

James C. Child
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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

COMPILED BY
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CHAPTER 111.

MODE OF TRIAL—ISSUES.

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2. Issues of fact how tried.

SECTION

3. When defendant be present on the trial.

[Chapter 125, Revised Statutes.]

- (1.) SEC. CXLIII. An issue of fact arises:
1. Upon a plea of not guilty; or
 2. Upon a plea of a former conviction or acquittal of the same offense.
- (2.) SEC. CXLIV. An issue of fact must be tried by a jury of the county in which the indictment was found, unless the action be removed, by order of the court, as provided in the preceding chapter.
- (3.) SEC. CXLV. If the indictment be for a misdemeanor, the trial may be had in the absence of the defendant, if he appear by counsel; but if for a felony he must be personally present.
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CHAPTER 112.

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[Chapter 126, Revised Statutes.]

- (1.) SEC. CXLVI. A petit or trial jury, is a body of men not less than twenty-four, nor more than thirty-six in number, returned at stated periods from the citizens of the county, before the district court of each of the organized counties of this territory, chosen by the county commissioners in the several organized counties, as hereinbefore provided by law, to try all issues of fact, either civil or criminal before said court.
- (2.) SEC. CXLVII. A petit or trial jury must be drawn for every term of the district court, in each of the organized counties of this territory.
- Petit or trial jury defined.
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