

CHAPTER 84.

AN ACT RELATIVE TO THE JUDGES OF THE DISTRICT COURT FOR THE FOURTH (4TH) JUDICIAL DISTRICT OF THE STATE OF MINNESOTA.

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

SECTION 1. There shall be elected in the Fourth (4th) Judicial District of said State three (3) Judges of the District Court of said district, any one or more of whom shall have and exercise the powers of the said court as now prescribed by law relative to the present judges of said court, except as otherwise provided by this act, and all laws now in force, whether general or special, as to the qualifications, election, canvass of votes, oath and term of office, and commencement of such term, compensation, jurisdiction, duties, authority, and powers of the present judges of said district court shall apply to all the judges of said court, and their successors shall be elected, and vacancies in their offices shall be filled as now provided in relation to the present judges of the said district court. *Provided*, however, that the present judges of the said district court shall be judges of the said court for the unexpired terms for which they were elected.

Additional
judge of
Fourth Judi-
cial District.

SEC. 2. That immediately upon the passage of this act, the Governor of the said State shall appoint a competent person to be one of the judges of the said district court, who shall immediately thereafter qualify and enter upon the duties of said office, and shall hold the said office until a successor shall have been elected and qualified, which said successor shall be elected at the first (1st) annual election that occurs more than thirty (30) days after the passage of this act.

Governor shall
appoint.

SEC. 3. The said judges, or a majority of them, may act in joint session for the trial or determination of any matter before the court, including the trial of jury cases, and, when so acting, the judge senior in office, or if neither be senior in office, the judge senior in age shall preside, and the decision of the majority shall be the decision of the court. If, however, only two of the said judges are so acting, and there is a division of opinion, the opinion of the presiding judge shall prevail. Process may be tested in the name of either one of the said judges.

Majority may
act.

Process.

SEC. 4. The said judges, or a majority of them, may divide the business of the said court between the said judges, and may otherwise regulate said business by rules or otherwise; and each of the said judges may separately try court or jury cases during the same term, or at the same time.

May divide the
business,

SEC. 5. All laws and parts of laws inconsistent with this act are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved November 19, 1871.

CHAPTER 85.

AN ACT TO CREATE AN ADDITIONAL JUDGE FOR THE FIRST JUDICIAL DISTRICT OF THE STATE OF MINNESOTA.

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

SECTION 1. There shall be elected in the first judicial district two judges of the District Court of such district, either one of whom shall have and exercise the powers of the court as now prescribed by law relative to the present judge of said court, except as otherwise provided by this act; and all laws now in force, whether general or special, as to the qualifications, election, canvass of votes, oaths and term of office, and commencement of such term, compensation, jurisdiction, duties, authority, and powers of the present judge of said district court shall apply to each of the judges of said court, and their successors shall be elected and vacancies in their offices filled as now provided in relation to the said judge of said court. *Provided*, however, that the present judge of said court shall be the judge of said court for the unexpired term for which he was elected and qualified, and until his successor is elected and qualified.

Additional
judge for First
Judicial Dis-
trict.

SEC. 2. The said judges may act in joint session for the trial or determination of any matter before the court, including the trial of jury cases; and when so acting, the judge senior in office, or if neither be senior in office, the judge senior in age shall preside; if there is a division of opinion, the opinion of the presiding judge shall prevail. Process may be tested in the name of either of said judges.

May act in
joint session.

Process.

SEC. 3. The business of said court may be divided between said judges and otherwise regulated as they may direct by rule or otherwise, and each of the said judges may separately try court or jury cases, during the same term and at the same time.

May divide
the business.

SEC. 4. Upon the passage and approval of this act the Governor of this State shall appoint an additional judge for said district court, who shall hold until the next general election, and until his successor is elected and qualified.

Governor shall
appoint.

SEC. 5. This act shall take effect from its passage.

Approved November 19, 1881.