

township one hundred forty-three (143) north of range thirty-five (35) west.

Clearwater county—

The northwest quarter (NW $\frac{1}{4}$ ) and south half (S $\frac{1}{2}$ ) of section nine (9); west half of northwest quarter (W $\frac{1}{2}$ , NW $\frac{1}{4}$ ) and lots numbered five (5), eight (8) and nine (9) of section fifteen (15); west half of northeast quarter (W $\frac{1}{2}$ , NE $\frac{1}{4}$ ), north half of northwest quarter (N $\frac{1}{2}$ , NW $\frac{1}{4}$ ) southeast quarter of northwest quarter (SE $\frac{1}{4}$ , NW $\frac{1}{4}$ ), southeast quarter of southwest quarter (SE $\frac{1}{4}$ , SW $\frac{1}{4}$ ), northwest quarter of southeast quarter (NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ) and the south half of southeast quarter (S $\frac{1}{2}$ , SE $\frac{1}{4}$ ) of section twenty-one (21); lots numbered one (1), two (2) and three (3) and the east half of southwest quarter (E $\frac{1}{2}$ , SW $\frac{1}{4}$ ), southwest quarter of southeast quarter (SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ) of section twenty-three (23); north half of northwest quarter (N $\frac{1}{2}$ , NW $\frac{1}{4}$ ), southwest quarter of northwest quarter (SW $\frac{1}{4}$ , NW $\frac{1}{4}$ ) and southeast quarter (SE $\frac{1}{4}$ ) of section twenty-five (25); southeast quarter of northeast quarter (SE $\frac{1}{4}$ , NE $\frac{1}{4}$ ), north half of southeast quarter (N $\frac{1}{2}$ , SE $\frac{1}{4}$ ), southeast quarter of southeast quarter (SE $\frac{1}{4}$ , SE $\frac{1}{4}$ ) and west half (W $\frac{1}{2}$ ) of section twenty-seven (27); lot numbered one (1) of section thirty-three (33) and the north half of northeast quarter (N $\frac{1}{2}$ , NE $\frac{1}{4}$ ), north half of northwest quarter (N $\frac{1}{2}$ , NW $\frac{1}{4}$ ), southwest quarter of northwest quarter (SW $\frac{1}{4}$ , NW $\frac{1}{4}$ ), northeast quarter of southwest quarter (NE $\frac{1}{4}$ , SW $\frac{1}{4}$ ) and northeast quarter of southeast quarter (NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ) of section thirty-five (35), all in township one hundred forty-three (143) north of range thirty-six (36) west, together with such other lands in Itasca Park in addition to those above named as may be donated to the state by the Pine Tree Lumber Company under the provisions of this act.

Section 5. This act shall take effect and be in force from and after its passage.

Approved April 17, 1909.

#### CHAPTER 221—S. F. No. 368.

*An Act to amend Section 4165 and Section 5262 of the Revised Laws of 1905 and Chapter 35 of the General Laws of 1907, relating to the trial of causes and the drawing of grand and petit jurors in the District Court.*

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

**Trial of causes in certain cases.**—Section 1. That section 4165, of the Revised Laws of 1905, be amended so as to read as follows:

Of fact, how brought to trial. Issues of fact may be brought to trial by either party, upon notice served eight or more days before the beginning of a general term. At least seven days before the term one of the parties shall file a note of issue, containing the title of the action and the names of the respective attorneys, and stating the time when the last pleading was served and whether the issue is triable by the court or a jury. The clerk shall thereupon enter the cause on the calendar according to the date of issue, and it shall remain thereon, from term to term, until tried or stricken off by the court.

*Provided*, that in all districts consisting of one county only, wherein but one term of court is held annually, no notice of trial need be served, but the party desiring to place a cause upon the calendar thereof for trial, shall, after issue is joined therein, prepare a note of issue containing the title of the cause, a statement as to whether the issue is an issue of law or an issue of fact, and if an issue of fact, whether triable by court or jury, and the names and addresses of the respective counsel, and shall serve the same on opposing counsel, and file such note of issue, with proof of service, with the clerk of court within ten days after such service; and, thereupon, the clerk shall set such cause for trial, in accordance with such rules as the judges of said court may make, but in no event earlier than thirty days after the filing of such note of issue, and shall notify all counsel in said cause by mail of the date of such setting.

The judges of said court may, by order or rule of court, provide for the assigning and setting of cases for trial upon such calendar, and the order in which they shall be heard, and the resetting thereof.

All appeals from inferior tribunals, including probate court, justice court, county commissioners, and all boards from the decision of which an appeal lies to such court, shall in like manner be placed upon the calendar for trial.

