

tion of the joint operating committee shall suffer any loss of salary, seniority, tenure or pension rights by reason of such transfer. *Any person who was a member of the police relief association of such city at the time of transfer to the jurisdiction of the joint operating committee shall continue as a member of such pension association and shall be excluded from the public employees retirement association.* Any employee of such operating committee who, on the effective date of this act, is holding a position which is placed in the classified service under the provisions of this act shall be subject to and protected by the provisions of Laws 1941, Chapter 513, as amended.

Sec. 3. *This act shall become effective only after its approval by a majority of the county board of the county of Ramsey and a majority of the city council of the city of Saint Paul and upon compliance with the provisions of Laws 1959, Chapter 368.*

Approved April 17, 1961.

CHAPTER 436—S. F. No. 1193

[Not Coded]

An act relating to the municipal court of the city of Saint Paul; repealing: Special Laws of 1875, Chapter 2; Special Laws of 1876, Chapter 86, Section 11; Special Laws of 1877, Chapter 181; Special Laws of 1881, Chapters 109, 373 and 407; Special Laws of 1885, Chapter 247; Special Laws of 1887, Chapter 377; Special Laws of 1889, Chapter 351; Special Laws of 1891, Chapter 40; Laws of 1907, Chapter 302; Laws of 1913, Chapter 430; Laws of 1917, Chapter 246; Laws of 1919, Chapter 308; Laws of 1921, Chapter 362; Laws of 1925, Chapter 371; Laws of 1927, Chapter 317; Laws of 1929, Chapter 423; Laws of 1941, Chapter 536; Laws of 1945, Chapter 458; Laws of 1947, Chapter 520; Laws of 1949, Chapter 548; Laws of 1951, Chapter 604; Laws of 1953, Chapters 657 and 658; Laws of 1955, Chapters 64, 709 and 822; Laws of 1957, Chapters 37, 308, 782 and 927; Laws of 1959, Chapters 668 and 681.

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

Section 1. **St. Paul municipal court.** Establishment; jurisdiction; powers; appeals. Subdivision 1. Establish-

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ment confirmed. The establishment of the existing municipal court of the city of Saint Paul is confirmed and the court is continued with the jurisdiction and powers hereinafter stated.

Subd. 2. Court of record. The court is a court of record with a clerk and a seal.

Subd. 3. Powers of court. Except as otherwise provided in this act, the court has all the powers of the district court of this state. It may issue all civil and criminal process necessary or proper to enforce and effectuate its jurisdiction and determinations.

Subd. 4. Civil jurisdiction. Excepting cases involving title to real estate, the court has jurisdiction to hear, try and determine civil actions at law in which the amount in controversy does not exceed the sum of \$3,000, exclusive of interest and costs.

Subd. 5. Appeals from justice courts. All appeals from judgments of justices of the peace in the city of Saint Paul shall be taken to this court, and this court shall have the same powers in such cases now possessed by the district court of this state; and all laws applicable to the appeals to the district court are made applicable to this court.

Subd. 6. Forcible entry and unlawful detainer. Whether or not the title to real estate is involved, the court has jurisdiction of actions of forcible entry and unlawful detainer involving land located wholly or in part within Ramsey county.

Subd. 7. Criminal jurisdiction. (a) The court has jurisdiction to hear, try and determine any charge of violation within Ramsey county of:

(1) A criminal law of this state constituting a misdemeanor,

(2) Any ordinance, charter provision, rule or regulation of the city of Saint Paul, or

(3) Any ordinance, charter provision, rule or regulation of the Minneapolis-Saint Paul Metropolitan Airports Commission,

(4) Any ordinance, rule or regulation of the regents of the University of Minnesota.

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(b) The court has jurisdiction to conduct preliminary hearings and to exercise all judicial powers incident to preliminary hearing proceedings, on any charge of violation of any criminal law of this state committed within Ramsey county.

(c) Jurisdiction under sub-paragraphs (1) and (2) of paragraph (a) and under paragraph (b) of this subdivision is exclusive for any violation committed within the city of Saint Paul.

Subd. 8. Exceptions to jurisdiction. The court does not have jurisdiction:

(a) Of any action where the relief asked for is purely equitable in its nature,

(b) Of an action for divorce,

(c) To issue any extraordinary writ, nor

(d) To issue any order in proceedings supplementary to execution.

