

Sec. 3. Hedges and trees within road limits.—That section 2560 of the General Statutes of Minnesota for 1913 be and the same is hereby amended so as to read as follows:

Subdivision 1. The town board of supervisors, *as to roads outside of the corporate limits of cities and villages*, are hereby given the right and power to determine upon the necessity and order the cutting down of hedges and trees within road limits. (3)

Subdivision 2. When the town board of any town in this state shall determine that such cutting down of hedges or trees within the limits of such *rural highway* is necessary they shall notify the owner or owners of the abutting lands of such decision *by ten days' written notice* and order the trees or hedges cut down *even with the surface of the soil* within *twenty (20) days* after such notice. If the said owner or owners fail or refuse to comply with such notice and order within the time specified, the said town board shall have the power to cause such trees or hedges to be cut down at the expense of the town. The timber and wood of such trees shall belong to said owner or owners of the abutting land, if they pay the expenses of cutting down said trees or hedges *as required by said notice* and remove the same from the roadside within *twenty (20) days*. If such timber or wood is not removed within said time, the town board shall *have the power to sell or dispose of* the same, or destroy it if it cannot be sold at a profit, and if sold *shall* pay the proceeds thereof into the road and bridge fund of said town.

Sec. 4. Section 2559, General Statutes, 1913, repealed.—That section 2559 of the General Statutes of Minnesota for 1913, be and the same is hereby repealed.

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

Approved April 21, 1919.

CHAPTER 308—S. F. No. 99.

An act to amend Section 28 of Chapter 351 of the Special Laws for the year 1889, and to amend Sections 47 and 52 of said Chapter 351, as amended by Chapter 430 of the General Laws of the year 1913, relating to the practice in and fixing the compensation of judges, clerks and stenographic reporter of the municipal court of the city of St. Paul.

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

Section 1. Appeals in municipal court of St. Paul.—That section 28 of said chapter 351 of the Special Laws of 1889, be and the same is hereby amended to read as follows:

Section 28. All appeals from judgments of justices of the peace in the city of St. Paul shall be taken to this court, and this

court shall have the same powers in such cases now possessed by the district courts of this state; and all laws applicable to appeals to the district court are made applicable to this court.

Provided, however, that the party appealing shall at the time of the service of the notice of appeal, or within five days thereafter, serve upon the opposite party, his agent or attorney who appeared for him at the trial, a note of issue; and if appellant fails or neglects to serve said note of issue within said time, the respondent may thereupon serve upon appellant a note of issue, and upon the filing of the note of issue the clerk shall place the cause upon the calendar for trial.

Sec. 2. Police officers to be in attendance of sessions of criminal courts—Salaries of municipal judges and clerks and reporters.—That sections 47 and 52 of said chapter 351, as amended by chapter 430 of the General Laws of 1913, be and the same are hereby amended to read as follows:

Section 47. It shall be the duty of the mayor, or other legally constituted officer or body having supervision and control of the police department and police officers of said city, to see that a sufficient number of police officers, including an officer in command, are always in attendance upon said court at its criminal sessions, and such other times and places as the court may direct, in readiness to obey its mandates and preserve order during its proceedings. And said mayor or other legally constituted officer or body, having supervision and control of said police department and police officers of said city, shall have the power, in his or its discretion, to appoint not exceeding three persons approved by the judges of said municipal court, as policemen for special attendance and duty in said court irrespective of the general rule or legal regulations or enactments relative to the qualifications of policemen, but such person shall receive the same, but no greater compensation, unless the common council directs greater compensation, than ordinary police, and they shall be known as bailiffs, and such bailiffs and policemen attending said court may be required to give bond to said city in such sums as the council shall direct for the faithful performance of their duties; such bond to be for the use of all persons interested, provided, however, that nothing herein contained shall affect the powers and duties of the general police in said court. And such police officers, bailiffs and commanding officers, and all other policemen, police officers and bailiffs, shall at all times when in attendance upon said court be subject to the orders and authority and control of said court, irrespective of the authority or orders of any other official body.

The clerk of said municipal court shall have power with the consent of the judges to appoint, in addition to the deputy clerk in this act provided for, two assistant clerks, to be known as assistant

clerks, who shall have like powers as said deputy clerk, but shall act under the authority of said clerk. Said clerk, deputy clerk and assistant clerks shall have full power and authority to administer oaths, swear witnesses and jurors, and take acknowledgments, and said clerk, deputy clerk, assistant clerks and bailiffs shall perform such duties as the clerk or judges shall direct in completing the work of the office, and shall have power to serve all process of said court, whether civil or criminal, when directed by the court, and all other powers and authority in this act provided for either thereof, and are hereby vested with the usual powers of constables at common law and authority and powers of police officers of the said city of St. Paul. If the judges of said court shall so direct one of said assistant clerks shall have the qualifications of a stenographer, and shall perform such duties in that regard as the judges prescribe. Such direction or qualification, however, shall not in any way affect the provisions of this act in reference to the official stenographer. Each of said assistant clerks before entering upon the performance of the duties of his office shall first take and subscribe an oath in form as prescribed in section 10 of this act, and execute to the city of St. Paul for the use and benefit of all persons injured by failure to observe its conditions a penal bond in the sum of \$1,000, with such sureties as the common council may approve, conditioned that he will account to and pay over to the clerk or deputy clerk of said court on each day all moneys belonging to or to go to said city, and that he will at all times pay over to said clerk or deputy clerk of said court on demand all moneys to which any person may be entitled which may have come into his hands in virtue or by reason of his office. Such bond shall be filed with the same officer as the bond of the clerk.

The judges of said court shall each receive a salary of *four thousand dollars (\$4,000.00) per year*; the clerk of said court a salary of *two thousand eight hundred dollars per year*; the deputy clerk of said court a salary of *nineteen hundred dollars (\$1,900.00) per year*; one assistant clerk a salary of *sixteen hundred dollars (\$1,600.00) per year*, and one assistant clerk a salary of *fourteen hundred dollars (\$1,400.00) per year*; and the stenographer reporter shall receive a salary of *sixteen hundred dollars (\$1,600.00) per year*; such salaries being payable in each case out of the city treasury of the city of St. Paul in equal monthly installments.

Sec. 3. Inconsistent acts repealed.—All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved April 21, 1919.