

CHAPTER 100.

[H. F. No. 972.]

AN ACT TO AMEND SECTION ONE (1) OF CHAPTER ONE HUNDRED AND SIXTEEN (116) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), RELATING TO THE MUNICIPAL COURT IN THE CITY OF BRAINERD.

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

SECTION 1. That section one (1) of chapter one hundred and sixteen (116) of the special laws of one thousand eight hundred and eighty-five (1885), be and the same is hereby amended by adding at the end thereof the following proviso, to-wit:

Provided, That jury trials shall not be allowed for offenses against the ordinances of said city in prosecutions for violation of said ordinances now or hereafter in force.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7th, 1887.

CHAPTER 101.

(H. F. No. 121.)

AN ACT TO TO AMEND CHAPTER ONE HUDNRED AND SIXTEEN (116) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), BEING AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF BRAINARD IN CROW WING COUNTY.

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

SECTION 1. That section four (4) of chapter one hundred and sixteen of the special laws of the State of Minnesota of the year one thousand eight hundred and eighty-five (1885), entitled "an act to establish a municipal court in the city of Brainerd, Crow Wing county" be and the same is hereby amended so as to read as follows:

Section 4. The city clerk of the city of Brainerd shall be *ex-officio* clerk of said court. Such clerk shall be styled "clerk of the municipal court" and before he enters upon the duties of his office, shall take and subscribe an oath of office and shall execute to the city of Brainerd a penal bond in the sum of one thousand (1,000) dollars with at least two (2) sureties to be approved by the council of said city conditioned that he will well and truly account for and monthly pay over to the city treasurer before the eighth (8th) day of each

and every month, all fines, penalties, and moneys belonging to said city which have come into his hands during the calendar month preceding. Such oath and bond shall be filed in the office of the city treasurer.

Said clerk shall also execute to the board of county commissioners of the county of Crow Wing a penal bond in the sum of five hundred (500) dollars, with sureties to be approved by the said county commissioners, conditioned that he will well and faithfully account for and pay over to said county for all fines, penalties and moneys which may come into his hands belonging to said county.

SEC. 2. That section seventeen (17) of said act be and the same is hereby amended so as to read as follows:

Section 17. The judge of said court shall receive a salary payable monthly at the rate of one thousand (1,000) dollars per year, and the clerk shall receive a salary of three hundred (300) dollars payable monthly which shall be exclusive of his salary and fees as clerk of the city of Brainerd, and neither said judge or clerk shall receive any further consideration for his services. But in all proceedings had in said municipal court like fees shall be charged and collected by the clerk as costs as are allowed by law to justices of the peace in proceedings and trials had before them or for similar services. Police officers of said city are hereby vested with all the powers of constables under the statutes of Minnesota, as well as at common law, and such police officers in making service of any writ or process or doing other duty in respect to causes in said court shall note and return to the clerk of said court for collection such fees as are allowed to constables for like services, and all fees whether so charged by the clerk or police officer, whether due from the county of Crow Wing on preliminary examinations or otherwise, both civil and criminal, shall be collected by the clerk as costs and by him paid over to the city treasurer. On appeal from said municipal court to the supreme court of the state of Minnesota, the same fees shall be allowed and paid to said court as are allowed to clerks of the district court for like services.

For all other services required by law to be performed by the judge or clerk of said court and for which no other fee is herein provided for, such fees as are reasonable may be fixed by rule or order of said court.

SEC. 3. That section twelve (12) of said act be and the same is hereby amended by adding thereto and at the end thereof the following words to-wit: Jurors in said municipal court shall be entitled to like fees in the trial of civil actions as jurors in justice court to be collected and paid in the same manner but the party demanding a jury in any civil action shall be required to advance the jury fee before the commencement of the trial.

SEC. 4. That section twenty-three (23) of said chapter be and the same is hereby repealed.

SEC. 5. This act shall be in force and take effect from and after its passage.

Approved January 28th, 1887.