

MINNESOTA JUDICIAL DISTRICTS

..

Prepared by

Minnesota Historical Records Survey
Division of Community Service Programs
Work Projects Administration

PART TWO

Pages 46-86

.

Saint Paul, Minnesota
Minnesota Historical Records Survey
January 1942

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COUNTIES AND THEIR DISTRICTS

Counties and Their Districts

Aitkin

May 23, 1857-May 11, 1858	Second
May 11, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887--	Fifteenth

Anoka

May 23, 1857-May 11, 1858	Second
May 11, 1858-February 8, 1860	First
February 8, 1860-April 21, 1897	Fourth
April 21, 1897--	Eighteenth

Becker

March 18, 1858-May 11, 1858	Third
May 11, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887-April 8, 1893	Fourteenth
April 8, 1893--	Seventh

Beltrami

February 28, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887-April 8, 1893	Fourteenth
April 8, 1893-April 10, 1897	Seventh
April 10, 1897--	Fifteenth

Benton

October 27, 1849-March 6, 1852	Third
March 6, 1852-March 5, 1853	Second
March 5, 1853-February 7, 1854	Third
February 7, 1854-May 11, 1858	Second
May 11, 1858-July 31, 1866	Fourth
July 31, 1866--	Seventh

Counties and Their Districts

Big Stone

February 20, 1862-March 5, 1870	Sixth
March 5, 1870-February 27, 1873	Ninth
February 27, 1873-March 3, 1875	Seventh
March 3, 1875-March 8, 1887	Twelfth
March 8, 1887--	Sixteenth

Blue Earth

March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	Third
May 11, 1858--	Sixth

Brown

February 20, 1855-May 11, 1858	Third
May 11, 1858-March 5, 1870	Sixth
March 5, 1870--	Ninth

Carlton

May 23, 1857-May 11, 1858	Second
May 11, 1858-July 31, 1866	First
July 31, 1866-March 5, 1874	Seventh
March 5, 1874--	Eleventh

Carver

February 20, 1855-May 11, 1858	Third
May 11, 1858-March 5, 1870	Fourth
March 5, 1870--	Eighth

Counties and Their Districts

Cass

September 1, 1851-March 6, 1852	Third
March 6, 1852-March 5, 1853	Second
March 5, 1853-February 7, 1854	Third
February 7, 1854-March 18, 1858	Second
March 18, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887--	Fifteenth

Chippewa

February 20, 1862-March 5, 1870	Sixth
March 5, 1870-March 3, 1875	Ninth
March 3, 1875--	Twelfth

Chisago

September 1, 1851-March 6, 1852	Second
March 6, 1852-April 11, 1907	First
April 11, 1907--	Nineteenth

Clay (Breckenridge)

March 18, 1858-May 11, 1858	Third
May 11, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887-April 8, 1893	Fourteenth
April 8, 1893--	Seventh

Clearwater

December 20, 1902--	Fifteenth
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Cook

March 9, 1874--	Eleventh
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Counties and Their Districts

Cottonwood

May 23, 1857-May 11, 1858	Third
May 11, 1858-March 4, 1885	Sixth
March 4, 1885--	Thirteenth

Crow Wing

May 23, 1857-May 11, 1858	Second
May 11, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887--	Fifteenth

Dakota

October 27, 1849-March 5, 1853	First
March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	Third
May 11, 1858-February 8, 1860	Fifth
February 8, 1860--	First

Dodge

*May 11, 1858--	Fifth
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Douglas

March 8, 1858-July 31, 1866	Fourth
July 31, 1866--	Seventh

Faribault

February 20, 1855-May 11, 1858	Third
May 11, 1858-March 12, 1897	Sixth
March 12, 1897--	Seventeenth

Counties and Their Districts

Fillmore

March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	First
May 11, 1858-March 2, 1872	Third
March 2, 1872--	Tenth

Freeborn

*May 23, 1857-May 11, 1858	Third
May 11, 1858-March 2, 1872	Fifth
March 2, 1872--	Tenth

Goodhue

March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	First
May 11, 1858-February 8, 1860	Fifth
February 8, 1860--	First

