

of Ramsey over, across and upon the land so taken as hereinbefore provided, for said improvement.

Assessments
when collected

Sec. 11. After the expiration of three months from the filing of said report in the clerk's office, if no appeal is taken, or upon the decree or judgment of said court affirming said assessment, the amount of the assessment made as hereinbefore provided shall be collected by said county in the same manner, and said county of Ramsey and the officers thereof are hereby vested with the same powers and authorized to pursue the same means for the collection of said assessments in every respect, as are provided for the collection of the state, county or town taxes by said county in said state.

When act to
take effect.

Sec. 12. This act shall take effect and be in force from and after its passage.

Approved March 5, 1872.

CHAPTER CLXXVII.

March 4, 1872.

An Act to establish a Court of Common Pleas in the County of Hennepin.

SECTION 1. Establishment of common pleas court in Hennepin county.

2. Seal of court and place of holding court.

3. Process how tested.

4. Recognizance, &c., how returned.

5. Appeals how taken.

6. Prosecuting attorney for the county.

7. Duties of the sheriff.

8. Duties of the county commissioners.

9. Changes of venue.

10. Removal of causes to supreme court.

11. Terms of court.

12. Relating to county attorney.

13. Salary of judge, term of office and election.

14. Vacancy in the office.

15. The governor to appoint a judge until the first election.

16. When act to take effect.

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

SECTION 1. That there is hereby established in the county of Hennepin, a court which is hereby constituted a court of record, by the name of the court of Common Pleas of the county of Hennepin, which shall have equal and concurrent jurisdiction with the district court of the fourth judicial district in all cases whatsoever arising or triable in said county of Hennepin. Said court and the judge and clerk thereof, shall have the like jurisdiction, authority and power in all proceedings therein, and perform the same duties as the said district court and the judge and clerk thereof, except as limited by this act.

Common pleas court.

SEC. 2. Said court of common pleas shall have a seal, to be provided by the county of Hennepin, and said court shall be held in such places as shall be provided by said county, and the expenses thereof, except as provided by law, shall be paid by said county.

Seal of court, &c.

SEC. 3. All process of said court shall be tested in the name of the judge thereof.

Process how tested.

SEC. 4. All recognizances taken before any judge, justice or magistrate, in said county, in criminal cases, may be made returnable to said court of common pleas, and it shall be the duty of the officer taking the same, to return all the papers in said criminal cases to the court to which they are returned, and all fines, penalties, and forfeitures had or taken in any such criminal proceedings shall, when collected, be paid over to the treasurer of Hennepin county, to and for the use of said county.

Recognizances, &c., how returned.

SEC. 5. All appeals from the judgments of justices of the peace within said county shall be taken to the said court of common pleas, or to the district court, and like proceedings had thereon as is now provided by law in similar cases in the district court, with like power of removal by appeal or otherwise to the supreme court of the state.

Appeals how taken.

SEC. 6. The county attorney of Hennepin county shall be the prosecuting attorney of said court, and all laws now in force regulating and defining the duties of prosecuting attorneys in the district courts of the state shall be of like force and application to the said court of common pleas.

Prosecuting attorney.

SEC. 7. The sheriff of the county of Hennepin shall perform the same duties and have the same powers, and be liable to the same penalties in the said court as in the district court of said county; and the clerk of the district court of the fourth judicial district in and for the county of Hennepin, shall be the clerk of said court; and the said sheriff

Duties of sheriff.

and clerk shall be respectively entitled to the like fees in all civil and criminal cases as are now allowed by law for similar services.

Duties of county commissioners.

SEC. 8. The county commissioners of the county of Hennepin, shall, within sixty days after the passage of this act, and at their annual meeting in January in each year thereafter, select from the qualified electors of the county of Hennepin, fifty persons properly qualified, to serve as grand jurors, and one hundred and fifty persons properly qualified to serve as petit jurors, and shall return the same properly certified in the manner provided by law for the drawing grand and petit jurors for the district court, to the clerk of said court of common pleas, who shall keep a record of the same, and from such list the grand and petit jurors of said court shall be drawn, and summoned in the same manner and at a like time before the term of said court as is provided by law for drawing and summoning grand and petit jurors for the district court, all laws in relation to re-listing, drawing and summoning grand and petit jurors for district courts, and in relation to their compensation, powers, authority, duties and proceedings, shall, as far as applicable, apply to jurors in said court of common pleas.