Subd. 9. Territorial jurisdiction. The summons in civil and forcible entry and unlawful detainer actions may be served only within the county of Ramsey. Garnishment summons, subpoenas and all other civil and criminal process and orders may be served and enforced anywhere within the state of Minnesota.

Subd. 10. Place of holding court. The city of Saint Paul shall provide suitable quarters for the court within the city hall and courthouse, and court shall be held at that place or at a place immediately adjacent thereto.

Subd. 11. Terms. The court shall be open every day, except Sundays and legal holidays. The court shall hold a general term for the trial of civil actions commencing on the first Monday following Labor Day of each year and continuing until the next general term, with such adjournments as the judges may determine to be necessary and proper.

Subd. 12. Removal of causes to Supreme Court. All causes may be removed from the municipal court to the supreme court of the state of Minnesota in the same manner, upon like proceedings and with like effect as from district court. However, in the case of a conviction for violation of an ordinance, appeal may be made to the district court where

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upon the defendant shall be entitled to a trial de novo therein, with or without a jury, but otherwise with all the rights and subject to the procedures prescribed by Minnesota Statutes, Section 488.20.

Sec. 2. Judges.

Subdivision 1. Number of judges. There are four judges of the municipal court of the city of Saint Paul.

Subd. 2. Qualifications and oath. Each judge shall be a person learned in the law who is admitted and qualified to practice in the supreme court of this state and is a resident of the city of Saint Paul in this state. Before entering upon the duties of office, each judge shall take and subscribe an oath, in the form prescribed by law for judicial officers, and shall file that oath in the office of the city clerk.

Subd. 3. Term; vacancies; appointment and election.

(a) Each elected judge holds office for six years beginning the first Monday in June next succeeding his election.

(b) Whenever there is a vacancy in the office of judge the governor shall appoint a qualified person to fill the vacancy, to hold office until his successor is elected and qualified. The successor shall be elected for a six-year term at the next general city election occurring more than one year after such appointment.

(c) At the general city election immediately preceding the expiration of his term the qualified voters of the city of Saint Paul shall elect the successor to any elected judge.

(d) Each judge holds a separate non-partisan office.

(e) When one or more judges of the court are to be nominated or elected at a city election, the notice of election shall state the name of each judge whose successor is to be nominated or elected. The official ballot shall contain the names of all candidates for each such office, state the number of judges to be elected and the number of candidates for whom an elector may vote, and designate each candidacy as "For the office of Judge of the Municipal Court of the City of Saint Paul to which _____ was elected for
Name of Judge

the regular term," or "For the office of Judge of the Municipal Court of the City of Saint Paul to which _____
Name of Judge

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was appointed," as the case may be. The official ballots shall show in the spaces for the purpose the name of the judge whose successor is to be elected. When any judge is a candidate to succeed himself, the word "incumbent" shall be printed after his name where it appears among the names of the candidates for the office. When voting machines are used and such statements cannot be inserted in full, the designation shall be "Successor to _____ (elected)",

Name of Judge

or "Successor to _____ (appointed)", as the case may be.

Name of Judge

(f) Each person desiring to have his name placed upon the primary ballot as a candidate for judge shall state in his affidavit of candidacy the office of the particular judge for which he is a candidate. The filing of this affidavit with the city clerk and a compliance with all other requirements constitutes such person a candidate for that office, and for that office only. No person shall at any election be a candidate for more than one such office.

Subd. 4. Confirmation of present judges. The present judges of the municipal court of the city of Saint Paul are hereby confirmed and continued in office. Each such judge shall serve for the balance of his present term.

Subd. 5. Powers. The judges have the general powers of judges of courts of record and all powers necessary to effectuate the purposes of this act. Each judge may administer oaths and take and certify acknowledgements. Each judge is a conservator of the peace and has all powers and authority vested in justices of the peace or magistrates.

Subd. 6. Contempt of court. Any judge has the power to punish for contempt of court by a fine not exceeding \$100 or by imprisonment in the county jail or city workhouse not exceeding 90 days.

Subd. 7. Court rules. A majority of the judges may promulgate rules of court consistent with this act. Unless the rule forbids, a judge may waive its application.

Subd. 8. District court judges. Upon a request of a majority of the judges of this court, any one or more district court judges of this state, active or retired, may, while serving pursuant to such request, perform all the duties and

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exercise all the powers and functions of a judge of this court. Each district court judge so acting shall be additional to the number of municipal judges provided for elsewhere in this act, but shall receive no additional salary or compensation for so acting.

Subd. 9. Senior judge. The judge who shall have continued in office the longer at any given time shall be deemed and designated, by way of distinction, as the senior judge of this court. In case two or more of the judges have had equal terms of service, then, and in that case, the elder of said judges shall be deemed the senior judge.

Subd. 10. Salaries. Each judge shall be paid an annual salary of \$13,000 in semi-monthly installments out of the treasury of the city of Saint Paul. If a judge dies, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate.

Sec. 3. Clerk; deputies; assistant clerks; bailiffs

Subdivision 1. Appointment, term, removal, suspension.

(a) A majority of the judges shall appoint a clerk of the court.

(b) The court shall have four deputy clerks, thirteen assistant clerks and five bailiffs, each appointed by the clerk with the approval of a majority of the judges.

(c) Additional assistant clerks and bailiffs may be appointed by the clerk, with the approval of a majority of the judges, when the city council consents to the creation of such new positions.

(d) The clerk and deputy clerks shall each be appointed for a term of six years from date of appointment. At any time within six months from date of initial appointment, each may be removed and his appointment terminated, with or without cause and without notice or hearing, by the appointing official or officials. At any time, each may be suspended by the appointing official or officials without pay for a period not to exceed 30 days with or without cause pending a hearing for removal and termination of appointment for cause before the appointing official or officials.

Subd. 2. Oath, bond. (a) The clerk and deputy clerks shall each take and subscribe an oath to support the

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Constitutions of the United States and the state of Minnesota and to perform faithfully the duties of his office.

(b) The clerk and deputy clerks shall each give bond to the city of Saint Paul in such sum and with such surety as the city council directs, conditioned upon the faithful discharge of his official duties and for payment as required by law or order of the court of all monies coming into his hands.

(c) Neither the clerk nor deputy clerks shall enter upon their official duties until their respective appointment, oath and bond are filed with the city clerk.

Subd. 3. Powers and duties. (a) The clerk, deputy clerks, assistant clerks and bailiffs may each administer oaths and affirmations and take acknowledgements.

(b) The clerk shall delegate and supervise the work of the deputy clerks, assistant clerks and bailiffs. He shall have all the powers and duties incident to the office of a clerk of a court of record or necessary to carry out the purposes of this act.

(c) The clerk shall make minutes, records and indices of all proceedings; enter all orders, judgments or sentences; issue all process; keep proper accounts; have custody of all court records; and tax all costs and disbursements.

Subd. 4. Disposition of fines, fees and other monies.

(a) Except as otherwise provided by law, the clerk shall pay to the proper officer of the city of Saint Paul daily all monies received by him required by law to be paid to the city. Such sums shall be credited to the general fund of the city.

(b) Each such payment shall be accompanied by a daily report in writing to the proper officer of the city of Saint Paul, showing the name of each defendant after date of the clerk's preceding report upon whom any fine has been imposed or confinement ordered, the date thereof, the nature of the offense, the amount of money received from each such person and the final disposition. Said report shall further show the aggregate amount of money and the sources thereof due the city received by the clerk since his last report.

(c) The clerk shall promptly pay all other monies to the other public officers entitled thereto by law and shall in-

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form the proper officer of the city of Saint Paul of all monies remaining in his hands pursuant to law or court order.

Subd. 5. Bail. (a) Any bail deposited with the clerk and not forfeited by court order shall be deemed abandoned and forfeited if the person entitled to refund does not file a written demand therefor within six months from the date of entitlement to refund.

(b) All sums collected by bail, bond or recognizance forfeited by court order or by abandonment shall be forthwith paid by the clerk to the city of Saint Paul.

Subd. 6. Salaries. (a) The clerk shall be paid an annual salary of \$10,000 a year.

(b) The bailiffs shall be paid the same salary as a patrolman in the bureau of police of the city of Saint Paul.

(c) The salaries of the deputy clerks and assistant clerks shall be set by the city council; however, the present salary of any employee of this court shall not be reduced by virtue of this act. The fact that the city council may, for payroll purposes or otherwise, designate the assistant clerks of this court by a different title shall not affect their acting as assistant clerks of this court.

