

## CHAPTER 429—H. F. No. 1679

[Not Coded]

*An act relating to the municipal court of the city of Duluth, and amending Laws 1923, Chapter 238, Section 11, as amended, and Sections 52 and 53, as amended.*

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

Section 1. Laws 1923, Chapter 238, Section 11, as amended by Laws 1925, Chapter 85, Section 2, is amended to read as follows :

**Sec. 11. Deputy clerks and employees; duties and powers.** The clerk of said court, with the consent and approval of the judges and assistant judge of said court, or a majority of them, shall have the power to appoint a first deputy clerk with like powers of the clerk, but acting under authority of said clerk, *one deputy clerk to serve as chief clerk for the conciliation court established pursuant to Laws 1927, Chapter 17, and four deputy clerks who shall have like powers as said first deputy clerk. The titles of the persons now holding office as second deputy clerk and chief counter clerk are hereby changed to deputy clerk.* The clerk of said court, under the direction of the judges and assistant judge of said court, or a majority of them, may, with the consent and approval of the council of the City of Duluth, appoint one or more additional deputy clerks of said court, in case, in their judgment, necessity therefor arises. Said clerk and deputy clerks shall have full power and authority to administer oaths, swear witnesses and jurors; and said clerk, deputy clerks and the bailiffs or court officers shall perform such duties as the judges shall direct 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 vested hereby with the usual powers of constables at common law and with the powers and authority of police officers of the said City of Duluth. If the judges of said court, or a majority of them, shall so direct, one or more of the said deputy 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 reporter. Each of the said deputy clerks before entering upon the performance of the duties of his office shall first take and sub-

scribe an oath in form as prescribed and execute to the City of Duluth for the use and benefit of said city and all persons injured by failure to observe its conditions a penal bond in the sum of \$1,000, with such sureties as the city council may approve, conditioned that he will account and pay over to the clerk of the 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 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 bond shall be filed with the same officer as the bond of the clerk.

Sec. 2. Laws 1923, Chapter 238, Section 52, as amended by Laws 1929, Chapter 45, Section 1, Laws 1941, Chapter 300, Section 10, Laws 1943, Chapter 524, Laws 1945, Chapter 361, and Laws 1947, Chapter 426, is amended to read as follows:

Sec. 52. Salary of judges, clerks and employees. The salary of the judges of said municipal court shall be \$6,000 per annum, and the salary of the assistant municipal judge shall be \$2,700 per annum. The salary of the clerk of said municipal court shall be \$4,200 per annum, the salary of the probation officer shall be the sum of \$4,200 per annum, and the salary of the deputy probation officer shall be the sum of \$2,100 per annum. The salary of the first deputy clerk shall be \$3,300 per annum. The salary of the deputy clerks herein provided for shall be \$2,700 each per annum. In case additional deputy clerks shall be appointed with the consent and sanction of the council of the City of Duluth, as provided in Section 11 of this act, the said city council shall fix the compensation of the deputy or deputies so appointed. The salary of the official court reporter appointed under Section 14 of this act shall be \$4,200 per annum. The salary of each officer shall be payable from the city treasury of Duluth in monthly installments, and neither of said officers shall receive any fee or compensation except as herein provided.

In addition to the salaries hereinbefore enumerated in said Section 52 of this act, the city council shall pay to each and every full time judge, clerk, deputy clerk, the probation officer and the deputy probation officer, and court reporter, a sum of money known and described as the cost of living index, in the same sum and amount and to the same extent of time as is paid to the city employees of the City of Duluth.

Sec. 3. Laws 1923, Chapter 238, Section 53, is amended to read:

Sec. 53. **To be paid by city.** It shall be the duty of the clerk of said court on the 15th and last day of each month to prepare a payroll for said court, which when properly prepared shall be turned over to the city auditor to be processed and paid in the same manner, and on the same dates, as other city employees.

Approved April 14, 1949.

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CHAPTER 430—H. F. No. 1680

[Coded as Section 412.441]

*An act relating to special assessments in villages; amending Laws 1949, Chapter 119, Section 55, Subdivisions 2 and 3.*

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

Section 1. Laws 1949, Chapter 119, Section 55, Subdivision 2, is amended to read:

412.441. **Procedure.** Subd. 2. **Hearings; lien; installments.** At such meeting the council shall hear and pass upon all objections to the proposed assessment, if any, and may amend the proposed assessment as to any parcel. When the assessment is adopted by resolution, it shall constitute the special assessment against the lands named therein. The assessment, with the accruing interest thereon, shall be a lien upon the property included therein, concurrent with general taxes, and shall be payable in equal annual installments extending over such period, not exceeding 20 years, as the council determines. The first of the installments shall be payable on the first Monday in January subsequent to October 10 next following the adoption of the assessment. All deferred installments shall bear interest at such rate as the council determines, not exceeding six per cent per annum, payable annually. To the first installment shall be added interest on the entire assessment from the date of the resolution levying the assessment until August 15th of the year in which the first installment is payable. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

Sec. 2. Laws 1949, Chapter 119, Section 55, Subdivision 3, is amended to read: