

compensation. The county attorney of the county in which the major portion of said soil conservation district is located, shall be the attorney for said district, and the supervisors thereof, and the said supervisors may call upon said attorney for the necessary legal counsel and advice and service. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the state soil conservation committee, upon request, copies of such ordinances, rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this chapter.

*Subd. 4. Employee bonds; audit; removal of supervisor.* The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; the public examiner shall annually audit the books of said soil conservation district and its supervisors. Any supervisor may be removed by the state soil conservation committee upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason.

*Subd. 5. Advisory assistance.* The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property, water supply, or other interests of such municipality or county.

Approved April 2, 1947.

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## CHAPTER 195—S. F. No. 817

[Not Coded]

*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 library established in certain counties.** In any county now or hereafter having an assessed valuation excluding money and credits in excess of \$10,000,000.00 and having a population of not less than 19,000 and not more than 20,000 inhabitants according to the last federal census, and having not less than 11 or more than 14 full or fractional congressional townships, a law library shall be established upon filing an order therefor of a judge of the district with the clerk of court of such county.

**Sec. 2. Use.** The use of the library shall be free to the judges of the state, the state officials, all judges of the district, municipal and probate courts of the county, all city and county officials, the members of the bar, and the inhabitants of the county, under proper regulation.

**Sec. 3. Management; meetings.** Subdivision 1. The management of any library so established shall be under a board of law library trustees, chosen for the terms, who shall serve without compensation, in the manner following: The board shall consist of three members,

(1) the judge of district court in the county,

(2) one member of the board of county commissioners to be elected by the county board at its next regular meeting after the order for establishment of such library has been filed as provided in Section 1, and at the time of its annual election of officers in each succeeding year; and

(3) one member of the oldest county bar association of the county, to be elected by the members of the county bar association, which election shall be held under the supervision of and in accordance with the rules prescribed by the judge of the district court.

**Subd. 2.** The board shall meet immediately after its appointment or election and shall hold its annual meeting thereafter on the first day of the first regular term of the district court in the county in each year. At the first meeting and at each meeting thereafter it shall select from its members a president and a secretary, who shall each hold office until the following annual meeting.

**Sec. 4. By-laws; powers of board of trustees; office space.** Subdivision 1. The board of trustees shall adopt and may from time to time thereafter amend and alter the by-laws, rules and regulations for the conduct of its business, the government of the library and the use thereof as shall be expedient and conformable to law. It may:

(1) Accept on behalf of the county any gift, grant, devise or bequest, or the loan of books or other property for the use or purposes of such library, and carry out the conditions of such donation or loan;

(2) Purchase or lease books or other library facilities upon conditional sales contracts or otherwise, the purchase price to be paid out of the county law library fund. The title to the library and the property thereof, except such books as shall be leased or loaned to it, shall be in the county establishing such library. The board of trustees may sell or exchange items of the property of the library which are no longer suitable or advantageous for the purposes of the library, upon terms as it may deem best.

Subd. 2. It shall, before the second Monday of January of each year, file with the county auditor a report containing a detailed statement of the receipts and disbursements for the preceding year and a detailed inventory of the property belonging to the library and the property loaned or leased to it.

Subd. 3. The county board shall provide suitable quarters for the use of the library.

**Sec. 5. Library fees; district court.** Subdivision 1. It shall be the duty of the clerk of the district court of the county, when such law library is established, to collect in each civil suit, action or proceeding filed in such court, in the manner in which other fees are collected 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.

Subd. 2. Such county law library fees shall be costs in the case and taxable as such. Provided, however, that the provisions of this Section 5 shall not apply to actions or proceedings commenced by the state, the county or any municipality, to garnishment proceedings, to the filing of transcripts, to compensation awards or to complaints in intervention in receivership proceedings.

**Sec. 6. Library fees; municipal court.** Subdivision 1. It shall be the duty of the clerk of any municipal court in such county, when the law library is established, to collect in each civil suit, action or proceeding filed in such court, in the

manner in which other fees are collected 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.

Subd. 2. The county law library fees shall be costs in the case and taxable as such. Provided, however, that the provisions of this Section 6 shall not apply to actions or proceedings commenced by the state, the county or any municipality or to garnishment proceedings.

Sec. 7. **Library fees; probate court.** Subdivision 1. It shall be the duty of the judge of probate court, when such law library is established, in such proceedings in his court in the matter of the estate of a deceased person looking to the entry of a decree of distribution of such estate, excepting in summary proceedings instituted pursuant to Minnesota Statutes 1945, Section 525.51, to collect, as a county law library fee, the sum of \$1.00 from the petitioner instituting such proceeding at the time of the filing of the petition therein.

Subd. 2. Such disbursement shall be an item of expense of administration of the estate, entitling the petitioner to reimbursement therefor out of the estate.

Sec. 8. **Deposit with county treasurer.** On the first day of each month, the official making collection of such fees shall pay the same to the county treasurer, taking his receipt therefor, and the county treasurer is authorized and directed upon itemized vouchers approved by the board of law library trustees to disburse the funds and any other money belonging to said board, to pay the necessary expenses of equipping and maintaining such library.

Sec. 9. **County appropriation.** The county board may appropriate annually a sum not exceeding \$1,000 for such library purposes.

Approved April 2, 1947.

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#### CHAPTER 196—H. F. No. 190

[Coded as Sections 309.18 to 309.20]

*An act to authorize merger or consolidation of certain social, educational, benevolent or charitable corporations.*