

amendment being briefly indicated. If three-fifths of those lawfully voting at such election shall declare in favor of any amendment so proposed, the same shall be certified, deposited and recorded, and shall take effect, as in the case of the original charter, provided that, if it be proposed that any amendment shall take effect at a specified time, it shall take effect as proposed.

Approved March 30, 1943.

CHAPTER 228—H. F. No. 184.

(AMENDING SECTION 546.09 AND 546.10 MINNESOTA
STATUTES 1941.)

An act amending Mason's Minnesota Statutes of 1927, Sections 9293, 9294, relating to peremptory challenges of jurors in civil actions in district court.

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

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 9293, is amended to read as follows:

9293. **Jury—how impaneled—ballots—rules of court—examination—challenges.**—When a jury issue is to be tried the clerk shall draw from the jury box ballots containing the names of jurors until the jury is completed or the ballots are exhausted. If exhausted, *the court shall direct the sheriff to summon from the bystanders, or the body of the county, qualified persons to complete the jury.* The ballots containing the names of jurors sworn to try the case shall not be returned to the box until the jury is discharged. All others so drawn shall be returned as soon as the jury is completed. The judge or judges of any district court may provide by rule that in selecting a jury the clerk shall draw 12 names, together with sufficient additional names to cover the requirements of the provisions of Mason's Minnesota Statutes of 1927, Section 9294, and Laws 1941, Chapter 256. These jurors shall then be examined as to their qualifications to sit as jurors in the action and if any juror be excused for any reason, another shall be immediately called in his place.

Sec. 2. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 9294, is amended to read as follows:

9294. **Challenges.**—Either party may challenge the panel, or individual jurors thereon, for the same causes and in the same

manner as in criminal trials, except that *the number of peremptory challenges to be allowed on either side shall be as provided in this section.* Before challenging a juror, either party may examine him in reference to his qualifications to sit as a juror in the cause. *A sufficient number of jurors shall be called in the action so that 12 shall remain after the exercise of the peremptory challenges, as provided in this section and section 9293, and to provide alternate jurors when ordered by the court under the provisions of Laws 1941, Chapter 256. Each party shall be entitled to three peremptory challenges, which shall be made alternately beginning with the defendant. The parties to the action shall be deemed two, all plaintiffs being one party, and all defendants being the other party, except, in case two or more defendants have adverse interests, the court, if satisfied that the due protection of their interests so requires, may allow the defendant or defendants on each side of the adverse interests not to exceed three peremptory challenges. When the peremptory challenges have been exhausted or declined, the first twelve of the remaining jurors shall constitute the jury.*

Approved March 30, 1943.

CHAPTER 229—H. F. No. 290.

An act relating to wild animals and the removal of rough fish and turtles from public waters of the state, and repealing Mason's Statutes 1927, Sections 5604, 5605, 5606, 5607, 5608, 5609, and Mason's Supplement 1940, Section 5609-1, Mason's Statutes 1927, Section 5609-2, 5609-3, 5609-4, 5609-5, 5609-6 and 5609-7, and Mason's Supplement 1940, Sections 5574-5 and 5574-6.

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

Section 1. Director of game and fish may remove rough fish under certain conditions.—When, after an investigation by the director, he finds that any of the following conditions exist:

(1) That carp, buffalofish, perch, suckers, sheepshead, dogfish, eelpout, tullibees, garfish, goldeyes, bullheads, and turtles inhabit any of the public waters of this state in such numbers as to interfere with or prevent the natural propagation of game fish therein; or