

in the name of the state, in any court of general jurisdiction, or may be prosecuted to collection by citation and subsequent proceedings in the probate court wherein the estate was administered.

Approved April 23, 1947.

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CHAPTER 520—H. F. No. 1345

[Not Coded]

*An act relating to the municipal court of the city of St. Paul, and amending Special Laws 1889, Chapter 351, as amended by Laws 1907, Chapter 302, Laws 1913, Chapter 430, Laws 1917, Chapter 246, Laws 1919, Chapter 308, Laws 1921, Chapter 362, Laws 1927, Chapter 317, Laws 1929, Chapter 423, Laws 1941, Chapter 536 and Laws 1945, Chapter 458.*

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

**Section 1. Municipal court of the city of St. Paul; juries; police officers as bailiffs; clerks and assistants; salaries.** Special Laws 1889, Chapter 351, as amended by Laws 1907, Chapter 302, Laws 1913, Chapter 430, Laws 1917, Chapter 246, Laws 1919, Chapter 308, Laws 1921, Chapter 362, Laws 1927, Chapter 317, Laws 1929, Chapter 423, Laws 1941, Chapter 536 and Laws 1945, Chapter 458, is hereby amended to read as follows :

That jury cases shall be set for trial ten days in each month, except in the months of July and August, in the civil branch of said municipal court. The judges of said court shall annually in the month of June in each year, at the court house in the city of St. Paul, select from the electors of the city of St. Paul, not more than six hundred persons properly qualified to serve as petit jurors, and shall make out and certify a list thereof and deliver the same to the clerk of said court, and from said list of persons to serve shall be drawn petit jurors at any time required for the transaction of business in said court; provided, that if in any year such list shall not be made in the month of June, the same may be done at any time thereafter that any of the judges of said court may designate, and if from any cause there shall be a deficiency of persons in said list, such judge or judges may at any time designated by them select from the electors of said city other

persons to cover such deficiency, and in like manner certify and deliver to the clerk the list of the persons so selected, which supplemental or additional list shall thereafter stand as part of the original lists; and provided further, that the validity or legality of such lists shall not be affected by the fact that any person or persons so selected may be disqualified from serving as jurors, or by the selection of a greater or less number of persons than as specified in this act; provided further, that the first selection and list hereunder may be made at any time after the passage of this act. The petit jurors may be drawn from such lists from time to time during such term as the judges may direct for the successive panels. The clerk of the court shall issue venires for such jurors returnable at such hours as a judge or the judges may direct, and such venires shall be served by the police officers of said city of St. Paul, or by the sheriff of Ramsey County as petit jurors are served in the district court.

No person shall be drawn as a juror oftener than once in two years.

Whenever a jury is required in a criminal case, or in forcible entry and unlawful detainer actions, it shall be selected from a panel so drawn. If any person duly drawn and summoned to attend as a juror in said court neglects so to attend without a sufficient excuse, he shall pay a fine not exceeding thirty dollars which shall be imposed by the court, or be imprisoned until such fine is paid, not exceeding thirty days.

Whenever deemed necessary said court shall have power to issue a special venire.

Any jurors so summoned and attending as aforesaid in said municipal court shall be entitled to receive as compensation the *same amount as jurors in district court*, which shall be paid out of the county treasury of the county of Ramsey. The clerk of said municipal court shall deliver to each juror a certificate for the number of days attendance and services for which he is entitled to receive compensation. This certificate of the clerk for services rendered as such juror in the municipal court shall be filed with the county auditor, who shall issue his warrant on the treasurer of the county for the amount due, which certificate shall be a proper and sufficient voucher for the issuance of such warrant. And any juror who has been regularly summoned to attend in said court, and who shall actually attend said court at the time

named in such summons, shall be entitled to his per diem whether he shall have been actually sworn as a juror or not.

Trial by jury in the municipal court shall be in all respects conducted as in the district court of Ramsey County, and all laws and fees of a general nature applicable to jury trials in said district court shall apply to said municipal court, except as herein provided.

It shall be the duty of the mayor, or other legally constituted officer or body having supervision and control of the police department and officers of said city, to see that a sufficient number of police officers, including an officer in command, are always in attendance upon said court at its criminal sessions, and such other times and places as the court may direct, in readiness to obey its mandates and preserve order during its proceedings. And said mayor or other legally constituted officer or body, having supervision and control of said police department and police officers of said city, shall have the power, in his or its discretion, to appoint not exceeding three persons approved by the judges of said municipal court, as policemen for special attendance and duty in said court irrespective of the general rule or legal regulations or enactments relative to the qualifications of policemen, but such persons shall receive the same, but no greater compensation, unless the common council directs greater compensation, than ordinary police, and they shall be known as bailiffs and such bailiffs and policemen attending said court may be required to give bond to said city in such sums as the council shall direct for the faithful performance of their duties; such bond to be for the use of all persons interested, provided, however, that nothing herein contained shall affect the powers and duties of the general police in said court. And such police officers, bailiffs and commanding officers, and all other policemen, police officers and bailiffs, shall at all times when in attendance upon said court be subject to the orders and authority and control of said court, irrespective of the authority or orders of any other official body.

The clerk of said municipal court shall have power with the consent of the judges to appoint, in addition to the deputy clerk in this Act provided for, two assistant clerks to be known as assistant clerks, who shall have like powers as said deputy clerks, but shall act under the authority of said clerk. Said clerk, deputy clerk and assistant clerks shall have full power and authority to administer oaths, swear witnesses and jurors, and take acknowledgments, and said clerk, deputy clerk, assistant clerks and bailiffs shall perform such duties

as the clerk or judges shall direct in completing the work of the office, and shall have power to serve all process of said court, whether civil or criminal, when directed by the court, and all other powers and authority in this act provided for either thereof, and are hereby vested with the usual powers of constables at common law and authority and powers of police officers of the said city of St. Paul. If the judges of said court shall so direct one of said assistant clerks shall have the qualifications of a stenographer, and shall perform such duties in that regard as the judges prescribe. Such direction or qualification, however, shall not in any way affect the provisions of this act in reference to the official stenographer.

Each of said assistant clerks before entering upon the performance of the duties of his office shall first take and subscribe an oath in form as prescribed in Section 10 of this Act, and execute to the city of St. Paul for the use and benefit of all persons injured by failure to observe its conditions a penal bond in the sum of \$1,000, with such sureties as the common council may approve, conditioned that he will account to and pay over to the clerk or deputy clerk of said court on each day all moneys belonging to or to go to said city, and that he will at all times pay over to said clerk or deputy clerk of said court on demand all moneys to which any person may be entitled which may have come into his hands in virtue or by reason of his office. Such bonds shall be filed with the same officer as the bond of the clerk.

The judges of said court shall each receive a salary of \$6,000 per year; the clerk of said court a salary of *Three Thousand Nine Hundred (\$3,900.00)* Dollars per year; the deputy clerk of said court a salary of \$3,000 per year; one assistant clerk a salary of *Two Thousand Three Hundred (\$2,300.00)* Dollars per year; and one assistant clerk a salary of *Two Thousand One Hundred (\$2,100.00)* Dollars per year; and the stenographer reporter shall receive a salary of *Two Thousand Four Hundred (\$2,400.00)* Dollars per year; such salaries being payable in each case out of the city treasury of the city of St. Paul in equal monthly installments.

Approved April 23, 1947.