

law and shall be given credit for his time of service in such park police force in the same manner as if such service had been in the regular police force, provided, however, that such an applicant, to secure such service credit shall pay into the police relief association the sum of money that he would have contributed from his salary had his service been entirely in the regular police department of such city. Upon such payment the word "member" shall include such transferred park police.

Approved February 26, 1953.

CHAPTER 60—H. F. No. 29

[Not Coded]

An act relating to the Conciliation Court of the City of St. Paul; amending Laws 1921, Chapter 525, Sections 3, 4, 5 and 8.

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

Section 1. Laws 1921, Chapter 525, Section 3, as amended by Laws 1929, Chapter 346, Section 1, is amended to read:

Sec. 3. **Conciliation judge, powers.** Said conciliation judge shall have all the powers of a court of conciliation and shall exercise all the special powers conferred by this act. Said conciliation court shall be open every day except Sundays and holidays at such hours as may be fixed by rule, for the hearing and determining of controversies submitted to such court in accordance with the provisions of this act. When such judge is not acting as such conciliation court, under this act, he shall act as a regular judge of said municipal court. No costs shall be taxed to either party in said court, except that the plaintiff, upon commencing any action in said conciliation court, shall pay to the judge thereof the *following sums* for the use and benefit of the City of St. Paul as a filing fee and costs in said action, which said costs shall be borne by the losing party: *actions for sums not exceeding \$50.00, a fee of 50c; actions for sums exceeding \$50.00, but not exceeding \$100.00, a fee of \$1.00; actions for sums exceeding \$100.00, a fee of \$1.50.* Provided, however, that in any case where the plaintiff therein shall subscribe to and file with the said judge an affidavit to the effect that he has no money or property and is unable to pay said filing fee, no such fee will be required to commence said action. The filing of such affidavit shall be proper authority for said judge to receive and file such action without the prepayment of any fee therefor while the same is pending in the said conciliation court. Provided, however, that if any such

plaintiff shall prevail in his claim against the defendant, the amount of the filing fee shall be taxed and allowed and inserted in the judgment against the defendant and shall be paid to the judge of the said conciliation court for the use and benefit of the City of St. Paul by any such plaintiff out of any money recovered by him under said judgment. Provided, however, that the judge may include in the settlement and judgment such actual disbursements of the prevailing party as are now allowed by law in civil actions, and as may seem to him just and proper, or he may refuse to include any disbursements, except the said filing fee, if same shall appear just and proper, under the circumstances. The clerk and court officers of said municipal court shall be respectively ex-officio clerk and court officers of said conciliation court, but neither said clerk nor any of said officers shall charge any fee for filing or serving any paper in a case brought under the terms of this act, except the filing fee herein provided, while the same is pending in said conciliation court. Causes in said court shall be conducted by the parties without attorneys, but a removal to municipal court as provided in this act may be taken through an attorney at law.

Section 2. Laws 1921, Chapter 525, Section 4, as amended by Laws 1929, Chapter 346, Section 2, is amended to read:

Sec. 4. Court, persons appearing. Any person having a claim within the jurisdiction of said municipal court may appear before said conciliation judge and here state his cause of action without pleading and without formality. If such cause of action is within the jurisdiction of said municipal court, the judge, upon payment of the filing fee therefore, shall enter the same upon his docket and shall immediately summon the defendant, orally, or by telephone or by registered or unregistered United State mail, or by personal service or written summons as provided by law for service of summons in the district court, stating the amount and nature of the claim, and by such summons shall require the defendant to appear before said judge in person, and not by attorney, or if a corporation, by officer or agent, and not by attorney, at a time certain at as early a date as the circumstances of all parties will permit, and specifying that if he does not so appear judgment will be taken against him by default for the same or relief demanded.

Action in said conciliation court may also be commenced by the plaintiff appearing before the clerk thereof, and subscribing to and verifying a claim, which claim shall contain the name and place of residence of plaintiff and the name and place of residence of defendant, and a brief statement of the amount and nature of said claim and the time when the same

occurred. The clerk when requested shall draw up said claim and when so subscribed and verified shall, upon payment of the filing fee therefor, immediately file same, and set down the same for hearing before said judge at a time certain as soon as possible and not more than ten days from said date of said filing, and shall immediately notify the defendant in one of the methods above recited of the name and residence of plaintiff and the nature and amount of his claim and requiring defendant to appear personally before said judge at said time, and in case he so fails to appear judgment will be taken against him for the amount of relief so claimed. Said judge may by order require all cases brought to said court to be so begun before said clerk. At the time so set said judge shall hear the statements of the respective parties, and shall use his best endeavor to have said parties settle said controversy then and there by agreement.

