

CHAPTER 302—H. F. No. 675.

An Act entitled, "An act to amend section 47 of chapter 351 of the Special Laws of the State of Minnesota, for the year 1889, said chapter having been approved April 24, 1889, and to provide for an additional clerk in said court, prescribe their duties and the compensation of the deputy clerk and additional clerk."

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

Appointment and compensation.—Section 1. That section 47 of chapter 351 of the Special Laws of the year 1889, be and the same is hereby amended so as to read as follows:

"Section 47. Police Officers, Bailiffs and Assistant Clerk—It shall be the duty of the mayor, or other legally constituted officer or body having supervision and control of the police department and police 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 rules or legal regulations or enactments relative to the qualifications of policemen, but such person 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 officer, 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 one assistant clerk, to be known as the first assistant clerk, who shall have like powers as said deputy clerk, but shall act under the authority of said clerk. Said clerk, deputy clerk and first assistant clerk shall have full power and authority to administer oaths, swear witnesses and jurors, and take acknowledgments, and said clerk, deputy clerk and first assistant clerk 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 with the powers and authority of police officers of the said city of St. Paul. If the judges of said court shall so direct said first assistant clerk 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. Said first assistant clerk 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, condition 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 bond shall be filed with the same officer as the bond of the clerk. The salary of said deputy clerk of said court shall be fifteen hundred (1,500) dollars per annum, and the salary of said first assistant clerk shall be one thousand (1,000) dollars per annum, and such salaries shall be paid out of the city treasury of the city of St. Paul in equal monthly installments.

Sec. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved April 22, 1907.