

of such making, drawing, uttering or delivery that the maker or drawer has not sufficient funds in or credit with such bank or other depository for the payment of such check, draft or order in full upon its presentation, shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

The making, drawing, uttering or delivering of such check, draft or order as aforesaid, shall be prima facie evidence of intent to defraud.

The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or depository for the payment of such check, draft or order.

Approved March 26, 1919.

CHAPTER 95—S. F. No. 4.

An act to amend Section 9248, G. S. 1913, relating to recognizances, on appeals or writs of error to the supreme court in criminal cases.

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

Section 1. Admission to bail or appearance before supreme court.—That section 9248, G. S. 1913, be, and the same is hereby amended so as to read as follows:

Sec. 248. If upon appeal or writ of error the defendant shall be admitted to bail he may recognize to the state in such sum as shall be ordered, with sufficient sureties, conditioned for his appearance before the supreme court, and the presentation and prosecution of the appeal or writ of error with effect, and *in harmony with the rules of that court*, to abide the judgment of the court thereon, and in the meantime to keep the peace and be of good behavior, and the trial judge, or a justice of the supreme court on the allowance of a writ of error or after an appeal has been perfected, may in his discretion allow such recognizance in all cases where the death penalty does not apply.

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

Approved March 25, 1919.

CHAPTER 96—S. F. No. 5.

An act amending Section 118, G. S. 1913, relating to the supreme court, and the terms thereof to be held by the justices each year and imposing upon the senior associate justice the duties of the chief justice in certain cases.

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

Section 1. One term of supreme court each year, and senior associate justice to preside in case of absence of chief justice.—

That section 118, G. S. 1913, be and the same is hereby amended so as to read as follows:

Sec. 118. The supreme court shall consist of one chief justice and four associate justices, *who shall hold one term of court each year, at the seat of government, commencing on the first Tuesday after the first Monday in January, with such continuations or adjournments thereof during the year as may be necessary for the dispatch of the business coming before the court.* When the chief justice of said court shall be absent from the state, or shall be, for any reason, incapacitated from acting as such, the associate justice present within the state and not incapacitated who shall have served the longest time, or when there are two or more associate justices of equal terms of service, then the associate justice, whom the chief justice shall designate as senior associate justice as such, shall have and exercise all the powers, duties and functions of the chief justice during his absence or incapacity and shall be, during such absence or incapacity, the presiding justice of said court.

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

Approved March 27, 1919.

CHAPTER 97—S. F. No. 7.

An act to amend the last paragraph of Section (1) one of Chapter 66, General Laws, 1917, relating to appeals in civil and criminal actions, and the fees and charges in the supreme court thereon.

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

Section 1. **When fees are not to be charged.**—That the last paragraph of section 1 of chapter 66 of the General Laws of 1917, be and the same is hereby amended so as to read as follows:

The charges provided for herein shall not apply to disbarment proceedings, nor to an action or proceeding by the state taken solely in the public interests, where the state is the appellant or moving party, nor to copies of the opinions of the court furnished by the clerk to the parties before judgment, *or so furnished to the district judge whose decision is under review, or to such law library associations in counties having a population exceeding 50,000, as the court may direct.*

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

Approved March 27, 1919.