

mail to each party and each attorney in said case whose address appears in said demand for removal or whose address is known, notice that said case is so set down for trial, but such case may with the consent of the parties be tried without a jury. *When said case is called for trial and the party so appealing appears for trial, the court shall then enter an order vacating the judgment of the Conciliation Court and said case shall proceed to trial; in case the party so appealing does not appear the stay shall be vacated and the appeal dismissed.*

Costs allowed on appeal.—(d) If the judgment creditor remove said case and the final judgment rendered is not increased in his favor, at least ten (\$10.00) dollars over the former judgment, he shall recover no costs in said Municipal Court, and there shall be entered against him in the judgment an attorney's fee in favor of the adverse party of ten (\$10.00) dollars either by reducing the judgment in his favor in that amount, or if the amount found in his favor be less than ten (\$10.00) dollars by an affirmative judgment against him for the difference. If the judgment debtor remove said case and final judgment is rendered against him he shall pay the adverse party in addition to the amount and costs, an attorney's fee to be entered and included in the judgment as follows, viz: five dollars in case the judgment so removed was five dollars or less, and said final judgment aside from costs is not reduced from the judgment at least three dollars; ten dollars in case the judgment so removed was ten dollars or less and said final judgment aside from costs is not reduced at least five dollars; fifteen dollars in case the judgment so removed was more than ten dollars, and said final judgment aside from costs is not reduced at least ten dollars: *to the judgment debtor, when judgment is rendered in his favor upon the merits five (\$5.00) dollars.* There shall be no appeal from said Municipal Court or any action brought there on removal from said Conciliation Court, but in such case the judgment of said Municipal Court shall be final.

Approved March 24, 1925.

CHAPTER 91—S. F. No. 223

An act fixing the salary and compensation of county officers and their expenses and clerk hire, in all counties in this State now or hereafter having not less than forty-one nor more than forty-three congressional townships, whole or fractional, and now or hereafter having a population of not less than twenty-five thousand inhabitants nor more than thirty thousand inhabitants, according to the last Federal census, and repealing all acts and parts of acts inconsistent herewith.

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

Section 1. Salaries of officers of certain counties.—That in all counties of this state now or hereafter having not less than forty-one nor more than forty-three congressional townships, whole or fractional, now or hereafter having a population of not less than twenty-five thousand inhabitants nor more than thirty thousand inhabitants, according to the last Federal census, the salaries, compensation, expenses and clerk hire of the county officers hereinafter named, subject to the limitations herein provided, shall be as follows:

Sec. 2. Salary and Clerk hire of County Auditor.—County Auditor, the sum of \$2700.00 per year. There shall also be allowed for clerk hire in said office such sum as is actually incurred therefor, not exceeding, however, the sum of \$2000.00 in any one year.

Sec. 3. Salary and Clerk hire of County Treasurer.—County Treasurer, the sum of \$2700.00 per year. There shall also be allowed for clerk hire in said office such sum as is actually incurred therefor, not exceeding, however, the sum of \$1000.00 in any one year.

Sec. 4. Salary of County Attorney.—County Attorney, the sum of \$2000.00 per year.

Sec. 5. Salary and fees of Register of Deeds.—Register of Deeds, the salary of fees as prescribed by law prior to April 23, 1921.

Sec. 6. Salary and Clerk hire of Judge of Probate.—Judge of Probate, the sum of \$2040.00 per year. In addition thereto the said Judge of Probate may keep and retain as a part of his compensation all fees as now or hereafter provided by law. There shall also be allowed for clerk hire in such office such sum as is actually incurred therefor, not exceeding the sum of \$960.00 in any one year.

Sec. 7. Salary and Clerk hire of Clerk of District Court.—Clerk of the District Court, the sum of Fourteen Hundred Dollars (\$1,400.00) per year, which shall be paid in full compensation for all services rendered by him for the county, except in real estate tax proceedings; and in addition thereto he shall be allowed to retain all other fees earned by him in connection with his office. There shall also be allowed not to exceed Five Hundred Dollars (\$500.00) per year for a deputy clerk of Court.

Sec. 8. Salary and expenses of Board of County Commissioners.—County Commissioners, the sum of \$400.00 per year each, and in addition thereto each member of such county board shall also receive \$3.00 per day for each and every day necessarily occupied by him in the discharge of his official duties while acting on any committee under the direction of the board, and nine cents per mile each way for each mile necessarily traveled in attending such committee work, and shall be entitled to mileage for nine cents per mile each way for each mile necessarily traveled for attending meetings of the board, not exceeding twelve meetings in any one year.

