

CHAPTER 240—S. F. No. 847

An act authorizing the county board of any county in this state having an assessed valuation of more than \$300,000,000.00 and an area of more than 5,000 square miles to levy an annual tax for the relief of county agricultural societies.

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

Section 1. Counties may levy additional tax for county agricultural societies.—That in addition to all other powers now or hereafter by law conferred upon county boards, authority is hereby given to the county board of any county in this state which has an assessed valuation of all taxable property, exclusive of money and credits, of more than \$300,000,000.00 and an area of more than 5,000 square miles to levy a tax of not to exceed one-tenth of a mill upon all property subject to taxation, exclusive of money and credits, and from time to time to appropriate and pay over the proceeds of said tax, when collected, to any county agricultural society of its county which is a member of the State Agricultural Society, to assist such society in paying its financial obligations incurred prior to the passage of this act.

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

Approved April 18, 1929.

CHAPTER 241—S. F. No. 908

An act to amend Sections 20 and 48 of Chapter 238 of the Laws of Minnesota for 1923, entitled "An Act to confirm and continue the present Municipal Court of the City of Duluth, in the county of St. Louis and State of Minnesota, and to enlarge the jurisdiction of said court and to regulate the practice and procedure therein."

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

Section 1. Law amended—Time limitation.—That Section 20 of Chapter 238 of the Laws of Minnesota for 1923, be amended so as to read as follows:

"Sec. 20. The time within which any act is to be done in this court shall be one-half ($\frac{1}{2}$) of the statutory period prescribed in the district court proceedings. Provided,

"First. That no such period shall be less than three (3) days, except as herein provided.

"Second. That two (2) days' notice of taxation of costs shall be given.

"Third. Notes of issue shall be filed at least four (4) days before the term, and notices of trial shall be served at least four (4) days before the term.

"Fourth. The time within which motions for new trials and appeals may be made or taken shall be the same as in the district court.

"Fifth. The practice and proceedings in actions under Chapter seventy-six (76), of the General Statutes of Minnesota of 1913, and the amendments thereto, shall be the same as in justice's court, except that the summons shall be issued by the clerk *and be made returnable not less than three (3) nor more than ten (10) days from the day of issuing the same*, and except further than any pleading under said Chapter seventy-six (76) may be verified before any person authorized by the laws of the State of Minnesota to take acknowledgements; and except further that the trial of actions and appeals thereon under said Chapter seventy-six (76) shall be conducted the same as is the ordinary civil action in said court.

"Provided: That where personal service of the summons and complaint is made on the defendant as required by law and no answer is interposed or appearance made on the part of the defendant on the return day judgment for possession may be entered by the clerk without formal proof, upon the filing of an affidavit of default by the complainant.

"Sixth. The notice required of the taking of depositions to be used in said court shall be the same as in the district courts of this state.

"Seventh. Defaults may be opened and judgments and orders set aside or modified, for good cause shown, within thirty (30) days after the part affected thereby shall have notice or knowledge of the same."

Sec. 2. Judgment to become lein on real estate when.—That Section 48 of Chapter 238 of the Laws of Minnesota for 1923, be amended so as to read as follows:

"Sec. 48. No judgment rendered in said municipal court shall attach or become a lien upon real estate until a transcript shall be filed in the district court as hereinafter provided for, but writs of execution thereon in civil actions may issue upon the entry of judgment against the personal property of the debtor, returnable within thirty (30) days. Every person in whose favor a judgment is rendered in said municipal court may on payment of all costs, if any, remaining unpaid receive on demand a transcript of such judgment duly certified and file the same in the office of the clerk of the district court of the county of St. Louis, who shall file and docket the same as in the case of transcript of judgment from courts of justices of the peace, and every such judgment shall become a lien upon the real estate of the debtor from the time of the filing of such transcript to the same extent as a judgment of the said district court, and shall thereafter, so far as related to the enforcement of the same, against the real estate of the judgment debtor and personal property of the judgment debtor beyond the county of St. Louis, Minnesota; be exclusively under the control of said district court, and be carried into execution by its process the same as if entered in said district court. The clerk of the said municipal court shall note on the record that such transcript has been given; but said municipal court may at any time thereafter take proceedings to enforce such judgment against the personal property of the judgment debtor, the same as if such transcript had not been issued, and the judges thereof are hereby vested with all the powers and jurisdiction in relation to the examination of debtors and otherwise now vested in said district court and the judges thereof. *In case of the satisfaction, or partial satisfaction of any judgment in said municipal court wherein a transcript of said judgment has been issued by the clerk of the said municipal court and filed with the clerk of the said district court, it shall be the duty of the party who executes the instrument of satisfaction or partial satisfaction to execute the same in duplicate and both the original and duplicate copies of such instrument of satisfaction or partial satisfaction shall be delivered to the office of the clerk of the said district court and such original instrument of satisfaction or partial satisfaction shall be filed in the office of the clerk of the said district court and it shall be the duty of the clerk of the said district court to mail or deliver the duplicate copy of such instrument of satisfaction or partial satisfaction, or a certified copy of the same, on being paid the proper fee therefor, to the clerk of the said municipal court, who shall thereupon file the same in his office.*"

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

Approved April 18, 1929.