Grant

March 6, 1868-March 8, 1887	Seventh
March 8, 1887--	Sixteenth

Hennepin

March 6, 1852-March 5, 1853	First
March 5, 1853-February 7, 1854	Second
February 7, 1854-March 1, 1856	Third
March 1, 1856-May 11, 1858	Second
May 11, 1858--	Fourth

Houston

February 23, 1854-May 11, 1858	First
May 11, 1858-March 2, 1872	Third
March 2, 1872-March 19, 1925	Tenth
March 19, 1925--	Third

Counties and Their Districts

Hubbard

February 26, 1883-March 8, 1887	Eleventh
March 8, 1887--	Fifteenth

Isanti

February 13, 1857-May 11, 1858	Second
May 11, 1858-February 8, 1860	First
February 8, 1860-April 21, 1897	Fourth
April 21, 1897--	Eighteenth

Itasca

October 27, 1849-September 1, 1851	Second
September 1, 1851-March 6, 1852	Third
March 6, 1852-March 5, 1853	Second
March 5, 1853-March 1, 1856	First
March 1, 1856-March 6, 1857	Second
March 6, 1857-March 18, 1858	Third
March 18, 1858-February 3, 1860	Fourth
February 3, 1860-July 31, 1866	First
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887--	Fifteenth

Jackson

May 23, 1857-May 11, 1858	Third
May 11, 1858-March 4, 1885	Sixth
March 4, 1885-March 12, 1897	Thirteenth
March 12, 1897--	Seventeenth

Kanabec

March 13, 1858-April 11, 1907	First
April 11, 1907--	Nineteenth

Counties and Their Districts

Kandiyohi

March 20, 1858-March 5, 1870	Fourth
March 5, 1870-March 7, 1870	Ninth
March 7, 1870-March 3, 1875	Fourth
March 3, 1875--	Twelfth

Kittson (Pembina)

October 27, 1849-May 11, 1858	Third
May 11, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887--	Fourteenth

Koochiching

December 19, 1906--	Fifteenth
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Lac qui Parle

March 6, 1871-March 3, 1875	Ninth
March 3, 1875--	Twelfth

Lake

March 1, 1856-May 11, 1858	Second
May 11, 1858-July 31, 1866	First
July 31, 1866-March 5, 1874	Seventh
March 5, 1874--	Eleventh

Lake of the Woods

November 28, 1922--	Fifteenth
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Counties and Their Districts

Le Sueur

March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	Third
May 11, 1858-March 5, 1870	Sixth
March 5, 1870--	Eighth

Lincoln

March 6, 1873--	Ninth
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Lyon

March 6, 1868-March 10, 1873	Sixth
March 10, 1873--	Ninth

McLeod

March 1, 1856-May 11, 1858	Third
May 11, 1858-July 31, 1866	Sixth
July 31, 1866-March 5, 1870	Fourth
March 5, 1870--	Eighth

Mahnomen

December 27, 1906--	Fourteenth
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Marshall

February 25, 1879-March 8, 1887	Eleventh
March 8, 1887--	Fourteenth

Martin

May 23, 1857-May 11, 1858	Third
May 11, 1858-March 12, 1897	Sixth
March 12, 1897--	Seventeenth

Counties and Their Districts

Meeker

February 23, 1856-March 8, 1858	Third
March 8, 1858-March 5, 1870	Fourth
March 5, 1870-March 7, 1870	Ninth
March 7, 1870-March 3, 1875	Fourth
March 3, 1875--	Twelfth

Mille Lacs

May 23, 1857-March 18, 1858	Second
March 18, 1858-July 31, 1866	Fourth
July 31, 1866--	Seventh

Morrison

February 25, 1856-March 18, 1858	Second
March 18, 1858-July 31, 1866	Fourth
July 31, 1866--	Seventh

Mower

*May 23, 1857-May 11, 1858	Third
May 11, 1858-March 2, 1872	Fifth
March 2, 1872--	Tenth

Murray

May 23, 1857-May 11, 1858	Third
May 11, 1858-March 4, 1885	Sixth
March 4, 1885--	Thirteenth