(d) All salaries under this act shall be payable out of the city treasury in semi-monthly installments.

Subd. 7. Destruction of records.

(a) Upon order of all the judges, the clerk may destroy or dispose of all of the following files and records of the court which have been on file for more than ten years:

- (1) Garnishment files,
- (2) Special and general term calendars,
- (3) Court reporters' notebooks or machine tapes,
- (4) Traffic tags, calendars, complaints and warrants,
- (5) Bail receipts,
- (6) Criminal and ordinance violation files,
- (7) Cash books,
- (8) Depositions,
- (9) Conciliation court files and records.

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(b) Upon order of all the judges, and with consent of the president of the Ramsey County Historical Society, the clerk may destroy or dispose of any and all civil, garnishment or unlawful detainer files which have been on file for more than twenty years and in which no proceedings have occurred within ten years prior to said order and consent.

Sec. 4. Probation and regulated services

Subdivision 1. Probation office. The Ramsey county probation office shall supply all probation services for this court.

Subd. 2. Psychiatric, psychological and medical services. The judges of this court shall be and are hereby authorized to expend a sum not to exceed \$7,500 in any one year to secure such psychiatric, psychological and medical services as shall be deemed advisable by said judges in making disposition of such misdemeanants as shall come before the court. If the judges of this court so direct, the city council shall appropriate whatever sums are necessary to secure such services, not exceeding \$7,500 in any one year.

Sec. 5. Court reporters

Subdivision 1. Appointment; oath; tenure. Each judge shall have as his court reporter a competent person skilled in that profession appointed by the clerk of this court at the direction of said judge. Each reporter shall take and subscribe an oath to support the Constitutions of the United States and the state of Minnesota and to discharge and perform his duties as a court reporter faithfully and honestly. Each reporter shall file his oath with the city clerk before he enters upon the duties of his office. Each reporter is an officer of the court and holds his office during the pleasure of the judge directing his appointment and until the judge directs a court reporter to succeed him.

Subd. 2. Duties. Each reporter shall take or cause to be taken by another skilled court reporter full stenographic notes of all the testimony and other proceedings in all civil actions, all actions for forcible entry and unlawful detainer and all preliminary hearings in criminal actions before the judge so directing his appointment. When requested by the judge, each reporter shall transcribe such notes or any part thereof for the use of the judge or for such other purpose in furtherance of justice as the judge may order, without charge therefor. Each reporter shall furnish a tran-

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script of his notes, or any part thereof, at the request of any party to the action or any other person. He shall be entitled to charge therefor at the rates then prescribed by law for court reporters of the district court for Ramsey county. Each reporter shall act in the capacity of a private secretary to the judge so directing his appointment in the performance of the judge's official duties.

Subd. 3. Salaries. The annual salary of each reporter shall be set by the city council, payable in semi-monthly installments.

Sec. 6. Fees payable to the clerk

Subdivision 1. Filing fees in civil actions. The fees payable to the clerk for the following services in civil actions shall be:

(a) \$3 payable by the plaintiff, in addition to any library fee otherwise required, when the action is entered in court or when the first paper on the plaintiff's part is entered;

(b) \$2 payable by the defendant or other adverse or intervening party, or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others, when his or their appearance is entered in the action or when the first paper on his or their part is filed.

Subd. 2. Appeals from justice courts. Upon appeal from any justice of the peace court in the city of Saint Paul, the appealing party shall pay \$5 where the appeal is to be heard by the court without a jury, \$8 where a jury of six is demanded and \$10 where a jury of twelve is demanded. Out of this fee paid for perfecting such appeal the clerk of this court shall return to the appropriate justice of the peace the sum of \$2 as compensation for said justice making his return to this court.

Subd. 3. Trial fees in civil actions. In all civil actions at the time trial is demanded, the following fees shall be paid to the clerk by the party making such demand:

(a) \$3 for demand of trial by a jury of six,

(b) \$5 for demand of trial by a jury of twelve.

(c) No trial fee shall be payable by any party when trial by the court without a jury is demanded.

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Subd. 4. Court rules. Except as provided in Subdivisions 1, 2 and 3 above, the fees payable to the clerk for his services shall be no more in amount than the fees then payable to the clerk of Ramsey county district court for like services. The fees payable to the clerk for all other services of himself or the court shall be fixed by rules promulgated by a majority of the judges.

