

CHAPTER LXXXVIII.

An Act to amend the General and Special Laws of the State of Minnesota, relating to the District Court for the Second Judicial District, and the Court of Common Pleas for the County of Ramsey, as to provide for but one Grand Jury per year for each of said Courts, to regulate the selection and drawing of Grand and Petit Jurors for said Courts, and to establish the fees of such jurors.

March 1, 1870.

- SECTION 1. When County Commissioners to meet for the purpose of selecting grand and petit jurors for the Courts in the Second Judicial District—number of each to be certified to the Clerk of said Courts.
2. Clerk of Court to strike from list disqualified jurors—County Commissioners to fill the places of persons exempt from jury duty.
 3. When venires shall be issued for grand and petit jurors—how served and returned.
 4. When judge of either Court may order another grand jury drawn—when order to be issued for said jury.
 5. Manner of drawing petit jurors for each term of Court—length of time of service of each juror.
 6. Venires for first two weeks to be served twelve days prior to general terms of Court—by whom served.
 7. Disposition of jurors not drawn in the several venires in the preceding Section—when special venire may be ordered.
 8. Fees of grand and petit jurors and talesmen.
 9. To be deemed a public act.
 10. Repeal of former act.
 11. When act to take effect.

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

SECTION 1. The county commissioners of the county of Ramsey shall, at their next regular meeting after the passage of this act, and thereafter at their annual meeting in January, in each year, (or as soon after such annual meeting as the same can conveniently be done) select from the qualified electors of said county, fifty persons properly

Commissioners to select jurors for Ramsey county—how and when.

qualified to serve as grand jurors for the said district court, and fifty persons properly qualified to serve as grand jurors for the said court of common pleas; and four hundred persons properly qualified to serve as petit jurors for said district court, and four hundred persons properly qualified to serve as petit jurors for said court of common pleas. Which said names shall be retained and certified in the manner provided by law for drawing grand and petit jurors, in separate lists for each of said courts, to the clerk of said district court and court of common pleas.

Duty of clerks on receipt of jury list—who to fill places of those exempt as jurors.

SEC. 2. Upon the receipt of said lists by the clerk of said courts, he shall carefully examine the same, and shall note the names of any persons on said lists who may not be a qualified juror, or who may be exempt, with the nature or cause of such disqualification or exemption, which said names so noted as disqualified or exempt, with the nature or cause thereof, shall be certified and returned by said clerk to said board of county commissioners, on or before their next regular meeting; and it shall thereupon as soon as practicable, proceed to fill the places of the persons so noted, if they shall find that such exemption or disqualification actually exists, and shall certify and return said names in the same manner as said original list was returned and certified; *Provided*, That if said original lists shall contain the names of at least forty grand jurors, and three hundred and fifty petit jurors, for each of said courts, after the same are corrected by said clerk, as above provided, it shall not be necessary to certify the said lists to said board of county commissioners for correction.

When venires to be issued—how served and returned.

SEC. 3. On or before fifteen days prior to the general May term of said district court, and on or before fifteen days prior to the general September term of the said court of common pleas, the grand jurors for said respective courts shall be drawn from the said lists of grand jurors so selected, and venires shall be issued therefor, and served and returned in the same manner as now provided by the general laws of the state.

When judge may order another jury drawn.

SEC. 4. If in the opinion of the judge of either of said courts the public interests should at any time require that a grand jury shall be drawn for the other general terms of their respective courts, not above provided for, it shall and may be lawful for such judge to make and enter an order at least thirty days next prior to the first day of such general term, requiring the county commissioners to select a list of fifty persons qualified to serve as grand jurors for such

general term, and the said list shall be reported, returned, certified and corrected, and the said grand jury drawn therefrom, in all respects as above provided. And the grand jury so drawn shall be summoned as provided by law, and shall have all the powers of a grand jury regularly drawn under this act, and the general laws of this state.

SEC. 5. On or before fifteen days prior to any general term of said district court or court of common pleas, of said county, the one-half of the whole number of names so selected for petit jurors for such court taken in the order in which they stand on the said list thereof, shall be placed in a box, and shall be drawn by the persons and in the manner now provided by law, except that the first thirty names drawn from said box shall compose the petit jurors for the first week of such term of court, and the second thirty names shall compose the petit jury for the second week of said term, and in like manner the names for four several sets of jurors of thirty each, shall be drawn for such general term of said court, except that for the next general term of such court, the other half of the whole number of said list for said court shall be used in drawing therefor. The said clerk shall make out a separate venire for the petit jury for each week, and shall therein direct the sheriff of said county to summon said jurors for the particular week of said term for which they were drawn, respectively; and the said jurors shall not be required or permitted to serve beyond the time for which they were summoned, unless they or some of them shall have been sworn and empannelled for the trial of a cause which is not concluded at the expiration of their said term, in which event the jurors so empannelled shall serve until they shall have rendered their verdict in such cause, or shall be duly discharged from the further consideration thereof; *Provided*, That the said one-half of the number of names so placed in the box for the purpose of drawing a petit jury for any term of said court, shall not be so used for any subsequent term of said court, until again returned by the county commissioners in pursuance of the provisions of this act.

Manner of drawing petit jurors—
time of service
of each juror.

SEC. 6. The venires for the first two weeks of each of said general terms, shall be placed in the hands of the sheriff at least twelve days prior to the first day of such general terms, respectively, and he shall serve the same in the manner provided by law. The other venires for

Venires when and
by whom served.

the third and fourth weeks shall be held in the hands of the clerk, subject to the order of the court; and upon such order shall be placed in the hands of the sheriff for service, and a service of twenty-four hours upon the jurors named in such venire, shall be valid and effectual for all purposes.

Disposition of jurors not drawn—when special venire may be ordered.

SEC. 7. The names of the petit jurors who shall not have been drawn in drawing the several venires as aforesaid, shall be carefully preserved by said clerk, and if at any time it shall appear that the venires drawn for any general term shall not be sufficient to transact the business of such term, the judge of said court may make an order for such additional juries as may be necessary, whereupon the same shall be drawn from the names so preserved by the clerk, as aforesaid, and venires shall be issued therefor, and they shall be summoned as last above provided. And if the names so preserved shall be insufficient, the said juries may be supplied with tales jurors, or a special venire may be ordered, in the manner aforesaid by law.

Fees of jurors and talesmen.

SEC. 8. The fees of all grand jurors, petit jurors, tales jurors and struck jurors in said courts of Ramsey county, shall be fifty cents per day for each day of actual attendance upon court, and mileage for such attendance in pursuance of summons: *Provided*, That no juror summoned on a petit or struck jury shall be paid any fee unless he shall have been actually in attendance upon the court in pursuance of summons, for at least one half day, and then only for the time of his actual attendance. And no tales jurors shall be paid any fees unless he shall have been actually sworn and empannelled on the trial of a cause.

Deemed a public act.

SEC. 9. This act shall be deemed and construed as a public act, and all general or special laws of this state in conflict herewith, shall be construed as amended by this act so far as the same affects the said district court for the second judicial district, and the court of common pleas for said county of Ramsey.

Repeal of former act.

SEC. 10. Section eight of chapter eighty-four of the special laws of one thousand eight hundred and sixty-seven, is hereby repealed: *Provided*, That nothing in this act shall in any manner affect or interfere with the grand or petit jury for the March term of the court of common pleas for said county, for the year A. D. one thousand eight hundred and seventy.

When act to take effect.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 1, 1870.