

fault be foreclosed by or in the name of the original mortgagee or its receiver or successor by advertisement in the manner provided by law, notwithstanding that such mortgage has previously been deposited in escrow with, or pledged or assigned in trust to a Farm Loan Registrar as provided in said Federal Farm Loan Act, and notwithstanding that the deposit in escrow with, or pledge or assignment in trust to the Farm Loan Registrar or the reassignment by the Farm Loan Registrar to the original mortgagee or its receiver or successor, has not been recorded. The foreclosure by advertisement of any such mortgage, by or in the name of the original mortgagee shall have the same force and effect as if it had never been so deposited in escrow, or pledged or assigned in trust, and notwithstanding that the deposit in escrow with, or pledge or assignment in trust to the Farm Loan Registrar or the reassignment by the Farm Loan Registrar to the original mortgagee or its receiver or successor has not been recorded.

Sec. 2. Where any such mortgage has heretofore been foreclosed by advertisement by or in the name of the original mortgagee or its receiver or successor, the foreclosure proceedings are hereby legalized and confirmed, notwithstanding that such mortgage may have prior to the foreclosure proceedings been so deposited in escrow or pledged or assigned in trust to a Farm Loan Registrar under said Federal Farm Loan Act; and notwithstanding that the deposit in escrow with, or pledge or assignment in trust to the Farm Loan Registrar or the reassignment by the Farm Loan Registrar to the original mortgagee or its receiver or successor has not been recorded, and notwithstanding that in any such foreclosure proceedings no reference was made in the notice of foreclosure to any such deposit in escrow, pledge or assignment in trust or to any such reassignment.

Provided, that nothing in this act shall be held to apply to any action heretofore commenced or now pending in any of the courts of this state.

Approved April 24, 1929.

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#### CHAPTER 326—S. F. No. 515

*An act providing for the creation of a probation and investigation department in connection with the district court in all counties of this state now or hereafter having a population of more than 415,000*

*inhabitants and constituting a single judicial district, and defining the methods of selection, compensation, powers and duties of the officers and employees thereof.*

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

**Section 1. Probation and investigation department established.**—There is hereby established in all counties of this state now or hereafter having a population of more than 415,000 inhabitants and constituting a single judicial district a probation and investigation department in connection with the district court of any such county.

**Sec. 2. Officers and employees.**—Such department shall consist of one chief probation officer and such other probation officers, investigators, clerical help and other employees as the judges of the said court shall from time to time appoint.

Such probation officers, investigators, clerical help and other employees shall be appointed and removed by the judges of the district court in any such county. They may be appointed either for a definite period of time or for an indeterminate period in the discretion of the court. The salaries of all such persons shall be fixed by the judges of said court, subject to approval thereof by the board of county commissioners of such county.

The said judges may by order determine the necessary qualifications of applicants for positions in said department and may in their discretion provide that applicants shall undergo certain tests as to their qualifications.

The chief probation officer shall have general supervision of such department, subject to the direction of the judges of said court. The court may divide the duties of said department into branches or divisions, and appoint from such probation officers or investigators the heads of such branches or divisions. A juvenile division and a division for the administration of the law in reference to the support of dependent children in their own homes may be established distinct from all other divisions of such department.

**Sec. 3. Duties.**—The duties of such department shall be :

(a) To undertake the supervision of all persons placed on probation or parole by any of the judges of said court, to keep accurate records of such supervision, and to report to the court as to such probation or parole as directed by any of the judges of the court.

(b) To be present when court is in session and so directed by any one of said judges.

(c) To perform the duties required of probation officers by the juvenile court act, as contained in Chapter 73A, Mason's Minnesota Statutes 1927.

(d) To assist in administering the law providing for all allowances to mothers of dependent children, and to perform the duties of investigation and supervision, as found in Sections 8671, to 8689, Mason's Minnesota Statutes 1927.

(e) To provide for mental and physical examination of persons coming under the juvenile court law, and to provide for necessary mental, dental, surgical and nursing care for such persons.

(f) To make such investigation as the court may direct concerning the circumstances of the offense, criminal record and social history of any person convicted of crime, and when deemed appropriate to obtain a physical and mental examination of such defendant and report thereon.

(g) To make collections of support money in divorce actions when ordered by a judge of said court for the benefit of children or indigent mothers and children jointly; to collect money ordered to be paid in desertion and abandonment cases; and to make collections of money or property when ordered to be paid as restitution or reimbursement and to turn over such money or property to the person or persons entitled thereto.

(h) To make investigations in divorce cases of children and home conditions when directed by a judge of said court, and also to exercise supervision over children in such divorce cases as the court may direct.

(i) When directed by a judge of said court and when the person having custody of children is indigent, to take such steps as may be necessary to compel persons ordered to pay money for the support of children when in default; to take such steps as may be necessary to compel persons to make reimbursement to comply with the order of court when in default; to institute, if necessary, contempt proceedings in behalf of such person or persons to whom money or property is ordered to be paid or delivered. It shall be the duty of the county attorney to conduct such contempt proceedings when directed by one of the judges of said court.

(j) To perform such other duties for the protection of children and indigent mothers and children as may be directed by the court.

**Sec. 4. County Board to furnish office room.**—The county commissioners of such county shall provide said department with suitably furnished office rooms, record books, stationery, postage, expenses of investigation and transportation, and such other actual expenses as are required for the proper execution of the purposes of this act.

**Sec. 5. Probation officers—Powers.**—Probation officers shall have the power of peace officers in the execution of their duties. Each probation officer, before entering on the duties of his office, shall take an oath of office to be administered by one of the judges making the appointment. Each probation officer or employee who collects or has the custody of money shall execute a bond with appropriate sureties in a penal sum to be fixed by said judges, at the expense of the county, conditioned for the true accounting of all money received by him as probation officer.

**Sec. 6. Records to be in custody of the court.**—The records of all cases in said office may be withheld from indiscriminate public inspection at the discretion of the judges of said court.

**Sec. 7. Last census to govern.**—Any act, order or thing required or permitted to be done by the judges of said court by the provisions hereof may be done by a majority of said judges.

**Sec. 8. Inconsistent acts repealed.**—For the purpose of determining what counties in the state come under the classification contained in this act reference shall be made to the last complete state or national census.

**Sec. 9. All acts or parts of acts inconsistent herewith are hereby repealed,** in so far as they apply to counties affected by this act. In counties in which there is a separate municipal court probation officer, the probation department established by this act is hereby relieved of any of the duties specified in Section 10910, 10911 and 10912, Mason's Statutes of Minnesota 1927, with references to attendance in municipal courts and with references to representing the interests of minors in said courts.

**Sec. 10. This act shall take effect and be in force from and after its passage.**

Approved April 24, 1929.