For all purposes, other than those specifically herein provided for, the first Monday in each month of the year, except in the months of July, August and September, shall be deemed the first day of a regular or general term of such district court, held in such county, and all persons committed for trial, or held to appear before such court, shall, unless otherwise provided, appear on such dates.

*Provided*, that when the first Monday of any such month shall be a legal holiday the following day shall be deemed to be the first day of such general term of such district court.

**Grand jury may be drawn and serve at specified times.**—Sec. 2. That section 5262, of the Revised Laws of 1905, be amended so as to read as follows:

When to be drawn—Who Liable.—A grand jury shall be drawn for every term of the district court in each county, *provided*, that, in counties containing not more than twenty-five thousand inhabitants, whenever it shall be made to appear to the judge of such court that there are no matters to be presented to such grand jury not properly cognizable before a justice of the peace, he may by order direct that no grand jury be summoned for such term, and in counties of less than fifteen thousand inhabitants no grand jury shall be summoned for any such term unless at least fifteen days before the first day thereof the judge shall file with the clerk an order directing the summoning of such grand jury; but nothing herein shall be so construed as to prevent the issue of a special venire for a grand jury as provided by law. Every qualified voter shall be liable to be drawn as a grand juror, except as hereinafter provided.

*Provided, further*, that in all districts consisting of but one county, wherein but one term of court is held annually, a judge, or the judges of such court, may by order, require and prescribe that a grand jury shall be drawn and serve at any specified time, and for any designated period during such term of court.

**Petit jurors may be drawn from time to time—Clerk of Court to issue venires.**—Sec. 3. That section 1 of chapter 35 of the General Laws of 1907, relating to the drawing of petit jurors in counties having a population of more than two hundred thousand be amended to read as follows:

The judge or judges of any judicial district may, by order filed with the clerk of the court of any county having a population of more than two hundred thousand, where a term of court is to be held at least fifteen days before the sitting of such court, direct that the petit jurors for such or any subsequent term or terms be summoned for any day of the term fixed by such order other than the day now fixed by law. Such order may be at any time modified or vacated by the court by an order in like manner made and filed with the clerk at any time. When such order has been made, the clerk of the district court in such county shall, in the presence of a judge thereof, at least ten days before the general term of said district court, under the direction of the judge or judges of said court, draw from the names in the list of persons selected to serve as petit jurors, made, certified and prepared for drawing, the names of as many persons as the court or judge shall direct, to serve as petit jurors for a period of two weeks in such terms, commencing with the day of such term named in said order; and shall then continue in like manner to draw the names of other persons for each panel for as many successive panels of petit jurors as the court or judge may direct for successive periods of two weeks, covering the time that petit jurors are expected to be needed during such general term. Such clerk shall forthwith is-

sue to the proper officers venires for such panels of petit jurors, returnable on the proper days as to each, respectively at ten o'clock in the forenoon, and the officer shall forthwith thereafter, as soon as may be, serve all such venires and summon all such jurors and shall be entitled to the same mileage, and no more, that would be the case if the names of all the jurors in all the venires were contained in a single venire. If there be a deficiency of petit jurors, the clerk shall, in open court, under the direction of the judge, draw from the box containing the names on the petit jury list the names of additional persons to supply such deficiency; and writs of venire facias shall issue summoning such persons, and returnable at such time as the judge of the court may direct.

*Provided*, that in all districts consisting of one county only, in which but one term of court is held annually, petit jurors may be drawn from time to time during such term, as the court may direct for the successive panels.

The clerk of the court in such counties shall in like manner issue venires for such petit jurors returnable at such hour as a judge, or the judges of said court may direct.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 17, 1909.

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#### CHAPTER 222—S. F. No. 674.

*An Act entitled "An Act to amend Section 3111 of the Revised Laws of Minnesota for 1905, relating to corporations, to administer charities and to provide for the consolidation thereof."*

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

**Two or more corporations may consolidate as a single corporation—Certificate to be filed with secretary of state—Name.**—Section 1. That section 3111 of the Revised Laws of Minnesota for 1905 be and it hereby is amended to read as follows:

3111. The persons so executing said certificate and their successors shall thereupon become a corporation by the name specified therein, with all the powers of a common law corporation. It may sue and be sued by its corporate name, have perpetual succession, adopt a corporate seal, and change the same at pleasure. It may in its corporate name acquire and receive, by purchase, gift, grant, devise, and bequest, any property, real, personal or mixed, and the same hold, sell, convey, assign, loan, lease or otherwise use for the purposes named in its certificate of incorporation, and for such time and in such manner as may be directed by any grantor or testator who may make a gift, devise, or bequest to such corporation, to be administered and used to