Subd. 5. Fees in advance. All fees payable to the clerk shall be paid in advance.

Subd. 6. Exemptions from fees; no trial fees. No filing fees, trial fees or fees for other services are payable by the state, county or city.

Sec. 7. Petit jurors

Subdivision 1. Selection; list. Before the first day of June in each year, the judges shall select from the electors of the city of Saint Paul a list of persons properly qualified to serve as petit jurors and certify the list to the clerk of this court. If there be a deficiency of persons on the list, the judges may select from the electors of the city of Saint Paul additional persons to cover the deficiency and certify and deliver to the clerk a supplementary list which shall thereafter stand as part of the original list. The validity of the selection is not affected by the fact that any person is disqualified from serving as a juror.

Subd. 2. Summoning. Petit jurors shall be drawn from such list and summoned as the judges direct. The clerk shall issue venires for the jurors drawn which shall be returnable on such dates and hours as the judges direct, and such venires shall be served by the sheriff of Ramsey county as jurors are served in the district court of Ramsey county.

Subd. 3. Failure to attend. Failure to attend as a juror when duly drawn and summoned is punishable as contempt of court.

Subd. 4. Special venire. When necessary, the court may issue a special venire.

Subd. 5. Compensation. Any juror so summoned, attending as aforesaid and accepted as a juror in this court, shall be entitled to receive as compensation the same amount as jurors in the district court, which shall be paid out of the county treasury of the county of Ramsey. The clerk of this

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court shall deliver to each juror a certificate showing the number of days in attendance and the mileage for which he is entitled to receive compensation. This certificate of the clerk 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.

Sec. 8. Traffic Violations Bureau

Subdivision 1. Establishment confirmed. The establishment of the existing traffic violations bureau of this court is hereby confirmed and said bureau is continued for the purposes of this act. The purpose of the traffic violations bureau is to assist the court in handling the various criminal and civil matters that come before the court.

Subd. 2. Personnel; supervision. The clerk of this court shall supervise the traffic violations bureau and shall assign a sufficient number of this court's employees to staff and operate the bureau.

Subd. 3. Rules. The judges shall issue written rules governing the duties and operation of the bureau.

Sec. 9. Pleading, practice, procedure and forms in civil actions

Subdivision 1. General. Pleading, practice, procedure and forms in civil actions shall be governed by Municipal Court Rules of Civil Procedure promulgated from time to time by the supreme court of this state or by statutes applicable to the district court in situations where said rules are inapplicable. All process issued by the court shall be tested in the name of the senior judge.

Subd. 2. Court rules. A majority of the judges may adopt rules governing pleading, practice, procedure and forms for civil actions which are consistent with the provisions of this act, the Municipal Court Rules of Civil Procedure promulgated from time to time by the supreme court of this state or governing statutes.

Subd. 3. Costs allowable. Costs shall be allowed in civil actions as follows:

(a) To the plaintiff upon a judgment in his favor when an issue of fact or law has been joined:

(1) \$10 when the amount of the judgment or the

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value of the property recovered in a replevin action, exclusive of costs and disbursements, exceeds \$150;

(2) \$5 in all other cases.

(b) \$5 to the plaintiff upon a judgment in his favor when no issue of fact or law has been joined and the amount of the judgment or the value of the property recovered, exclusive of costs and disbursements, exceeds \$150.

(c) To the defendant upon a judgment in his favor on the merits:

(1) \$10 when the amount claimed in the complaint or the alleged value of the property involved in a replevin complaint exceeds \$150.

(2) \$5 in all other cases.

(c) \$5 to the defendant upon a dismissal or discontinuance other than on the merits, regardless of the amount claimed or the value of the property involved.

Subd. 4. Lien of judgment; filing of transcript.

(a) No judgment of this court shall attach as a lien upon real estate unless and until a transcript thereof is filed and docketed in district court.

(b) Any person who holds a judgment for an amount exceeding \$10, exclusive of interest and costs, may obtain from the clerk a certified transcript of such judgment and may file the transcript in the office of the clerk of the district court of Ramsey county, who shall file and docket it as in the case of transcripts of judgments from the courts of justices of the peace.

(c) Upon the filing and docketing of the certified transcript, the judgment becomes a lien upon the real estate of the debtor to the same extent as a judgment of the district court and the judgment thereafter is exclusively under the control of the district court and may be enforced by its process as though originally rendered by the district court.

