

this act, until the expiration of the term for which he was elected, subject only to removal in the cases and in the manner provided by law.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 27, 1891.

CHAPTER 372.

[H. F. No. 234.]

AN ACT TO AMEND SECTION TWO (2) OF CHAPTER THREE HUNDRED AND NINETY-SIX (396) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881), RELATING TO THE ELECTION OF COUNTY COMMISSIONERS IN AND FOR HENNEPIN COUNTY.

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

SECTION 1. That section two (2) of Chapter three hundred and ninety-six (396) of the Special Laws of one thousand eight hundred and eighty-one (1881), be and the same is hereby amended by striking out the words "said," in the first (1st) line of said section, and the words "Hennepin county from," in the second (2d) line of said section.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 27, 1891.

CHAPTER 373.

[H. F. No. 52.]

AN ACT RELATING TO THE SALARIES OF CERTAIN COUNTY OFFICERS OF HENNEPIN COUNTY, AND FEES RECEIVED.

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

SECTION 1. The salary of the register of deeds of Hennepin county, state of Minnesota, shall be four thousand (4,000) dollars per annum.

SEC. 2. The salary of the clerk of the district court in said county shall be four thousand (4,000) dollars per annum.

SEC. 3. The fees and compensation of the sheriff of said county of Hennepin shall be as follows:

For serving a summons or any process issued by any court of law, one (1) dollar for the first (1st) defendant served, and fifty (50) cents for each additional.

Traveling in making any service on any writ or summons, eight (8) cents per mile for going and returning, to be computed from the place where the court is usually held.

Taking and approving a bond, fifty (50) cents.

A certified copy of such bond, when requested, ten (10) cents per folio.

Copy of every summons or other paper served by the sheriff, when such copy is made by him, ten (10) cents per folio.

Collections on executions, when collected without levy, or when levied upon personal property, when the same is collected or settled after levy, four (4) per centum on the amount collected up to two hundred and fifty (250) dollars, and one (1) per centum upon the excess of said sum.

Selling lands on execution or decree, and executing certificate or deed, and for all services required in making such sale, the sum of five (5) dollars.

The fees herein allowed for the service on an execution, and for advertising thereon, shall be collected by virtue of such execution in the same manner as the sum therein directed to be levied; but when there are several executions against the defendant, at the time of advertising his property, in the hands of the same sheriff, there shall be but one (1) advertisement fee charged on the whole, and the sheriff shall elect on which execution he shall receive the same.

Advertising sale, one (1) dollar, and the reasonable fees paid to any printer by such sheriff for publishing an advertisement of sale.

Posting three (3) notices for such sale, one (1) dollar.

Every certificate on the sale of real estate, one (1) dollar, which, together with the register's fees for recording the same, shall be collected as other fees on execution; but no sheriff shall charge for more than one (1) certificate issued upon the same sale to the same purchaser, unless he requires it, in which case he shall pay to said sheriff one (1) dollar for each additional certificate.

Serving a writ of restitution or possession, and putting any person entitled into the possession of premises, and removing the occupants, three (3) dollars.

Summoning a jury upon a writ of inquiry, attending such jury, and making and returning the inquisition, one dollar and fifty cents (\$1.50).

Summoning a special jury, struck pursuant to an order of the court, and returning the panel, twenty-five (25) cents for each juror, and mileage actually and necessarily traveled.

Bringing up a person on *habeas corpus* to testify or answer in any court, or with the cause of his arrest or detention, or for the purpose of having him surrendered in exoneration of his bail, on attempting to receive a prisoner so surrendered who was not committed at the time and receiving such prisoner into his custody, or for committing a prisoner to jail, or for bringing a prisoner before any court for examination, in either case, fifty (50) cents; and for traveling, the same mileage as upon service of writs, and two (2) dollars per day for attending court with such prisoner.

Summoning grand or petit juries, twenty-five (25) cents for each juror and eight (8) cents mileage actually and necessarily traveled in summoning said jurors.

Attending court, two (2) dollars per day each for himself and two (2) deputies, during jury trials only.

