

## CHAPTER 489

## COURT COMMISSIONERS

Sec.  
489.01 Election; term  
489.02 Qualification; powers  
489.03 Oath

Sec.  
489.04 Records; clerks  
489.05 Vacancy

**489.01 ELECTION; TERM.** In each county in the state there shall be elected at the general election in 1918 a court commissioner. The term of office of the court commissioner shall be four years and until his successor is elected and qualified, and begin on the first Monday in January next succeeding his election. This office shall be filled by election every four years thereafter. One person may hold at the same time the offices of court commissioner and probate judge.

[*R. L. s. 147; 1913 c. 458 ss. 1, 2; 1915 c. 168 ss. 1, 2*] (246, 820, 821)

NOTE: See *State ex rel v Berg*, 132 M 426, 434, 157 NW 652.

**489.02 QUALIFICATION; POWERS.** Court commissioners shall have and may exercise the judicial powers of a judge of the district court at chambers. Among other powers conferred by law, they are empowered to issue writs of habeas corpus, to take acknowledgments of deeds and other written instruments, to take depositions and certify to the same, to perform the marriage ceremony, to take disclosures in garnishment proceedings pending in the district court, and orders for the examination of judgment debtors in proceedings supplementary to execution may be made returnable before the court commissioner.

[*R. L. s. 148; 1909 c. 59 s. 1*] (247)

NOTE: See *State ex rel v Ries*, 168 M. 11, 209 NW 327, 157 NW 652.

**489.03 OATH.** Before entering upon his duties, each court commissioner shall file his oath of office, for record with the register of deeds.

[*R. L. s. 149; 1945 c. 208 s. 1*] (248)

**489.04 RECORDS; CLERKS.** The court commissioner shall keep a record of all proceedings had before him in books procured at the expense of the county, and shall be supplied with necessary stationery, which books and unused stationery shall be delivered to his successor; and in counties having a population of 200,000 and over shall be supplied with a suitable office and such clerical help as may be deemed necessary by the board of county commissioners.

[*R. L. s. 150; 1915 c. 203 s. 1*] (249)

**489.05 VACANCY.** When a vacancy occurs in the office of court commissioner, the judge of the district court of the county shall appoint some competent person to fill such vacancy, who shall give the bond and take the oath by law required, and shall hold his office until the next general election, and until his successor qualifies.

[*R. L. s. 151*] (250)