The judge may also hear any witnesses produced by either party. If the parties agree on a settlement of the controversy, the judge shall reduce such settlement to writing in his docket. Said written agreement shall provide that all the parties shall abide the judgment to be entered thereon without removal or appeal or further litigation, and may be signed by all the parties thereto, but whether or not so signed said settlement when so agreed upon and so entered and countersigned by the judge shall have all the force of a judgment of a court of record, and if so ordered by said judge shall be docketed by the clerk of said municipal court in the same manner and enforced as the judgment of said municipal court, but said judge, in case of a money judgment may by its terms provide for the satisfaction of the same by the payment of the same into said municipal court, either in a lump sum or in installments in such amounts and at such times, as to said judge, under all circumstances of the case, may seem just and reasonable, or said judge may retain jurisdiction for the collection and satisfaction of the judgment, without execution.

In case the controversy is as to the ownership or possession, or as to both the ownership and possession, of personal property where the value of same does not exceed the sum of \$125.00 and the action is commenced by the plaintiff filing (as herein provided) with the clerk, a sworn statement as to his ownership, or right of possession, or both, of such property, the court in its discretion may, by order, direct the officer of said court to take possession of such property, immediately, and to hold same subject to the further order of the court, without giving of any bond whatever.

Section 3. Laws 1921, Chapter 525, Section 5, as

amended by Laws 1929, Chapter 346, Section 3, is amended to read:

Sec. 5. Dismissal, procedure. (a) In case the parties brought before the conciliation court, in the manner provided in this act, do not agree upon the judgment to be entered, then in case the amount in controversy, whether the claim of the plaintiff or a counter-claim on the part of the defendant exceeds the sum of \$125.00, and the judge is satisfied that said counter-claim is in good faith, such case shall be forthwith dismissed and dropped from the docket without prejudice, but if the amount involved in controversy be \$125.00 or less, or if said judge is of the opinion that the counter-claim if any, therein in excess of \$125.00 is not in good faith, he shall retain jurisdiction and shall proceed summarily to hear and determine the cause and to enter judgment on his docket. The conclusion of the judge as to the good faith of any counter-claim shall be final and conclusive on all parties for the purpose of the jurisdiction of said court. In case such judgment is not removed, by demand of either party, to said municipal court within five days after the entry thereof, as provided in this act, and said judgment remains unsatisfied, said judgment, on order of said judge, shall be docketed in the said municipal court by the clerk and shall thereupon be, and be enforced as the judgment of said municipal court, or said judge may retain jurisdiction for the collection and satisfaction of said judgment by payment to him, but no execution shall issue from said conciliation court.

(b) By its terms, said judgment may provide for its satisfaction by payment into court, either in a lump sum or in installments and in such amounts and at such times as to said judge may under the circumstances of the case seem just and reasonable.

(c) The conciliation court shall be subject to the direction of the judge thereof, but the judge of said municipal court may prescribe rules as to procedure, methods of producing evidence and general conduct of the case, and the trial thereof, under the provisions of this section, and for carrying out all the provisions of this act, and they shall have the power to employ one deputy clerk in addition to the deputy clerks now provided by law for said municipal court, at the same salary as that of the chief deputy clerk of said court; which deputy clerk shall be known as the "Conciliation Court Clerk."

Section 4. Laws 1921, Chapter 525, Section 8, is amended to read:

Sec. 8. Assignments, rotation. *The judges of municipal court may rotate their assignments on the municipal court and conciliation court for such periods and in such manner as*

they may deem advisable for handling expeditiously the business of those courts.

Approved February 26, 1953.

CHAPTER 61—H. F. No. 50

An act relating to and permitting the closing of Financial Institutions in certain counties on Saturday; amending Minnesota Statutes 1949, Section 47.015, Subdivision 2, as amended. Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 47.015, Subdivision 2, as amended by Laws 1951, Chapter 128, Section 1, is amended to read:

Subd. 2. **Days for closing.** Any financial institution (a) located in, or not more than ten miles from any city of the first class, or (b) located in a county having an area of more than 5,000 square miles and a population of more than 150,000, or (c) located in a county having over 33,000 and less than 35,000 inhabitants according to the 1950 federal census and assessed valuation over \$20,000,000, or (d) located in any county which, at the time of the enactment of this act, has an assessed valuation of not less than \$1,200,000 and not more than \$2,900,000 and having an area of not less than 1,375 square miles and not more than 2,200 square miles, and having a population according to the 1950 federal census figures of not less than 2,800 inhabitants and not more than 8,500 inhabitants may remain closed on any Saturday. Any financial institution in the state may remain closed on any Monday next following a Sunday on which falls a holiday designated by any law of this state. Any Saturday or any such Monday on which any financial institution in the state remains closed as herein permitted shall be, with respect to such financial institution, a holiday and not a business day. Any act authorized, required or permitted by law or contract to be performed on any such Saturday or on any such Monday at, by or with respect to any such financial institution remaining closed on such day may be performed on the next succeeding regular business day, and no liability or loss of rights on the part of any person or financial institution shall result from such closing.

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Approved February 26, 1953.

CHAPTER 62—S. F. No. 203

[Not Coded]

An act relating to the sales of lands or buildings, or both,