

CHAPTER 193—H. F. No. 746

An act relating to the establishment and maintenance of law libraries in certain counties, and providing for the collection of fees for the acquisition and maintenance thereof.

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

Section 1. Law libraries in certain counties.—In each county now or hereafter having an assessed valuation excluding money and credits in excess of \$19,000,000 and having a population of not less than 36,000 and not more than 37,000 inhabitants according to the last federal census, and having not less than 22 or more than 24 full or fractional townships, a law library shall be established upon filing with the clerk of the district court of such county the order therefor of a judge of said district court residing in said county.

Sec. 2. Who may use libraries.—The use of such law library shall be free to the judges of the state, to state officials, to all judges of the district, municipal and probate courts of the county, to all the city and county officials, to the members of the bar, and to the inhabitants of the county, under proper regulation.

Sec. 3. Law library fees to be collected by clerk of court.—It shall be the duty of the clerk of the district court of such county to collect in each civil suit, action or proceeding filed in such court, in the manner in which other fees are collected therein and in addition thereto, as law library fees, the sum of \$1.00 from the plaintiff or person instituting such suit, action or proceeding at the time of filing the first paper therein, and the sum of \$1.00 from the defendant or other adverse or intervening party to be collected when his or their appearance is entered in such action or proceeding or when the first paper on his or their part is filed therein. Within the limits herein prescribed such law library fees shall be fixed by the board of law library trustees in charge of such library. Said board may increase or decrease such fees by the order of said board therefor filed with the clerk of said district court. Such law library fees shall be costs in the case and taxable as such and shall be allotted for the support of said library.

Sec. 4. Not to apply in certain cases.—The provisions of Section 3 of this act shall not apply to actions or proceedings commenced by the state or any municipality therein, to garnishment proceedings, to compensation awards or to complaints in intervention in receivership proceedings.

Sec. 5. Clerk to make monthly report and remittance to county treasurer.—On the first day of each month the clerk of the court making collection of such fees shall pay to the county treasurer of said county, taking his receipt therefor, and said county treasurer is authorized and directed upon itemized vouchers approved by the board of law library trustees to disburse the same and other money belonging to said board to pay the necessary expenses of equipping and maintaining said library.

Sec. 6. Law library trustees—appointment—term.—The management of said law library shall be under a board of law library trustees, who shall serve without compensation, to be chosen for the terms and in the manner following: Said board shall consist of five members, namely: One judge of the district court of said county, one municipal judge of the principal city in said county, one member of the board of county commissioners of said county to be selected by the said county board at its annual election of officers, and two members of the bar of said county to be elected by the lawyers of said county at elections held under the supervision of and rules prescribed by said judges.

All members of said board of law library trustees shall hold office for one year.

The board of law library trustees shall elect one of their members president and another member secretary, and the board shall have authority to appoint a librarian and such assistants and clerical help as may be necessary, and to fix their compensation, and to provide rules and regulations for the management of such law library.

Sec. 7. Trustees may acquire library.—The board of law library trustees in the name of the county may acquire and maintain such library by gift, grant, donation, bequest, purchase, lease or loan and title to such library shall vest and be in said county. Said board may sell or exchange such items in said library to such persons and upon such terms as said board may deem best.

Approved April 10, 1941.