

And all balances of deposits for costs remaining in the hands of said clerk for one (1) month after the termination of any action, or for a like period after an abandonment of or failure to prosecute the same, and all other deposits of money arising from bail, bonds, recognizances, and payments of penalties thereon or otherwise, shall be paid over to the city on the first Monday of the month following.

Provided, that in the event that the party or parties who may be entitled to receive said balances of deposits or other moneys, or any portion thereof, may demand the name of said clerk at any time thereafter, and, upon giving a receipt therefor to the clerk he shall pay over the same, and said receipt shall be a sufficient voucher for the same in like manner as provided herein, in the case of receipts for witness fees. No fees shall be charged against either the city, county or state.

Approved April 13, 1911.

CHAPTER 127—S. F. No. 451.

An Act to amend chapter two hundred twenty-nine (229) of General Laws of eighteen hundred ninety-five (1895), establishing municipal courts in cities of less than five thousand (5,000) inhabitants, as amended by chapter two hundred seventy-one (271) of the General Laws of eighteen hundred ninety-nine (1899).

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

Actions may be tried before special judge in certain cases.—

Section 1. That section four (4) of chapter two hundred twenty-nine (229) of the General Laws of eighteen hundred ninety-five (1895), as amended by chapter two hundred seventy-one (271) of the General Laws of eighteen hundred ninety-nine (1899) be amended so as to read as follows:

“Section 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 pro-

visions of said chapter two hundred twenty-nine (229), at the next general city election, occurring more than thirty 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 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, or if said municipal judge is interested in or related to any of the parties to any action arising within the limits of said city, then such action may be commenced and tried before such special judge. 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.

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

Approved April 13, 1911.

CHAPTER 128—S. F. No. 229.

An Act to fix the salaries of county auditors and county treasurers in counties of the state, having an area of more than two thousand five hundred square miles, and having or which may hereafter have an assessed valuation of more than twenty million dollars, and to determine the amounts to be allowed for clerk hire in the offices of such auditors and treasurers.

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

Salaries of auditors and treasurers in certain counties.—

Section 1. In each county of this state, having an area of more than two thousand five hundred square miles, and having or