(d) The clerk of this court shall not issue such a certified transcript while a writ of execution is outstanding on the judgment. He shall note on the record of such judgment the fact that such transcript has been given and shall not thereafter issue any writ of execution on the same judgment.

Subd. 5. Writs of replevin, attachment and execution.

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Writs of replevin, attachment and execution may be issued in accordance with the practice and procedure for such writs in district court, but a judge rather than a sheriff or police officer shall approve all bonds requiring approval.

Subd. 6. Satisfaction of execution. When a writ of execution has been delivered to an officer for enforcement, any person indebted to the judgment debtor may pay the amount of such debt, or so much thereof as may satisfy the execution, to the officer holding the writ and the receipt of that officer reciting the facts is a sufficient discharge and satisfaction of so much of said debt as is so paid.

Subd. 7. Garnishment. Proceedings against garnishees may be instituted in the same manner as in the district court. The garnishment summons may be served either by an officer or any person not a party to the action, at any place within the state of Minnesota, and the service shall in all cases be personal. Notwithstanding any other law, such service shall become null and void and ineffective for any purpose unless not later than three days after such service the original or a copy of the summons and complaint in the main action between the parties is filed in the office of the clerk of this court. Any judge may issue an order, ex parte, dismissing a garnishment and discharging the garnishee upon a showing by a certificate of the clerk that the summons and complaint have not been filed within the period of time herein required. The disclosure of the garnishee shall be made and all further proceedings had in the same manner as if the proceedings were in the district court, but the summons shall require disclosure within ten days after service, and service upon the defendant shall be made not later than ten days after the service on the garnishee.

Sec. 10. Pleading, practice, procedure, and forms in criminal proceedings.

Subdivision 1. General. Save as otherwise provided in this act, pleading, practice, procedure and forms in actions or proceedings charging violation of a statute, ordinance, charter provision, rule or regulation shall be governed by the statutes and common law rules which govern in a similar action or proceeding in the district court (other than those applying peculiarly to felony or gross misdemeanor charges) or by statutes which govern in courts of justices of the peace in the absence of statutes or common law rules governing in district court.

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Subd. 2. Court rules. A majority of the judges may adopt rules governing pleading, practice, procedure and forms in actions or proceedings charging violation of a statute, ordinance, charter provision, rule or regulation which are not inconsistent with the provisions of this act or any other statute of this state.

Subd. 3. Complaints. Complaints charging violation of a statute, ordinance, charter provision, rule or regulation shall be sworn to before the clerk, any deputy or assistant clerk, or any judge of the court and shall be filed with the clerk.

Subd. 4. Tab charges. When a person charged with violating a statute, ordinance, charter provision, rule or regulation is brought or voluntarily appears before the court without process, the clerk shall enter upon the records a brief statement of the offense charged. This brief statement stands in place of a complaint, but if any judge so orders, a formal complaint shall be made and filed.

Subd. 5. Pleas. The plea of the defendant shall be "guilty" or "not guilty." In cases of a failure to plead, the clerk shall enter a plea of "not guilty." Former acquittal or conviction for the same offense may be proved under a plea of "not guilty."

Subd. 6. Trials by judge without jury. A charge of violation of any ordinance, charter provision, rule or regulation shall be heard, tried and determined by a judge without a jury and the defendant shall have no right to a jury trial on such a charge, except for those offenses where the defendant is otherwise entitled to a trial by jury.

Subd. 7. Process. All warrants and other criminal process issued by this court shall be tested in the name of the senior judge.

Subd. 8. Suspension, alteration or modification of sentences. At the time of imposing sentence, or at any time thereafter, the sentencing judge, or any other judge if the sentencing judge is not available, may, in his discretion, suspend, alter or modify the sentence imposed, upon such terms and conditions as such judge deems appropriate.

Subd. 9. Bail. Any judge may set the amount of bail for any person in custody. A sufficient bail bond with sureties approved by the court, or money in such amount may be posted or deposited with the clerk.

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Subd. 10. Minutes of preliminary hearings. The clerk shall keep minutes of preliminary hearings on indictable offenses and make proper return to the court before which the person charged with the offense may be bound to appear.

