

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

Approved March 3, 1877.

CHAPTER 178.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF MINNEAPOLIS," APPROVED FEBRUARY THIRTEENTH (13TH), ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR (1874).

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

SECTION 1. That section three (3) of said act be and the same is hereby amended by adding to the end thereof the following :

"There shall be one special judge of said municipal court, whose manner of election, term of office, powers, duties, and qualifications shall be the same as those of municipal judge, except as otherwise provided in this act, and his successor shall be elected, and vacancies in his office filled in like manner. The Governor shall immediately appoint some person duly qualified to fill the vacancy in the office of the said special judge, until his successor be elected at the next general city election, and qualified. In case of a press of business in said court, at the request of the municipal judge, or in case of the absence or sickness of the municipal judge, at the request of the mayor or acting mayor of said city, the said special judge shall act as judge of said court, and when the special judge so acts at the request of the [said] municipal judge, the said special judge and the municipal judge may each have and exercise the powers of the said court. The said special judge shall not act on the trial or examination of any case or otherwise, except as above provided ; and such special judge acting as judge of said court, shall receive compensation from the city at the rate of eight dollars per day, in the absence or sickness of the municipal judge, but not when acting at the request of the municipal judge, unless the city council shall, previous to the performance of such services, so direct. This section shall not incapacitate such special judge from acting as attorney in any case in said court, but when such judge is acting as such judge of said court, he shall take no action in such case, save to adjourn the same.

SEC. 2. That section twelve (12) of said act be amended so as to read as follows:

Sec. 12. Trial by jury in the municipal court shall, in all

respects, be conducted as in the district courts of said State, and all laws of a general nature, applicable to jury trials in said district courts, shall apply to said municipal court. Jurors for said municipal court shall be provided and drawn, however, in the following manner, to-wit: The mayor, or president of the city council of the city of Minneapolis, the city clerk of said city and the presiding judge of said municipal court shall, on the second (2d) Mondays of February, May, August, and November in each year, at the office of said city clerk of said city, meet, and from the legal voters of said city, select and designate sixty (60) legal voters of said city, as the jurors of said municipal court, to serve therein when required, and drawn during the succeeding three (3) months, and until their successors are elected and certified, and shall thereupon certify said names so selected to the clerk of said municipal court, who shall thereupon write said names upon separate ballots, and place the same in a wheel or box, and whenever a jury is required in said court shall, therefrom, by lot, draw eighteen ballots, the persons named upon which shall be summoned to attend the trial of the cause wherein they were drawn; and the first twelve (12) so drawn shall constitute the jury, unless some of the said jurors shall be challenged or excused, in which case the clerk shall, consecutively, call the remaining six jurors so drawn, until the panel so drawn shall be exhausted; no talesmen shall be summoned or sit in any cause in said court; and the first (1st) and second (2d) series of eighteen (18) ballots each so drawn shall not be returned to said box or wheel until the third series shall have been drawn from said box. The persons selected to serve as aforesaid, shall not again be eligible during the year in which they may have been selected.

Where no provision is otherwise made in this act, said municipal court is vested with all the powers which are possessed by the district courts of this State, and all laws of a general nature apply to the said municipal court, so far as the same can be made applicable, and not inconsistent with the provisions of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 26, 1877.