Nicollet

March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	Third
May 11, 1858-March 5, 1870	Sixth
March 5, 1870--	Ninth

Counties and Their Districts

Nobles

May 23, 1857-May 11, 1858	Third
May 11, 1858-March 4, 1885	Sixth
March 4, 1885--	Thirteenth

Norman

February 17, 1881-March 8, 1887	Eleventh
March 8, 1887--	Fourteenth

Olmsted

February 20, 1855-May 11, 1858	First
May 11, 1858--	Third

Otter Tail

March 18, 1858-July 31, 1866	Fourth
July 31, 1866	Seventh

Pennington

November 23, 1910--	Fourteenth
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Pine

March 1, 1856-April 11, 1907	First
April 11, 1907--	Nineteenth

Pipestone

May 23, 1857-May 11, 1858	Third
May 11, 1858-March 4, 1885	Sixth
March 4, 1885--	Thirteenth

Counties and Their Districts

Polk

July 20, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887--	Fourteenth

Pope

February 20, 1862-July 31, 1866	Fourth
July 31, 1866-April 6, 1893	Seventh
April 6, 1893--	Sixteenth

Ramsey

October 27, 1849-February 2, 1854	First
February 2, 1854--	Second

Red Lake

December 24, 1896--	Fourteenth
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Redwood

February 6, 1862-March 5, 1870	Sixth
March 5, 1870--	Ninth

Renville

February 20, 1855-May 11, 1858	Third
May 11, 1858-March 5, 1870	Sixth
March 5, 1870-March 13, 1897	Ninth
March 13, 1897--	Twelfth

Rice

March 5, 1853-February 7, 1854	Second
February 7, 1854-May 11, 1858	Third
May 11, 1858--	Fifth

Counties and Their Districts

Rock

May 23, 1857-May 11, 1858
 May 11, 1858-March 4, 1885
 March 4, 1885--

Third
 Sixth
 Thirteenth

Roseau

December 31, 1894--

Fourteenth

St. Louis

March 1, 1856-May 11, 1858
 May 11, 1858-July 31, 1866
 July 31, 1866-March 5, 1874
 March 5, 1874--

Second
 First
 Seventh
 Eleventh

Scott

March 5, 1853-February 7, 1854
 February 7, 1854-May 11, 1858
 May 11, 1858-March 5, 1870
 March 5, 1870--

Second
 Third
 Fifth
 Eighth

Sherburne

February 25, 1856-May 11, 1858
 May 11, 1858-July 31, 1866
 July 31, 1866-April 21, 1897
 April 21, 1897--

Second
 Fourth
 Seventh
 Eighteenth

Sibley

March 5, 1853-February 7, 1854
 February 7, 1854-May 11, 1858
 May 11, 1858-March 5, 1870
 March 5, 1870--

Second
 Third
 Sixth
 Eighth

Counties and Their Districts

Stearns

February 20, 1855-May 11, 1858	Second
May 11, 1858-July 31, 1866	Fourth
July 31, 1866--	Seventh

Steele

*May 11, 1858--	Fifth
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Stevens

February 20, 1862-July 31, 1866	Sixth
July 31, 1866-March 3, 1875	Seventh
March 3, 1875-March 8, 1887	Twelfth
March 8, 1887--	Sixteenth

Swift

February 18, 1870-February 29, 1872	Seventh
February 29, 1872-March 4, 1874	Ninth
March 4, 1874-March 3, 1875	Fourth
March 3, 1875--	Twelfth

Todd

February 20, 1855-May 11, 1858	Second
May 11, 1858-July 31, 1866	Fourth
July 31, 1866--	Seventh

Traverse

February 20, 1862-July 31, 1866	Sixth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 3, 1875	Eleventh
March 3, 1875-March 8, 1887	Twelfth
March 8, 1887--	Sixteenth

Counties and Their Districts

Wabasha

October 27, 1849-March 6, 1852	Second
March 6, 1852-March 5, 1853	First
March 5, 1853-May 11, 1858	Second
May 11, 1858--	Third

