

## CHAPTER 245—S. F. No. 916.

*An act to amend Section 3202, General Statutes, 1913, so as to make the furnishing of cigarettes to minors a misdemeanor.*

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

Section 1. **Modified punishment for violation of law prohibiting the furnishing of cigarettes to minors.**—Section 3202, General Statutes, 1913, is hereby amended so as to read as follows:

3202. Any person violating the provisions of section 1 of this chapter shall be guilty of a misdemeanor, and upon first conviction for such violation shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or imprisonment in the county jail for not less than fifteen days, nor more than sixty days; and upon second conviction for violation of any of said provisions shall be punished by imprisonment in the county jail for not less than thirty days, nor more than ninety days, and his license shall then be terminated as hereinafter provided.

Approved April 14, 1917.

## CHAPTER 246—S. F. No. 960.

*An act to amend Sections 18, 41 and 42, of Chapter 351 of the Special Laws of 1889, entitled: "An act to consolidate and amend the said several sections relating to the municipal court of the city of St. Paul."*

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

Section 1. **Date for regular term of St. Paul municipal court together with powers of judges and right of trial by juries together with the mode of selection of jurors.**—That section 18 of said chapter 351 of the Special Laws of 1889, be amended to read as follows:

Section 18. *The municipal court shall hold a regular term for the trial of civil actions on the first Tuesday of September of each year, which term shall continue from day to day with such adjournment as to the court may seem proper until the business of the term is finished, and the court may by rule or order appoint such terms to be held oftener or upon other days than the day above mentioned. A party desiring to place a cause upon the general term calendar for trial, shall, after issue is joined, prepare a note of issue containing the title of the cause, the names and addresses of counsel, and if he desires a jury so state therein, and whether a jury of six or twelve, and shall serve the same upon the opposing counsel, and file such note of issue, with proof of service, with the clerk of the*

court within five days after such service. If the adverse party, or parties, or any of them, desire a jury, the moving party having failed to ask for one, they shall within the said five days file such written request with said clerk, and if a jury is not demanded as above provided, the jury shall be deemed to have been waived, and upon the filing of said note of issue, and upon the expiration of five days, the clerk shall set said cause for trial in accordance with such rules as the judges may make, not less than ten days thereafter, unless requested in writing by both parties or a special emergency exists, and shall notify all counsel in said cause by mail of the date of such setting. The judges may by rule or order of court provide for the hearing of all matters, and the assigning, setting or resetting of jury and court cases for trial upon the calendar and the order in which they shall be tried. For all purposes other than those specifically herein provided for, the first Tuesday in each month of the year shall be the first day of a general term of said court; provided, that when the first Tuesday of any such month shall be a legal holiday, the following day shall be the first day of such general term; provided further, that the provisions of this section shall not apply to forcible entry and unlawful detainer actions.

The judges are empowered to make such rules as may be necessary and proper to make the practice and procedure in this court conform as nearly as may be with that in the district court of Ramsey county.

That sections 41 and 42 of said chapter 351 of the Special Laws of 1889, be amended to read as follows:

Section 41. That jury cases shall be set for trial five days in each month, except in the months of July and August, in the civil branch of said municipal court. The judges of said court shall annually in the month of June in each year, at the court house in the city of St. Paul, select from the electors of the city of St. Paul, not more than six hundred persons properly qualified to serve as petit jurors, and shall make out and certify a list thereof and deliver the same to the clerk of said court, and from said list of persons to serve shall be drawn petit jurors at any time required for the transaction of business in said court; provided, that if in any year such list shall not be made in the month of June, the same may be done at any time thereafter that any of the judges of said court may designate, and if from any cause there shall be a deficiency of persons in said list, such judge or judges may at any time designated by them select from the electors of said city other persons to cover such deficiency, and in like manner certify and deliver to the clerk the list of the persons so selected, which supplemental or additional list shall thereafter stand as part of the original lists; and provided further, that the validity or legality of such lists shall not be affected by the fact that any person or persons so selected may be disqualified from serving as jurors, or by the selection of a greater

or less number of persons than as specified in this act; provided further, that the first selection and list hereunder may be made at any time after the passage of this act. The petit jurors may be drawn from such lists from time to time during such term as the judges may direct for the successive panels. The clerk of the court shall issue venirees for such jurors returnable at such hours as a judge or the judges may direct, and such venirees shall be served by the police officers of said city of St. Paul, or by the sheriff of Ramsey county as petit jurors are served in the district court.

No persons shall be drawn as a juror oftener than once in two years.

Whenever a jury is required in a criminal case, or in forcible entry and unlawful detainer actions, it shall be selected from a panel so drawn. If any person duly drawn and summoned to attend as a juror in said court neglects so to attend without sufficient excuse, he shall pay a fine not exceeding thirty dollars which shall be imposed by the court, or be imprisoned until such fine is paid, not exceeding thirty days.

Whenever deemed necessary said court shall have power to issue a special venire.

And jurors so summoned and attending as aforesaid in said municipal court shall be entitled to receive as compensation the sum of two dollars per day, which shall be paid out of the county treasury of the county of Ramsey. The clerk of said municipal court shall deliver to each juror a certificate for the number of days attendance and services for which he is entitled to receive compensation. This certificate of the clerk for services rendered as such juror in the municipal court shall be filed with the county auditor, who shall issue his warrant on the treasurer of the county for the amount due, which certificate shall be a proper and sufficient voucher for the issuance of such warrant. And any juror who has been regularly summoned to attend in said court, and who shall actually attend said court at the time named in such summons, shall be entitled to his per diem whether he shall have been actually sworn as a juror or not.

Trial by jury in the municipal court shall be in all respects conducted as in the district court of Ramsey county, and all laws and fees of a general nature applicable to jury trials in said district court shall apply to said municipal court, *except as herein provided.*

Sec. 2. **Inconsistent acts repealed.**—All acts or parts of acts inconsistent herewith are hereby repealed.

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

Approved April 14, 1917.