

"166. There shall be at all times a chief deputy sheriff of said county and a chief deputy clerk of said district court and such other deputies as may be necessary, resident at said city of Virginia, or said city of Ely or the village of Hibbing and their appointment shall be made in the same manner as other deputy sheriffs and deputy clerks of the district court in said counties. The salaries of such deputies shall be fixed and paid in the same manner as other such deputies. *The office of said deputy sheriff at Virginia, Hibbing and Ely shall not in any sense be considered or deemed the office of the sheriff for any purpose except the performance of his duties relating solely to proceedings tried or to be tried at said places; but the office of said deputy clerk at said places shall be equally deemed the office of the clerk of Court for all purposes except the filing of papers in actions or proceedings to be tried at Duluth. Marriage licenses and naturalization papers may be issued by said deputy clerk.*"

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

Approved April 15, 1931.

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CHAPTER 161—H. F. No. 571

*An act to amend Mason's Minnesota Statutes of 1927, Section 10766, as amended by Laws 1929, Chapter 23, and Sections 10767, 10769, 10770 and 10775, relating to the State Board of Parole.*

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

Section 1. **Parole board.**—That Mason's Minnesota Statutes of 1927, Section 10766, as amended by Laws 1929, Chapter 23, be amended so as to read as follows:

"10766. A board having power to parole and discharge prisoners confined in the state prison, state reformatory or state reformatory for women is hereby created, to be known and designated as 'State Board of Parole'. Said board shall be composed of a chairman and two other members, who shall be appointed by the governor with the advice and consent of the senate and who, except as hereinafter provided, shall hold office for a term of six years from the first Monday in January next after such appointments are made and until their successors be appointed and qualified, provided that immediately or as soon as practicable after the passage of this act

said board shall be appointed to hold office from July first next after such appointments are made, the chairman until the first Monday in January 1937, one member until the first Monday in January 1935, and one member until the first Monday in January 1933. Not more than two members of said board shall belong to the same political party. In case of a vacancy it shall be filled for the unexpired term in which such vacancy occurs as herein provided for original appointments. Said board shall keep a record of all its proceedings and to that end may designate one of its members to act as secretary, or may require the performance of the duties of that office by any parole agent or any other person in its employ."

**Sec. 2. Present law not changed.**—That Mason's Minnesota Statutes of 1927, Section 10767, be amended so as to read as follows:

"10767. The board of parole constituted under the provisions of this act shall be deemed a continuation of the board of parole constituted under the provisions of law in force at the time of the passage thereof, and all matters and proceedings pending before the board of parole as constituted before the passage of this act shall be carried on and completed by the board as constituted hereunder."

**Sec. 3. Chairman of board—salary—compensation of members.**—That Mason's Minnesota Statutes of 1927, Section 10769, be amended so as to read as follows:

"10769. The salary of the chairman of said state board of parole shall be the sum of \$4500.00 per annum, payable as hereinafter provided. Each of the other members of said board shall receive as compensation the sum of \$15.00 per day for each day actually spent in the discharge of his official duties, including the duties of secretary. In addition to the compensation so provided, each of the members of said board shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties. Said compensation and said expenses shall be paid out of the revenue fund in the same manner as the salaries and expenses of other state officers are paid. All of the other expenses of the state board of parole shall be audited and allowed by the state board of control and paid out of the funds appropriated for the maintenance of the penal institutions of the state in such proportions as the state board of control shall determine. Said board of parole shall furnish such estimates of anticipated expenses and requirements as the state board of control may from time to time require."

**Sec. 4. Powers and duties of board.**—That Mason's Minnesota Statutes of 1927, Section 10770, be amended so as to read as follows:

"10770. The said state board of parole may parole any person sentenced to confinement in the state prison or state reformatory, provided that no convict serving a life sentence shall be paroled until he has served thirty-five years, less the diminution which would have been allowed for good conduct had his sentence been for thirty-five years, and then only by unanimous consent in writing of the members of the board of pardons. Such convicts while on parole shall remain in the legal custody and under the control of the state board of parole, subject at any time to be returned to the state prison or state reformatory, and the written order of said board, certified by the warden or superintendent of the state reformatory, shall be a sufficient warrant to any officer to retake and return to actual custody any such convict. Geographical limits wholly within the state may be fixed in each case and the same enlarged or reduced according to the conduct of the prisoner.

In considering applications for parole or final release said board shall not be required to hear oral argument from any attorney or other person not connected with the prison or reformatory in favor of or against the parole or release of any prisoners, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of such prisoner, *and to that end shall have authority to require the attendance of the warden of the state prison or the superintendent of the state reformatory or the state reformatory for women and the production of the records of said institutions and to compel the attendance of witnesses,* and each member of said board is hereby authorized to administer oaths to witnesses for every such purpose."

Sec. 5. **Supervision by board—agents.**—That Mason's Minnesota Statutes of 1927, Section 10775, be amended so as to read as follows:

"10775. Said board of parole as far as possible, shall exercise supervision over paroled and discharged convicts and when deemed necessary for that purpose, may appoint state agents, fix their salaries and allow them traveling expenses. It may also appoint suitable persons in any part of the state for the same purpose. Every such agent or person shall perform such duties as said board may prescribe in behalf of or in the supervision of prisoners paroled or discharged from the state prison, state reformatory, or other public prison in the state, including assistance in obtaining employment and the return of paroled prisoners, *and in addition thereto shall, when so directed by the state board of control, investigate the circumstances and conditions of the dependents of prisoners of the state penal institutions and report their findings and recommendations to the warden and superintendent of the respective institutions and to the state board of control.* Such agents and such persons shall hold

office at the will of the board of parole and the person so appointed shall be paid reasonable compensation for the services actually performed by them. Each shall be paid from the current expense fund of the institution or institutions for whose benefit he was appointed."

Approved April 14, 1931.

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CHAPTER 162—H. F. No. 725

*An act relating to the compensation of members of the Board of Estimate and Taxation in cities of the first class.*

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

Section 1. **Salaries of members of board of estimate and taxation.**—That the salary and compensation of each member of the Board of Estimate and Taxation in each city in Minnesota now or hereafter having over 50,000 inhabitants, whose salary and compensation as an officer or employee of the city is less than \$2500.00 per annum, be and is hereby fixed at and shall be \$10.00 per day for each day of attendance at the meetings of the board, provided that the total amount of such compensation shall not exceed \$500.00 in any one year, and provided that the combined salary of such member as an officer or employee of the city and as member of the Board of Estimate and Taxation shall not exceed \$2500.00 in any one year.

Approved April 15, 1931.

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CHAPTER 163—H. F. No. 776

*An act to amend Laws 1929, Chapter 176, Section 4, relating to zoning ordinances.*

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

Section 1. **Application.**—That Laws 1929, Chapter 176, Section 4, be amended to read as follows:

"Section 4: This act shall also apply to cities operating under home rule charters adopted pursuant to Section 36, Article 4, of the