

CHAPTER 447.

[S. F. No. 571.]

AN ACT RELATING TO GRAND AND PETIT JURORS OF THE COUNTY OF ST. LOUIS.

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

SECTION 1. That one of the judges of the district court of the eleventh judicial district of the state of Minnesota, residing in the county of St. Louis, together with the judge of probate and the auditor of said county, shall, annually, on some day during the month of March of every year, at the court house in said county, select from the qualified electors of said county four hundred (400) persons, properly qualified, to serve as grand and petit jurors, and shall make out a list thereof; which list shall be certified by one (1) of the judges of said court, and forthwith delivered to the clerk of the district court of said county; and from such list of persons shall be drawn all grand and petit jurors at any time required for the transaction of business in the district court of said county; *Provided*, that if in any year such selection and list shall not be made in the month of March, the same may be done at any time thereafter that one (1) of the judges of said court may designate; and if at any time said list shall not contain names of sufficient persons qualified to act as grand and petit jurors from which to draw the requisite number of grand and petit jurors during the then current year ending the first of the following March, one (1) of such judges, together with such auditor and judge of probate, may, at any time designated by one (1) of said judges, select from such qualified electors of such county other persons to cover such deficiency, and in like manner may certify and deliver to said clerk the list of persons so selected, which supplementary or additional list shall thereafter stand as part of the original list.

And provided further, that the validity or legality of such selection or lists shall not be affected by the fact that any person or persons so selected may be disqualified from serving as grand or petit jurors, or by the selection of a greater or less number of persons than as specified in this act.

SEC. 2. In selecting such persons and making such lists the officials above named shall select such persons as they believe are well fitted, by education, business habits, moral character and physical health, to discharge the duties of jurors and as are not by law exempt from jury services.

SEC. 3. Such lists shall be kept on file by the clerk of said district court, and upon filing the same he shall prepare ballots, in the manner provided in section five (5), Chapter one hundred seven (107) General Statutes, and deposit them in a box, to be drawn as hereinafter provided. Said clerk shall, at least fifteen (15) days before the commencement of any general term of said district court in said county, in the presence of one (1) of said judges, proceed to draw the names of the requisite number of persons to serve as grand jurors at such term of court. All provisions of the general statutes relative to

the issuing of venire, summoning of grand jurors and proceedings subsequent thereto, shall apply, except that if there be a deficiency of grand jurors, the clerk shall, in open court, under the direction of one (1) of the judges, draw from the box containing the names on said list of names of additional persons to supply such deficiency, and writs of *venire facias* shall issue summoning such persons, and returnable forthwith, or at such time as the judge or court may direct.

SEC. 4. The clerk shall, immediately after drawing the names of grand jurors as aforesaid, in the presence of one (1) of the judges, proceed to draw from said box the names of as many persons as the court or judge shall direct, not to exceed forty (40) persons for such panel, to serve as petit jurors for such term, and they shall be summoned for the second (2d) day of such term, at ten (10) o'clock A. M., to serve as petit jurors. If at any time during the term there be a deficiency of petit jurors the clerk shall, in open court, under the direction of the judge, draw from said box the names of additional persons to supply such deficiency, and writs of *venire facias* shall issue, summoning such persons to appear before the court to serve as petit jurors at such time as the court shall direct; and the court may, in its discretion, order a special venire for petit jurors for the trial of any one case, which shall be served by the sheriff under the general laws of the state and without reference to said lists, and may, in its discretion, cause talesmen to be summoned under the general laws.

SEC. 5. The names of all persons drawn as grand or petit jurors who shall actually serve as such grand or petit jurors at any term of said court shall be stricken from said list and shall be left out of the box during the drawing of grand and petit jurors to serve as such within one (1) year of the period during which they so served.

SEC. 6. That the provisions of the general statutes relating to grand and petit jurors and jury trials shall be applicable to the said district court so far as the same are not changed by the provisions of this act, or inconsistent therewith.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 31, 1891.

CHAPTER 448.

[H. F. No. 605.]

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND THIRTY-FIVE (435) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889), BEING "AN ACT FIXING THE SALARY OF THE JUDGE OF PROBATE OF ST. LOUIS COUNTY, MINNESOTA."

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

SECTION 1. That section one (1) of Chapter four hundred and thirty-five (435) of the Special Laws of one thousand eight hundred and eighty-nine (1889) be amended so as to read as follows:

Sec. 1 The salary of the judge of probate of St. Louis county is hereby fixed at the sum of three thousand (\$3,000) dollars per annum.