Wadena

June 11, 1858-July 31, 1866	Fourth
July 31, 1866-March 5, 1874	Seventh
March 5, 1874-March 8, 1887	Eleventh
March 8, 1887-April 17, 1899	Fifteenth
April 17, 1899--	Seventh

Waseca

*May 11, 1858--	Fifth
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Washington

October 27, 1849-March 6, 1852	Second
March 6, 1852-May 19, 1857	First
May 19, 1857-May 11, 1858	Second
May 11, 1858-April 11, 1907	First
April 11, 1907--	Nineteenth

Watonwan

February 25, 1860--	Sixth
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Wilkin (Toombs-Andy Johnson)

March 18, 1858-July 31, 1866	Fourth
July 31, 1866-March 3, 1875	Seventh
March 3, 1875-March 8, 1887	Twelfth
March 8, 1887--	Sixteenth

Counties and Their Districts

Winona

February 23, 1854-May 11, 1858	First
May 11, 1858--	Third

Wright

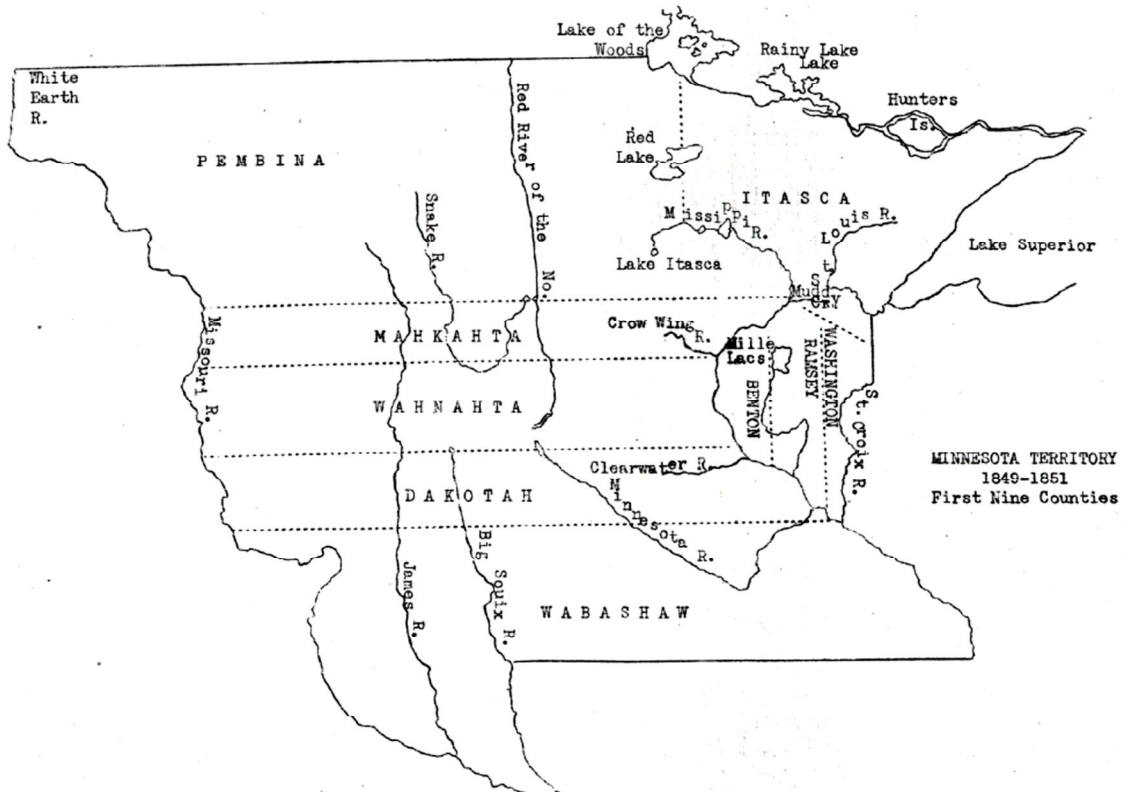
February 20, 1855-May 11, 1858	Second
May 11, 1858-April 21, 1897	Fourth
April 21, 1897--	Eighteenth

Yellow Medicine

March 6, 1871-March 3, 1875	Ninth
March 3, 1875--	Twelfth

*The dates here given for the beginning of judicial affiliation for Dodge, Freeborn, Mower, Steele, and Waseca, are not the dates upon which they were created. Boundaries as laid down for their parent counties in 1853 were all dependent upon the location of the "upper branch of the Cannon River" and its "lower fork as laid down on Nicollet's map." This location was and still is in dispute. In addition to this, some of the boundaries were on an oblique line to present boundaries. Under these circumstances a discussion of probable original judicial affiliation of the five counties mentioned has not been considered feasible.

