

CHAPTER 294.

AN ACT RELATING TO GRAND AND PETIT JURIES IN THE COUNTY OF HENNEPIN.

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

SECTION 1. That one or more of the judges of the district court of the fourth (4th) judicial district of the state of Minnesota, residing in the county of Hennepin, together with the auditor and register of deeds of said county, or one of them, shall annually, on some day during the month of March of every year, at the court house in said county, select from the qualified electors of said county one hundred (100) persons properly qualified to serve as grand jurors, and five hundred (500) persons properly qualified to serve as petit jurors, and shall make out separate lists thereof, which lists shall be certified by such judge or judges and forthwith delivered to the clerk of the district court of said county; and from lists of persons to serve as grand jurors and as petit jurors shall respectively be drawn all grand jurors and petit jurors at any time required for the transaction of business in the district court of said county; *Provided*, That if, in any year, such selections and lists shall not be made in the month of March, the same may be done at any time thereafter that any judge of said court may designate; and if, from any cause, there shall be a deficiency of persons resident in said county and properly qualified in either of such lists, such judge or judges, together with such auditor and register, or either, may, at any time designated by any such judge, select from such qualified electors of said county other persons to cover such deficiency, and in like manner make, certify and deliver to such clerk lists of the persons so selected, which supplementary or additional lists shall thereafter stand as parts of the original lists; *And provided further*, That the validity or legality of such selection or lists shall not be affected by the fact that any person or persons so selected may be disqualified from serving as grand or petit jurors, or by the selection of a greater or less number of persons than is specified in this act.

SEC. 2. In selecting such persons, and making such lists, the officials above named shall select such persons as they believe are well fitted by education, business habits, moral character and physical health to discharge the duties of jurors and as are not by law exempt from jury service.

SEC. 3. In addition to the persons now exempt by law from serving as jurors, the county commissioners and other county officers of said Hennepin county, the mayor, aldermen and other officers of the city of Minneapolis, and the school directors of said city, are hereby exempted from jury service in said district court.

SEC. 4. Such lists shall be kept on file by the clerk of said district court, and from the names upon the list of persons to serve as grand jurors, so made and certified, prepared for drawing as is provided by chapter one hundred and seven (107) of the general statutes, said clerk shall, at least fifteen (15) days before the commencement of any general term of said district court in said county, in the presence of one (1) of said judges, proceed to draw the names of twenty-three (23) persons to serve as grand jurors at such term of court. All provisions of the general statutes relative to the issuing of venires, summoning of grand jurors, and proceedings subsequent thereto shall apply, except that if there be a deficiency of grand jurors the clerk shall, in open court, under the direction of the judge, draw from the box containing the names on the grand jury list the names of additional persons to supply such deficiency, and writs of venire *faciatis* shall issue summoning such persons, and returnable forthwith or at such time as the judge or court may direct.

SEC. 5. From the names on the list of persons to serve as petit jurors, so made and certified, and prepared for drawing as in case of grand jurors, the clerk aforesaid shall, in open court, on the second (2d) day of any general term of said district court, under the direction of the judge or judges of said court, draw the names of forty (40) persons to serve as petit jurors for the period of two (2) weeks in such term, commencing with the first (1st) Monday of such term; and shall then continue in like manner to draw the names of other forty (40) persons for each panel, for as many successive panels of petit jurors as the court or judge may direct, for successive periods of two (2) weeks, covering the time that petit jurors are expected to be needed during such general term. Such clerk shall forthwith issue to the proper officer venires for such panels of petit jurors returnable on the proper Mondays, as to each respectively, at ten (10) 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, than would be the case if the names of all the jurors in all the venires were contained in a single venire.

SEC. 6. No person shall be required to serve as a petit juror longer than two (2) weeks during the same general term of said court, unless he shall be impaneled and sworn as a juror in the trial of a cause which shall not have been concluded at the expiration of such period, in which case he shall continue to serve until the conclusion of such trial and his discharge from the consideration of such cause, and *Provided*, That the panel so summoned for the latest period during said term may be required by the court to serve as petit jurors for a longer time than two (2) weeks, and for a sufficient length of time to dispose of all the causes which are for trial at that term. Upon the trial of any cause, civil or criminal, the judge, in case of a deficiency of petit jurors, may cause talesmen to be summoned by the sheriff or his deputy for such trial.

SEC. 7. That no person shall be excused from service as a grand juror or petit juror in said court on account of the necessities of his business or employment unless he shall satisfy the court that he is a clerk or employe and will probably lose his situation or employment if required to serve as such juror. The names of all persons drawn as grand jurors and who shall actually serve as grand jurors at any term

of said court shall be left out of the box at the drawing of grand jurors for the next succeeding term. And the names of persons drawn as petit jurors for any period of two (2) weeks, who shall actually serve as such during such period, shall be left out of the box during the drawing of petit jurors to serve as such within six (6) months of the period during which they so served.

SEC. 8. That each grand and petit juror shall receive the sum of one (1) dollar for each day's service as such, and no more, to be paid by the county treasurer, upon the certificate of the clerk of said district court, except that where the persons so summoned and attending as jurors actually reside beyond and outside the limits of the city of Minneapolis they shall be allowed pay at the rate of one (1) dollar and fifty (50) cents per day for such service. But no mileage shall in any case be allowed.

SEC. 9. That the provisions of the general statutes relative to grand and petit jurors and jury trials shall be applicable to the said district court so far as the same are not changed by the provisions of this act or inconsistent therewith.

SEC. 10. If near the end of the periods for which petit jurors shall be drawn at the commencement of any general term it shall be found that the jury business of said term will extend materially beyond such periods, the court or judge may cause additional panels of petit jurors of forty (40) each to be drawn and summoned for periods of two (2) weeks for each panel, to cover the additional time during which jurors may be needed at such terms; such drawing and summoning to be had substantially, as near as may be, as in the case of the first drawing for the term.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved February 24, 1885.