

# MINNESOTA STATUTES 1975 SUPPLEMENT

## CONCILIATION COURTS 491.02

A judge who was in office on December 31, 1973 and thereafter and who, by the date on which his term expires, would not be eligible to retire with full benefits under statutes in effect on December 31, 1973, may apply to the governor for an extension to serve up to three additional years, stating his intention to retire upon such eligibility. Notwithstanding section 490.125 hereof, the governor shall forthwith make a written order accepting such retirement application, and extending the term of office of such judge for such period of time, not exceeding three years, as may be necessary to make such judge eligible for such retirement, solely for purposes of computing benefits hereunder.

[For text of subds 3 to 8, see M.S.1974]

**Subd. 9. Survivors' annuity.** Upon the death of a judge prior to retirement, his surviving spouse or, if there be no surviving spouse, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge had the date of his death been the normal retirement date, provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's final average compensation.

If a judge, whose surviving spouse was not entitled to survivors benefits provided solely for judges under statutes in effect prior to January 1, 1974, shall have died prior to retirement on or after May 23, 1973 and before January 1, 1974, his surviving spouse and dependent children, if any, shall be entitled to survivors benefits as provided hereunder as if such judge had died on January 1, 1974.

(NOTE: Subdivision 9 is effective retroactively to January 1, 1974, pursuant to Laws 1975, Chapter 419, Section 7.)

[1975 c 418 s 3,4]

[For text of subds 10 to 12, see M.S.1974]

### CHAPTER 491. CONCILIATION COURTS

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#### 491.02 Duties; powers.

The conciliation judge shall have all powers of a court of conciliation and shall exercise all the special powers conferred by this chapter. The conciliation court shall be open at such times as shall be fixed by rule of the municipal court for the hearing and determining of controversies submitted to such court in accordance with the provisions of this chapter and at evening and Saturday sessions as the county board may direct as hereinafter provided.

The county board may direct conciliation court sessions to be held at specified times during the evening and on Saturday and at specified locations throughout the municipality. When such judge is not acting as such conciliation court, under this chapter, he shall act as a regular judge of the municipal court. No costs shall be taxed to either party in this court except that the plaintiff, upon commencing any action in such court, shall pay to the clerk thereof the sum of \$3 as a filing fee which may be included in any judgment in favor of the plaintiff, but the judge may include in the settlement and judgement 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 if same shall appear just and proper, under the circumstances. The clerk and court officers of the municipal court shall be, respectively, ex officio clerk and court officers of the conciliation court, but neither the clerk nor any of these officers shall charge any fee for filing or serving any paper in any case brought under the terms of this chapter,

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## 491.02 CONCILIATION COURTS

while the same is pending in the conciliation court except said original \$3 filing fee. Causes in this court shall be conducted by the parties without attorneys, but a removal to the municipal court, as provided in this chapter, may be taken through an attorney at law.

[1975 c 269 s 4]

## 491.03 Procedure.

[For text of subs 1 to 3, see M.S.1974]

Subd. 4. 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 \$1,000 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 the court to take possession of such property immediately, and to hold same subject to the further order of the court, without the giving of any bond.

[1975 c 263 s 3]

## 491.04 Jurisdiction, judgment.

Subdivision 1. In case the parties brought before the conciliation court, in the manner provided in this chapter, 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 \$1,000, and the judge is satisfied the counter-claim is in good faith, the case shall be forthwith dismissed and dropped from the docket, without prejudice, but if the amount involved in controversy be \$1,000 or less, or if the judge is of the opinion that the counter-claim, if any, therein in excess of \$1,000 is not in good faith, he shall retain jurisdiction and 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 purposes of the jurisdiction of the court. In case such judgment is not removed, by demand of either party, to the municipal court within ten days after the entry thereof, as provided in this chapter, and the judgment remains unsatisfied, the judgment, on order of the judge shall be docketed in the municipal court by the clerk and shall thereupon be, and be enforced as, the judgment of the municipal court, or the judge may retain jurisdiction for the collection and satisfaction of the judgment by payment to him, but no execution shall issue from the conciliation court.

[1975 c 263 s 4]

[For text of subs 2 and 3, see M.S.1974]

## CHAPTER 500. ESTATES IN REAL PROPERTY

Sec.  
500.24 Corporate farming.

### 500.24 Corporate farming.

**Subdivision 1. Definitions.** For the purposes of this section, the terms defined in this subdivision have the meanings here given them:

(a) "Farming" means the cultivation of land for the production of (1) agricultural crops; (2) livestock or livestock products; (3) poultry or poultry products; (4) milk or dairy products; or (5) fruit or other horticultural products. It shall not include the production of timber or forest products; nor shall it include a contract whereby a processor or distributor of farm products or supplies provides spraying, harvesting or other farm services.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.