

## CHAPTER 192—S. F. No. 668.

*An Act relating to the transportation of material to be used in building, improving or re-paving public highways.*

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

**Railroad companies may transport free or at reduced rates certain material for highways.**—Section 1. It shall be lawful for any railroad or transportation company, operating in this state, to transport, handle or store free, or at reduced rates, for the United States, the state, or for any municipal corporation thereof, any stone, stone dust, gravel, sand, or any other material to be used in building, improving or repairing public highways, by any of the said entities or corporations herein mentioned.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.

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## CHAPTER 193—S. F. No. 682.

*An Act to create an additional judge for the district court of the Eleventh Judicial District.*

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

**Fifth judge for 11th judicial district.**—Section 1. There shall be elected in the Eleventh judicial district of said state five judges of the district court of said district, any one or more of whom shall have, and exercise, the powers of the said court, as now prescribed by law relative to the present judges of said court, except as otherwise provided by this act, and all laws now in force, whether general or special, as to the qualifications, election, canvass of votes, oath and terms of office, and commencement of such term, compensation, jurisdiction, duties, authority and powers of the present judges of the district court, shall apply to all the judges of said court, and their successors shall be elected, and vacancies in their offices shall be filled, as now provided in relation to the present judges of the said district court.

*Provided*, however, that the present judges of the said district court shall be judges of the said court for the unexpired terms for which they were elected.

**Governor to appoint immediately.**—Sec. 2. That immediately upon the passage of this act, the governor of the state shall appoint a competent person to be one of the judges of the said

district court, who shall immediately thereafter qualify and enter upon the duties of said office, and shall hold the said office until a successor shall have been elected and qualified, which said successor shall be elected, at the first general election that occurs more than thirty days after the passage of this act.

**To act in joint session.**—Sec. 3. The said judges, or any two or more of them, may act in joint session for the trial or determination of any matter before the court, including the trial of jury cases, and when so acting, the judge senior in office, or if neither the senior in office, the judge senior in age, shall preside, and the decision of the majority shall be the decision of the court.

If, however, the judges so acting together shall be evenly divided in opinion, the opinion of the presiding judge shall prevail. Process may be tested in the name of any one of the said judges.

**Division of business.**—Sec. 4. The said judges, or a majority of them, may divide the business of the said court between the said judges, and may otherwise regulate said business by rules, or otherwise; and each of the said judges may separately try court or jury cases during the said term, or at the same time.

Sec. 5. All laws and parts of laws inconsistent with this act are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.

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CHAPTER 194—S. F. No. 685.

*An Act to amend chapter 204 of the laws of 1905, entitled "An Act relating to the sale of timber on state lands, defining trespass thereon and prescribing penalties therefor" and relating to the damages for trespass by actual settlers made in good faith.*

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

**Timber board may settle for timber cut in certain cases.**—

Section 1. That section 37 of chapter 204 of the Laws of 1905 be and the same hereby is amended so as to read as follows:

Section 37. Settlement for trespass—The timber board may settle the civil claim for trespass on lands of this state whenever it is for the best interests of the state so to do, but no such settlement shall be made until the timber taken under such trespass has been estimated and appraised or scaled by a state estimator,