Changes of venue.

SEC. 9. Changes of venue in all cases, civil or criminal, may be taken from the said court, to any district court, and from any district court of the state to said court of common pleas of the state to the same extent, and in the same manner as is now provided by law for the change of venue in the several district courts of the state.

Removal of causes.

SEC. 10. The laws regulating the removal of causes and proceedings from the district court to the supreme court, and the proceedings thereon shall be applicable to said court of common pleas.

Terms of court

SEC. 11. There shall be two general terms of said court in each year, to be held on the first Tuesday in the months of September and March, for the trial of civil and criminal causes, for which term grand and petit jurors shall be drawn and summoned as provided in section eight of this act, and the judge of said court shall have the same power to hold adjourned and special terms thereof, as is now allowed by law to the judges of the several district courts; *provided*, that whenever the county attorney of Hennepin county shall, at least twenty days before the commencement of any general term of said court, certify in writing to the judge thereof, that in his judgment there will be no business to come before a grand jury at said term, said judge shall, in his discretion be authorized to direct by order, that no grand jurors be drawn or summoned for said term.

SEC. 12. In case the county attorney shall fail to attend upon said court at any term thereof, his place shall be supplied by a county attorney *pro tem.*, who shall, in the meantime, receive for his services such compensation as is allowed to the county attorney under the provisions of law.

Relating to
county attorney.

SEC. 13. The judge of said court of common pleas shall have the same salary as is or may be provided by law for judges of the district courts, and which shall be paid in the same manner. The said judge shall be elected by the electors of the county of Hennepin, at the annual election to be held in the several election districts in said county, on the first Tuesday after the first Monday in November, 1872, and at said annual election of any year when there shall be a vacancy in such office, or next prior to the expiration of any term of said office, and said judge may be voted for at the same time as state and county officers are voted for on that day and on the same ballot, and said votes shall be counted, returned and canvassed in the same manner now provided by law in case of the election of county officers. The county auditor of Hennepin county shall deliver to the person elected a certificate of his election, which may be filed in the office of the secretary of state, and the person so elected shall thereupon qualify in the same manner as the judge of the district courts. The term of office said judge shall commence on the first day of January next after his election, and continue for the space of five years, and all laws now in force relative to the qualification of district judge shall equally to the judge of said court of common pleas.

Salary, &c., of
judge.

SEC. 14. In case the office of said judge shall become vacant before the expiration of the term for which he may have been elected, the vacancy shall be filled by appointment by the governor and the person so appointed shall hold until his successor shall have been elected and qualified. Such successor shall be elected on the first Tuesday after the first Monday of November, after the occurring of said vacancy; *provided*, the said vacancy shall have occurred more than thirty days previously to the aforesaid Tuesday of November. In case said vacancy shall have occurred within a period of thirty days or less before the said Tuesday of November, then the election of said judge shall take place and be had on the first Tuesday after the first Monday of November in the year following that in which the vacancy shall have happened. The person so elected to fill such vacancy, shall qualify on or before the first day of January next succeeding his election, and shall hold his office for and

Vacancy in the
office.

during the space of five years, and until his successor is elected and qualified.

Governor to appoint to fill vacancy.

SEC. 15. The governor shall, within thirty days after the passage of this act, appoint some suitable person judge of said court, who shall qualify on or before the first day of April next, and shall, immediately after so qualifying, enter upon the discharge of his duties as such judge, and shall continue to hold said office until the first day of January, 1873.

When act to take effect.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved March 4, 1872.

CHAPTER CLXXVIII.

February 23,
1872.

An Act Relative to Jurors and their Fees in Ramsey County.

SECTION 1. Fees of jurors.

2. Limitation of time jurors shall serve.
3. Members of fire companies not to be exempt.
4. Jurors may be excused when.
5. When act to take effect.

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

Fees of jurors.

SECTION 1. Jurors in the district and common pleas court of Ramsey county shall receive two dollars per day, instead of fifty cents per day, for actual attendance upon said courts, anything in any previous law to the contrary notwithstanding.

Time jurors shall serve.

SEC. 2. No person shall be compelled to serve more than one week at any term of said court, either as talisman or otherwise, and either party may challenge or set aside any