APPENDIX



PRESENT MINNESOTA COUNTIES

Together with date of establishment by Acts of the Legislature
or by Proclamation of the Governor

County	Date	County	Date
Aitkin	May 23, 1857	Le Sueur	March 5, 1853
Anoka	May 23, 1857	Lincoln	March 6, 1873
Becker	March 18, 1858	Lyon	March 6, 1868
Beltrami	Feb. 28, 1866	McLeod	March 1, 1856
Benton	Oct. 27, 1849	Mahnomen	Dec. 27, 1906
Big Stone	Feb. 20, 1862	Marshall	Feb. 25, 1879
Blue Earth	March 5, 1853	Martin	May 23, 1857
Brown	Feb. 20, 1855	Meeker	Feb. 23, 1856
Carlton	May 23, 1857	Mille Lacs	May 23, 1857
Carver	Feb. 20, 1855	Morrison	Feb. 25, 1856
Cass	Sept. 1, 1851	Mower	Feb. 20, 1855
Chippewa	Feb. 20, 1862	Murray	May 23, 1857
Chisago	Sept. 1, 1851	Nicollet	March 5, 1853
Clay	March 18, 1858	Nobles	May 23, 1857
Clearwater	Dec. 20, 1902	Norman	Feb. 17, 1881
Cook	March 9, 1874	Olmsted	Feb. 20, 1855
Cottonwood	May 23, 1857	Otter Tail	March 18, 1858
Crow Wing	May 23, 1857	Pennington	Nov. 23, 1910
Dakota	Oct. 27, 1849	Pine	March 1, 1856
Dodge	Feb. 20, 1855	Pipestone	May 23, 1857
Douglas	March 8, 1858	Polk	July 20, 1858
Faribault	Feb. 20, 1855	Pope	Feb. 20, 1862
Fillmore	March 5, 1853	Ramsey	Oct. 27, 1849
Freeborn	Feb. 20, 1855	Red Lake	Dec. 24, 1896
Goodhue	March 5, 1853	Redwood	Feb. 6, 1862
Grant	March 6, 1868	Renville	Feb. 20, 1855
Hennepin	March 6, 1852	Rice	March 5, 1853
Houston	Feb. 23, 1854	Rock	May 23, 1857
Hubbard	Feb. 26, 1883	Roseau	Dec. 31, 1894
Isanti	Feb. 13, 1857	St. Louis	March 1, 1856
Itasca	Oct. 27, 1849	Scott	March 5, 1853
Jackson	May 23, 1857	Sherburne	Feb. 25, 1856
Kanabec	March 13, 1858	Sibley	March 5, 1853
Kandiyohi	March 20, 1858	Stearns	Feb. 20, 1855
Kittson	Oct. 27, 1849	Steele	Feb. 20, 1855
Koochiching	Dec. 19, 1906	Stevens	Feb. 20, 1862
Lac qui Parle	March 6, 1871	Swift	Feb. 18, 1870
Lake	March 1, 1856	Todd	Feb. 20, 1855
Lake of the		Traverse	Feb. 20, 1862
Woods	Nov. 28, 1922	Wabasha	Oct. 27, 1849

Present Minnesota Counties

County	Date	County	Date
Wadena	June 11, 1858	Wilkin	March 18, 1858
Waseca	Feb. 27, 1857	Winona	Feb. 23, 1854
Washington	Oct. 27, 1849	Wright	Feb. 20, 1855
Watsonwan	Feb. 25, 1860	Yellow Medicine	March 6, 1871

The dates here given are the dates when the present counties were created, regardless of whether the same names may have been borne by other counties, now obliterated, in a different area. Where counties now bear a different name than that under which they were created, the date of the original creation is given.

