

CHAPTER 104.

[S. F. No. 396.]

AN ACT TO CREATE THE OFFICE AND TO PRESCRIBE THE DUTIES OF AN ADDITIONAL JUDGE FOR THE SECOND JUDICIAL DISTRICT OF THE STATE OF MINNESOTA.

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

Second judicial district, additional judge for.

SECTION 1. There shall be elected in the Second (2nd) Judicial District of this State four (4) judges of the District Court of such district, any one or more of whom shall have and exercise the powers of the 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 term of office, and commencement of such term, compensation, jurisdiction duties, authority and powers of the present judges, or of any of the same, 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 judges of said court, *Provided*, however, that each of the present judges of said court shall be one of the judges thereof for the unexpired term for which he respectively was elected and qualified, and until his successor is elected and qualified.

Judges may act in joint session.

SEC. 2. The said judges or any number 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 be senior in office the judge senior in age, shall preside and the decision of the majority of the judges so acting shall be the decision of the court; if, however, only two of the said judges are so acting, and there is a division of opinion, the opinion of the presiding judge shall prevail. Process may be tested in the name of any one of said judges of said court.

Division of business.

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

Governor to appoint.

SEC. 4. Upon the passage and approval of this act the governor of this State shall appoint an additional judge for said District Court who shall hold his office until the next general election and until a successor is elected and qualified.

SEC. 5. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 25, 1887.

CHAPTER 105.

[H. F. No. 876.]

AN ACT TO PROVIDE THAT ADJOURNED TERMS OF THE DISTRICT COURT OF OTTER TAIL COUNTY MAY BE HELD AT THE VILLAGE OF PERHAM IN SAID COUNTY.

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

SEC. 1. The Judges of the District Court are hereby authorized to adjourn each and every general term of said Court held at Fergus Falls in said county of Otter Tail, to a suitable place in the village of Perham, in said county, for the trial of all such cases as are pending in said court, either for the convenience of the parties or by their consent. Adjourned terms.

SEC. 2. On adjourning any term of said court to meet at Perham at a future day, the court shall direct the panel of jurors drawn for said term, or any part of them, to be and appear at the court room in Perham at such day and hour as he may designate, which shall be sufficient notice to said jurors to attend. Jurors, when to appear.

SEC. 3. Jurors attending said adjourned term shall receive mileage from their homes to said village of Perham. Mileage.

SEC. 4. Witnesses *subpoenaed* to attend such adjourned term shall receive mileage from their places of residence to the village of Perham.

SEC. 5. All officers serving *subpoenas* or any other process returnable at said adjourned term shall receive mileage only from said village of Perham, instead of from Fergus Falls, the county seat.

SEC. 6. The village of Perham shall provide suitable rooms for the holding of said terms of court in said village, free of expense to the county of Otter Tail. Rooms, village of Perham shall provide.

SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 8. This act shall take effect and be in from and after its passage. When act to take effect.

Approved March 3, 1887.