Boarding and washing for prisoners, three dollars and twenty-five cents per week (\$3.25).

Serving subpoena, fifty (50) cents for each witness summoned and mileage as in service of summons; but when two (2) or more witnesses live in the same direction, mileage shall be charged only for the furthest.

Selling lands on foreclosure of mortgage by advertisement and executing certificate and deed to purchaser and for all services required on such sale, three (3) dollars.

Postponing a sale, one (1) dollar, to be paid by party requesting the same.

Making and drafting an inventory of property levied upon, replevied or attached, twenty-five (25) cents for each folio, and for each copy of said inventory, ten (10) cents per folio.

For diligent search and inquiry, and returning summons when parties cannot be found, one (1) dollar, without regard to number of defendants; and returning execution when no property can be found, one (1) dollar.

Receiving and paying over the money paid on redemption of property, and executing certificate therefor, one (1) per cent of the amount so received and paid, up to one thousand (1,000) dollars and one-half ($\frac{1}{2}$) per cent on all amounts received and paid in excess of said sum, to be collected from the person redeeming such property, but not to exceed in any one case twenty-five (25) dollars.

For all the necessary expense which may be incurred to secure and safely keep all property taken by the sheriff, by virtue of a warrant of attachment, execution or writ of replevin, such sum as may be allowed by the court.

The county commissioners of each of said counties shall allow the sheriff of their respective counties the sum of six hundred (600) dollars per annum, as compensation for a watchman or turnkey of the jail; but all bailiffs, deputy sheriff attending upon courts, shall be furnished by such sheriff.

The food furnished persons shall be of good substantial quality, and of the variety needed for health, and as shall be regulated by the county commissioners.

SEC. 4. The above named salaries shall be in full compensation for all services rendered by the above named respective officers in their official capacity.

The fees charged for services, and the prices charged for filing all papers and instruments in said several offices shall remain as at present, except as herein provided.

SEC. 5. The said several officers shall employ sufficient help and assistance to properly discharge the duties of their respective offices.

The number of deputies, clerks or other employes in the offices of clerk of the district court and register of deeds, and the compensation paid to each, shall at all times be under the control of the board of county commissioners of said county, which may make such changes in numbers and compensation as it may deem just and right.

SEC. 6. On the first (1st) Monday of each month following the commencement of his term of office, each of the above named clerk of the district court and register of deeds shall file with the county auditor a full and detailed statement of all business done in his office and fees received by them in the business of their offices and from whom received, and amount of fees, if any, due and unpaid for the preceding month. Said officers shall also in such statement give the name of every employe in their offices and the amount paid to each for services, with the general nature of the service.

Said statement shall be verified by the oath of the party signing the same, to the effect that the same is in all respects just and true, and that the payments therein stated have been absolutely and unconditionally made to the persons named, without rebate, discount or refunding in any manner, directly or indirectly, any part of the same.

Any intentional false statement in such affidavit shall subject the maker to the pains and penalties of perjury.

All fees received in each of said offices of clerk of the district court and register of deeds shall be paid over to the county treasurer on the first (1st) Monday of each month.

Either the clerk of the district court or register of deeds who fails to pay over to the county treasurer all fees and other revenues collected by or through him or his said office, as herein provided, shall be removed from his office, and the same shall be declared vacant by the county commissioners, and shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment in the state prison for not more than five (5) years nor less than one (1) year, or by a fine of not more than five thousand (5,000) dollars, nor less than five hundred (500) dollars, or by both such fine and imprisonment in the discretion of the court.

SEC. 7. All acts or parts of acts which conflict with any of the foregoing provisions are hereby repealed.

SEC. 8. This act is hereby declared a public act and may be read in evidence in any court of law in this state without proof.

SEC. 9. The verified statements of the receipts and disbursements of the officers above mentioned shall be kept and preserved in the auditor's office and shall be deemed public documents, and open to the inspection of any taxpayer of Hennepin county at any time during business hours of the office.

SEC. 10. This act shall take effect and be in force on and after January first (1st), eighteen hundred and ninety-three (1893).

Approved April 17, 1891.