

uary of each even numbered year and vacancies shall be filled by like appointment for the unexpired term.

Approved March 7, 1949.

_____ *Pope, Pennington*

CHAPTER 98—S. F. No. 621

Houston

[Not Coded]

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 libraries in certain counties. In each county now or hereafter having an assessed valuation excluding money and credits in excess of \$4,000,000 and having a population according to the federal census of 1940 of not less than 12,000 nor more than 15,000, and having not less than 20 nor more than 22 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. Who may 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 five 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, the county attorney of such county; the fifth member to be selected annually by these four from the membership of the bar in such county.

Sec. 4. Meetings. The trustees shall meet immediately after the establishment of such library and shall hold its [their] 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 [they] shall select from its [their] 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. Annual report. 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. Financed through district court; 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, the filing of transcripts, to compensation awards or to complaints in intervention in receivership proceedings.

Sec. 9. Financed through probate court, fees. 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, shall 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. Accounting to the 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. Annual appropriation by county. The county board of such county may appropriate annually a sum not to exceed \$1,000 for such library purposes.

Approved March 7, 1949.