Sec. 9. Per diem of County Surveyor.—County surveyor shall receive the compensation that the Board of County Commissioners may in their discretion fix, which shall not be less than \$5.00 per day and not more than \$10.00 per day for any public work while employed in the performance of his duties, including the time necessarily spent in traveling to and from the field of labor, together with all necessary expenses payable by the party or parties who employ the surveyor and he shall be allowed such necessary help and expenses as the Board of County Commissioners may allow.

Sec. 10. Coroner's fees.—Coroner, the fees as prescribed by law prior to April 23, 1921.

Sec. 11. Salary and clerk hire of Superintendent of Schools.—Superintendent of Schools, \$2040.00 per year. There may also be allowed for clerk hire in said office such sum as is actually incurred, not exceeding, however, the sum of \$1500.00 per year. The Superintendent of Schools shall also be entitled to mileage when on official work at the rate of nine cents per mile. In addition thereto he shall be entitled to receive expenses according to Chapter 473, Laws 1919.

Sec. 12. Salary and expenses of County Engineer.—County Engineer, such sum as the board of county commissioners shall fix and determine, not, however, exceeding the sum of \$2600.00 per year. He shall provide an automobile for the use of his office in traveling on official business and shall be allowed and paid nine cents per mile for each mile necessarily traveled in the performance of the official duties of his office. There shall also be allowed for deputy and clerk hire such sum as is actually incurred therefor, not exceeding, however, the sum of \$1500.00 in any one year.

Sec. 13. Salary and expenses of Sheriff and deputies.—Sheriff, the sum of \$1800.00 per year. There shall also be allowed the sum of \$1320.00 for the hire and compensation of a deputy sheriff. The sheriff shall be allowed all necessary traveling expenses incurred by him or his deputy in the performance of the official duties of his office, provided that if he or his deputy shall use the sheriff's automobile for travel in the performance thereof, he shall be allowed and paid nine cents per mile for the use thereof. The salary and expenses aforesaid shall be in lieu of all other fees and expenses paid by the county, except for the board and care of prisoners, and in addition thereto he shall be allowed to retain all other fees earned by him in connection with his office.

Sec. 14. Compensation to be in full for all services.—The compensation herein provided shall be in full compensation for all services rendered or performed for the county in connection with their respective offices. All fees provided by law and authorized to be collected by the treasurer and auditor shall belong to and be the

property of the county, and shall be paid into the county treasury on the first secular day of the month following that in which the same are collected, and shall be accompanied by an itemized statement showing when collected, the amount and character of each fee so collected and turned in, which statement shall be verified under oath and in duplicate, one copy to be filed in the office of the treasurer and the other in the office of the auditor.

Sec. 15. County Board may allow additional clerk hire in certain cases.—The Board of County Commissioners may, by an affirmative vote of not less than four members, allow clerk hire in addition to the amounts above specified for the employment of an additional clerk, not exceeding, however, \$80.00 per month for any extra clerk hire in any office. The provisions of this section shall be used only in case of an emergency or extraordinary circumstances.

Sec. 16. Salaries to be paid monthly.—The county officers' annual salary and clerk hire, as herein provided, shall be paid by auditor's warrant in twelve equal monthly installments, except in case of special clerk hire for limited employment, which shall be paid in equal payments for the duration of such employment. Claims for expenses herein authorized shall be made by presentation to the Board of County Commissioners of duly itemized and verified accounts, which shall be audited, allowed, and paid as other claims against the county.

Sec. 17. Subject to other acts.—This act shall also be subject to Sections 1075 and 1076, General Statutes 1913, but in addition thereto the county official's statement referred to in Sections 1075 and 1076 shall be in duplicate, and shall include all salaries and fees paid to deputies and clerk, and a certified copy of said statement shall be filed with the State Auditor.

Sec. 18. Clerk hire to be paid for work performed only.—No sums whatever shall be paid or allowed by the county for clerk hire in excess of the amounts actually paid or due for help necessarily employed. All clerk hire must be authorized by the county board upon written application by the officer seeking such clerk hire. Applications may also be made by any such officer not now employing any clerk in his office; it being the intention that the sums paid for clerk hire in all said county offices shall be in accordance with the work of said clerks, their experience and necessary amount of work to be performed, subject to the respective maximum limitations herein provided for.

Sec. 19. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 25, 1925.