

CHAPTER 103.

AN ACT RELATIVE TO THE JUDGES OF THE DISTRICT COURT FOR THE FOURTH JUDICIAL DISTRICT, AND TO MERGE THE COURT OF COMMON PLEAS OF HENNEPIN COUNTY INTO SAID DISTRICT COURT.

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

Two judges authorized for the fourth district.

Common pleas judge of Hennepin county to be one of the judges.

May act in joint session.

Business may be divided.

Three terms of court.

SECTION 1. There shall be elected in the fourth judicial district, two(2) judges of the district court of such district, any one or either or both of whom shall have and exercise the powers of the court as now prescribed by law relative to the present judge 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 term of office, and commencement of such term, compensation, jurisdiction, duties, authority and powers of the present judge of said district court, shall apply to all the judges of said court, and their successors shall be elected and vacancies in their offices filled as now provided in relation to the said judges of said court. *Provided, however,* that the present judge of said court and the judge of the court of common pleas of the county of Hennepin, shall be the judges of said district court for the unexpired terms for which they were elected, and until their successors are elected and qualified. *And provided further,* that said judge of the said court of common pleas shall, immediately after the passage of this act, take and file an oath of office, as judge of said district court, in the same manner as is now prescribed by law, relative to the present judge of such district court.

SEC. 2. The said judges 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, it neither be senior in office, the judge senior in age, shall preside, and his decision shall be the decision of the court. Process may be tested in the name of either of the said judges.

SEC. 3. The business of said court may be divided between said the judges, and otherwise regulated by rules or otherwise, and each of the said judges may separately try court or jury cases during the same term or at the same time.

SEC. 4. There shall be three general terms of said court for the transaction of both civil and criminal business, and said terms shall be held at such times as may be provided by law.

SEC. 5. Grand and petit jurors shall be drawn for each of

said terms, on or before fifteen (15) days prior to each of said terms, and venire issued therefor, and served as now provided by law; but no grand or petit jurors shall hereafter be drawn or summoned for said court of common pleas. Jurors.

SEC. 6. All recognizances and commitments for criminal offenses, shall be made returnable to the said district court, and all appeals from justices of the peace shall be taken to said district court. Recognizances,
&c.

SEC. 7. The court of common pleas of the county of Hennepin is hereby merged in said district court, and all business and proceedings in said court of common pleas, and pertaining and returnable thereto, and the possession, custody, and control of all dockets, registers, judgment books, records, files, and papers of the said court of common pleas, are hereby transferred to said district court, and all actions and proceedings now pending, on appeal or otherwise, from said court of common pleas in the supreme court, shall, when remitted, be remitted to the said district court; and all recognizances, bail bonds, and other bonds, undertakings, executions, processes, appeals from justices of the peace, and all proceedings now outstanding, returnable to said court of common pleas, shall be returnable to said district court; and all liens and rights under judgments, transcripts of judgments, execution or attachment levies, or otherwise, in said court of common pleas, shall remain unimpaired by this act, and the said district court shall take cognizance of and have full jurisdiction, authority, and power to proceed in, finish, complete, and enforce, and relieve against all such process, writs, levies, judgments, transcripts, actions, and proceedings, as fully as if the same had been originally commenced in, taken to, or pending in said district court; and all executions, writs, process, certificates, and other proceedings hereafter taken in actions and matters now pending in said court of common pleas, or returnable or pertaining thereto, shall be entitled in [the] said district court; and it is the intent, and hereby declared to be the effect of this act, that everything in the said court of common pleas, or pertaining, or to appertain thereto, or which may arise therefrom, shall be acted on, disposed of, and accomplished as fully and completely in the said district court as if originally the same therein were, whether it be specially or not in this act mentioned. Mergement of
common pleas
court of Hen-
nepin county.

SEC. 8. All recognizances, bonds, process and other papers, heretofore issued, returnable at any term of the district court or common pleas court, as the said terms were established before the passage of this act, shall be returnable at the term of the district court as now fixed, next succeeding that at which they were returnable. Recognizances,
&c.—where
returnable.

SEC. 9. The judge of the said court of common pleas and the clerk thereof shall cease to transact any business therein, after this act shall take effect, and the said judge of the court of common pleas shall receive no compensation as judge of Relating to the
common pleas
judge.

said court of common pleas, after this act takes effect, but shall receive the same compensation as judge of the district court, as received by the present judge of said district court.

SEC. 10. The court of common pleas of Hennepin county is hereby abolished, and all acts or parts of acts, in any wise in conflict with this act, are hereby repealed.

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

Approved February 26, 1877.

When act to
take effect.

CHAPTER 104.

AN ACT TO PROVIDE FOR THE CONVEYANCE OF PRISONERS FROM OTHER STATES AND TERRITORIES IN AND THROUGH THIS STATE.

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

SECTION 1. Any person who has been or shall be convicted of, or charged with any crime, in any other State or Territory of the United States, and who shall be lawfully in the custody of any officer of the State or Territory where such offense is claimed to have been committed, may be by said officer conveyed from and through this State, for which purpose said officer shall have all the powers in regard to the control and custody of said prisoner, that an officer of this State has over a prisoner in his charge.

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

Approved March 1, 1877.

Relating to
prisoners
charged with
crime in other
States.

When act to
take effect.