

1945, Sections 429.01 to 429.18, relating to advertising for bids and letting contracts for street improvements under certain conditions.

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

[429.185] Section 1. **Application of Sections 429.01 to 429.18.** Whenever a city of the fourth class governed by a home rule charter proceeds under Minnesota Statutes, Sections 429.01 to 429.18, to improve a street which is a part of a state aid road by paving and assesses the cost of the improvement, the work therefor may be done under an agreement with the county board, under the supervision of the commissioner of highways, who shall advertise for bids and let the contract for the improvement, with the approval of the appropriate officials of the city and the county. In such case the city does not need to advertise for bids and let the contract for the work as provided in Section 429.06; and in such case no bond shall be required from the commissioner of highways or from the county in connection with such contract. The bond furnished to the state by the contractor in accordance with any such contract shall extend to the city and to the county and operate for their protection to the same extent as though the city and the county were parties thereto.

Approved February 7, 1949.

CHAPTER 8—H. F. No. 44

[Not Coded]

*Marshall
County*

An act relating to the establishment and maintenance of law libraries in certain counties, and providing for the collection of fees for the acquisition and maintenance thereof.

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

Section 1. **Law library established.** In each county now or hereafter having an assessed valuation excluding money and credits in excess of \$5,000,000 and having a population according to the last federal census of not less than 15,000 nor more than 25,000, and having not less than 58 nor more than 62 full or fractional congressional townships, a law library shall be established upon filing with the clerk of district court of such county a certified copy of a resolution

of the county board directing the establishment of such law library and a certificate of the district judge approving the same.

Sec. 2. Use. Under proper regulations, the use of the library shall be free to the judges of the state, state officials, judges of the district, municipal, and probate courts of the county, city and county officials, members of the bar, and inhabitants of the county.

Sec. 3. Management. The management of any library so established shall be under a board of four trustees, who shall serve without compensation.

The board shall consist of: a judge of district court residing in said county, or if no such judge resides in said county, then the senior judge of district court, the judge of probate court, the chairman of the board of county commissioners, and the county attorney of such county.

Sec. 4. Organization. The trustees shall meet immediately after the establishment of such library and shall hold its annual meeting thereafter on the first day of the regular spring term of the district court in the county in each year, at which first meeting and at each meeting thereafter it shall select from its members a president and a secretary, who shall hold office until the following annual meeting.

Sec. 5. By-laws and Regulations. The board of trustees shall adopt by-laws and regulations for the conduct of its business and the government of the library and file same with the clerk of the court.

It may:

- (1) Amend its by-laws and regulations;
- (2) On behalf of the county accept any gift, grant, devise, or bequest or the loan of books or property for the library and carry out the conditions thereof;
- (3) Purchase or lease books or library facilities, the purchase price to be paid out of the county law library fund.

The title to the library and the property thereof, except such books as are leased or loaned to it, is in the county establishing the library.

The board of trustees may sell or exchange items of property of the library.

Sec. 6. Report of receipts and disbursements. The board of trustees shall, before the second Monday of January of each year, file with the county auditor a report containing a detailed statement of the receipts and disbursements for the preceding year and a detailed inventory of the property belonging to such library and the property loaned or leased to it.

Sec. 7. Suitable quarters. The county board shall provide suitable quarters for the use of such library.

Sec. 8. Supporting fees. Subdivision 1. When the law library is established the clerk of the district court shall collect in each civil suit, action, or proceeding filed in such court, as library fees, the sum of \$1.00 from the plaintiff or person instituting such suit, action, or proceeding at the time of filing the first paper therein, and the sum of \$1.00 from the defendant or other adverse or intervening party at the time his appearance is entered or when the first paper on his part is filed therein.

Subd. 2. These library fees are taxable as costs in the case.

Subd. 3. The provisions of this act shall not apply to actions or proceedings commenced by the state, the county or any municipality, to garnishment proceedings, to the filing of transcripts, to compensation awards or to complaints in intervention in receivership proceedings.

Sec. 9. Probate court contribution. Subdivision 1. When the county law library is established the judge of the probate court in proceedings in his court in the matter of the estate of a deceased person looking to the entry of a decree of distribution of such estate, except in any summary proceeding under Minnesota Statutes 1945, Section 525.51, to collect, as a county law library fee, the sum of \$1.00 from the petitioner instituting the proceeding at the time of the filing of the petition therein.

Subd. 2. Such disbursement shall be an item of expense of administration of the estate, entitling the petitioner to reimbursement therefor out of the estate.

Sec. 10. Deposit with county treasurer. On the first day of each month, these fees shall be paid to the county treasurer, who shall give his receipt therefor. The county treasurer may disburse these funds and any other money belonging to this board only upon itemized vouchers, approved by the board.

Sec. 11. Appropriation by county board. The county board of such county may appropriate annually a sum not to exceed \$1,000 for such library purposes.

Approved February 7, 1949.

CHAPTER 9—H. F. No. 17

An act relating to the general terms of District Court in the Eighth Judicial District; amending Minnesota Statutes 1945, Section 484.16.

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

Section 1. Minnesota Statutes 1945, Section 484.16, is amended to read:

484.16. 8th judicial district; terms of court. General terms of district court in the counties constituting the eighth judicial district shall be held each year at the times herein specified:

Carver County: On the first Monday in March and the second Monday in October.

LeSueur County: On the third Monday in April and the third Monday in September.

McLeod County: On the second Monday in May and the second Monday in November.

Scott County: On the first Monday in June and the first Monday in December.

Sibley County: On the fourth Monday in March and the fourth Monday in October.

Approved February 8, 1949.