand dollars each;

Second: The clerk thereof, fifteen hundred dollars, and his deputy, one thousand dollars; and in addition to his salary the clerk shall receive such fees as are allowed by law;

Third: Each stenographer, such sum as shall be fixed by the justice appointing him, not to exceed nine hundred dollars;

Fourth: The reporter of said court, three thousand dollars;

Fifth: The marshal thereof, nine hundred dollars;

Sixth: The janitor, nine hundred dollars;