Subd. 11. Prosecuting attorneys. Except where the county attorney is specifically designated by law as the prosecutor for the particular violation charged, the corporation counsel of the city of Saint Paul shall have charge of the prosecution of all violations of statutes, ordinances, charter provisions, rules or regulations triable in this court and said corporation counsel or county attorney, as the case may be, shall prepare complaints for said violations.

Subd. 12. Police officers. The city of Saint Paul and the county of Ramsey shall, at the request of the judges, provide a sufficient number of police officers and deputy sheriffs, respectively, to be in constant attendance at the sessions during the criminal and traffic proceedings of the court and at such other times and places as the court may direct. Said officers shall obey the mandates of the court and preserve order during said proceedings, irrespective of the authority or orders of any other official body. The police officers of the city of Saint Paul shall serve all criminal process or other papers issued by the court.

Sec. 11. Forcible entry and unlawful detainer

Subdivision 1. Procedure. The general laws applicable to forcible entry and unlawful detainer actions shall apply to this court, and the forms as prescribed in the general laws may be used with such appropriate modifications as may be necessary for this court.

Subd. 2. Return days. Return days for forcible entry and unlawful detainer actions may be fixed by rules promulgated by a majority of the judges.

Subd. 3. Default judgments. Whenever a duly verified complaint in a forcible entry and unlawful detainer action shows one of the causes of action as set forth by general statute, and on the return day of the summons the defendant does not appear, the judge, upon proof of the due service of the summons, shall enter an order adjudging the defendant to be in default, and thereafter the clerk shall enter judgment for the plaintiff without the introduction of evidence.

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Sec. 12. Effective date; repeals; application of act

Subdivision 1. Effective date. This act takes effect on July 1, 1961.

Subd. 2. Repeals. The following acts and sections of acts are hereby repealed:

Special Laws of 1875, Chapter 2

Special Laws of 1876, Chapter 86, Section 11

Special Laws of 1877, Chapter 181

Special Laws of 1881, Chapters 109, 373 and 407

Special Laws of 1885, Chapter 247

Special Laws of 1887, Chapter 377

Special Laws of 1889, Chapter 351

Special Laws of 1891, Chapter 40

Laws of 1907, Chapter 302

Laws of 1913, Chapter 430

Laws of 1917, Chapter 246

Laws of 1919, Chapter 308

Laws of 1921, Chapter 362

Laws of 1925, Chapter 371

Laws of 1927, Chapter 317

Laws of 1929, Chapter 423

Laws of 1941, Chapter 536

Laws of 1945, Chapter 458

Laws of 1947, Chapter 520

Laws of 1949, Chapter 548

Laws of 1951, Chapter 604

Laws of 1953, Chapters 657 and 658

Laws of 1955, Chapters 64, 709 and 822

Laws of 1957, Chapters 37, 308, 782 and 927

Laws of 1959, Chapters 668 and 681

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Subd. 3. Prospective operation. This act does not affect the validity of any judgment or order made or any other action taken prior to the effective date of this act under any repealed acts and does not affect the pendency of any action or proceeding instituted before the effective date of this act.

Subd. 4. Application. The provisions of this act govern all actions and proceedings brought after it takes effect and also all further proceedings in actions then pending except to the extent that in the opinion of the judge their application in a particular pending action would not be feasible, or would work injustice in which event the provisions existing at the time the action was brought govern.

Approved April 17, 1961.

CHAPTER 437—S. F. No. 1194

[Not Coded]

An act relating to the conciliation court of the city of Saint Paul; repealing: Laws of 1921, Chapter 525; Laws of 1929, Chapter 346; Laws of 1953, Chapter 60; Laws of 1955, Chapter 732; Laws of 1957, Chapters 782 and 927; Laws of 1959, Chapter 668.

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

Section 1. **St. Paul conciliation court.** Establish-
ment; jurisdiction; powers; computation of time.

Subdivision 1. Established court continued. The establishment of the existing conciliation court of the city of Saint Paul is confirmed and said court is continued with the jurisdiction and powers hereinafter stated.

Subd. 2. Court of record; seal; separate court. The conciliation court is a court of record with its own seal. It is separate from the municipal court of the city of Saint Paul.

Subd. 3. Jurisdiction. Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try and determine civil actions at law where the amount in controversy does not exceed the sum of \$150. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Ramsey.

Changes or additions indicated by italics, deletions by ~~strikeout~~.