

"489.03. **Oath.** Before entering upon his duties, each court commissioner shall *file* his oath of office, for record with the register of deeds."

Approved March 31, 1945.

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CHAPTER 209—S. F. No. 404

*An act amending Minnesota Statutes 1941, Section 525.09, relating to the appointment of clerks and employees in probate court and their duties.*

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

Section 1. Minnesota Statutes 1941, Section 525.09, is hereby amended to read as follows:

"525.09. **Clerks; appointment; powers.** The judge may appoint a clerk, deputy clerks, and employees as provided by law, to hold office during his pleasure, who shall perform the duties imposed by law and such judge. Such appointments shall be in writing and filed in such court. Before entering upon the duties of his office, each clerk and *such* deputy clerks and employees *designated by the court* shall execute a bond to the state in the amount of \$1,000 approved by the county board and conditioned upon the faithful discharge of his duties. Such bond with the oath of the appointee shall be recorded in the office of the register of deeds and filed in the office of the secretary of state after approval as to form by the attorney general. The premiums on such bonds and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any person aggrieved by the violation of the conditions thereof. A clerk or deputy clerk may take acknowledgments, administer oaths, authenticate, exemplify, or certify copies of instruments, documents, or records of the court, and when so ordered may hear and report to the court the testimony of any witnesses and the interrogatories and objections of counsel."

Approved March 31, 1945.

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CHAPTER 210—S. F. No. 486

*An act to enable each city of the first class of this state now or hereafter having a population of 450,000 inhabitants or more, including each such city operating under a charter*

*adopted pursuant to the provisions of Section 36, Article IV of the state constitution, to have the power and authority to assess against abutting and benefited property in each city the cost of caring for, removing and trimming trees along the streets, avenues and alleys of said city, and to trim trees for public utilities using said streets, avenues and alleys, and charging the cost to said utilities, also placing a limitation on such assessments and specifying the branch of said city to exercise the foregoing powers.*

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

Section 1. City of Minneapolis may levy assessment for cost of caring for trees on streets. Each city of the first class of this State now or hereafter having a population of 450,000 inhabitants or more, including each such city operating under a charter adopted pursuant to the provisions of Section 36, Article IV of the State Constitution, shall have the power and authority to assess against abutting and benefited property in said city, the cost incurred for the care, removal and trimming of trees along the streets and avenues and alleys of said city, the amount to be assessed for such purposes shall not exceed 15 cents a front foot and shall be assessed only once in five years, and shall only be assessed when care, removal or trimming of trees has been done on the streets and avenues and alleys abutting such property.

Sec. 2. Cost of trimming trees may be collected from public utilities in certain cases. Whenever the maintenance of poles, cables, or wires along any of the streets, avenues, or alleys of said city by any public utility is such that they are or will come in contact with the trees on any street, avenue, or alley such as to injure said trees or that injury is likely to occur thereto and the person, partnership, or corporation maintaining said poles, cables, or wires and having legal authority to do so, neglects or refuses to trim or cause said trees to be trimmed within a reasonable time after notice from the City Council or chief governing body of such city, that trimming is necessary to prevent damage to such trees, the City Council or other governing body may cause the necessary trimming to be done and shall collect from, and the owner of said poles, cables, or wires shall pay the cost of trimming so done.

Sec. 3. Authority, how exercised. The authority hereby granted may be exercised by the City Council or the chief governing body thereof by whatever name designated or shall

be exercised by the Board of Park Commissioners in any city having such board.

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

Approved March 31, 1945.

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#### CHAPTER 211—S. F. No. 491

*An act relating to sheriffs, their deputies and other assistants in counties having in excess of ninety full or fractional townships, a valuation in excess of \$15,000,000, a population of less than 50,000 inhabitants and more than fourteen organized villages, and fixing the salaries, fees, mileage, charges and expenses of such officers and providing for the appointment of such deputies and other assistants.*

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

Section 1. **Salary of sheriff in Itasca County.** In any county in this state, now or hereafter containing 90 full or fractional townships, a valuation in excess of \$15,000,000, a population of less than 50,000 inhabitants and more than 14 organized villages, the sheriff shall receive an annual salary of \$3,600.

Sec. 2. **Duties of sheriff.** The sheriff in any such county shall perform all the duties and services now or which may hereafter be required by law to be performed by him, and in addition shall serve all papers and post all notices named by law to be served or posted in behalf of the state or county for which he is elected, including all papers to be served or notice to be posted by the board of county commissioners, the county auditor, or any other county official.

Sec. 3. **Deputies and their salaries.** The sheriff in any such county shall appoint and employ a chief deputy who shall be paid an annual salary of \$2,400; a second deputy who shall be paid an annual salary of \$2,100; and a third deputy who shall be paid an annual salary of \$2,100; one jailer who shall be paid \$600 per annum; one additional deputy during such times as the district court is in session in his county, and such other and additional deputies, bailiffs, or court officers as may be required, ordered, or authorized by a judge of said district court, or by the county commissioners of said county, each