Fifty-seven of the eighty-seven counties in Minnesota were created during the Territorial period before May 11, 1858. Fourteen were created between that date and 1869. Seven, namely Swift, Lac qui Parle, Yellow Medicine, Lincoln, Cook, Kittson, and Marshall Counties were created during the next ten years. Nine, namely Norman, Hubbard, Roseau, Red Lake, Clearwater, Koochiching, Mahnomen, Pennington, and Lake of the Woods have since been added to the list by proclamation.

Several counties which were created, or "established," by the Legislature in the early days, never came into being. Some of the present counties, as for instance Lincoln, Lac qui Parle, and St. Louis, occupy none of the area originally designated by those names. On the other hand there are a few counties which are a continuation of counties which were created under other names, such as Kittson, formerly Pembina; Wilkin, formerly Toombs and Andy Johnson; Clay, formerly Breckenridge. Monongalia was absorbed by Kandiyohi, and Manomin was absorbed by Anoka. Two counties have traded names. After Rock and Pipestone Counties were created, the solons discovered that the quartzite outcrop called "The Rock" was in Pipestone County, and the pipestone quarry was in Rock County, so an adjustment was made accordingly. Wabasha County was once spelled with a final "w" and Dakota with a final "h", while the name of Aitkin County was once "Aiken".

DISTRICT COURT JUDGES

TERRITORIAL

Chief Justices

Aaron Goodrich: June 1, 1849, to November 13, 1851
 Jerome Fuller: November 13, 1851, to December 16, 1852
 Henry Z. Hayner: December 16, 1852, to April 7, 1853
 (Never presided at a term)
 William H. Welch: April 7, 1853, to May 24, 1858

Associate Justices

David Cooper: June 1, 1849, to April 7, 1853
 Bradley B. Meeker: June 1, 1849, to April 7, 1853
 Andrew G. Chatfield: April 7, 1853, to April 23, 1857
 Moses G. Sherburne: April 7, 1853, to April 13, 1857
 R. R. Nelson: April 23, 1857, to May 24, 1858
 Charles E. Flandrau: April 23, 1857, to May 24, 1858

STATE

First District

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
S. J. R. McMillan	Stillwater	Washington	May 24, 1850
Charles McClure	Stillwater	Washington	Aug. 1864
F. M. Crosby	Hastings	Dakota	Jan. 1, 1872
Wm. M. McCluer	Stillwater	Washington	Nov. 19, 1881
Hollis R. Murdock	Stillwater	Washington	Sept. 24, 1890
W. C. Williston	Red Wing	Goodhue	Feb. 4, 1891
Albert W. Johnson	Red Wing	Goodhue	Aug. 13, 1909
Wm. Hodgson	Hastings	Dakota	Nov. 25, 1910
Willard L. Converse	South St. Paul	Dakota	Nov. 6, 1914
*W. A. Schultz	South St. Paul	Dakota	March 14, 1924
*Charles P. Hall	Red Wing	Goodhue	Jan. 8, 1929

District Court Judges

Second District

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
E. C. Palmer	St. Paul	Ramsey	May 24, 1858
Wescott Wilkin	St. Paul	Ramsey	Jan. 1, 1865
H. R. Brill	St. Paul	Ramsey	Jan. 1, 1876
Orlando Simons	St. Paul	Ramsey	Jan. 1, 1876
L. M. Vilas	St. Paul	Ramsey	Feb. 15, 1889
William L. Kelly	St. Paul	Ramsey	March 17, 1887
C. D. Kerr	St. Paul	Ramsey	Feb. 14, 1889
Charles E. Otis	St. Paul	Ramsey	Aug. 28, 1889
James E. Egan	St. Paul	Ramsey	Jan. 3, 1891
W. D. Cornish	St. Paul	Ramsey	Dec. 5, 1890
J. W. Willis	St. Paul	Ramsey	Dec. 1, 1892
O. B. Lewis	St. Paul	Ramsey	Jan. 5, 1897
George L. Bunn	St. Paul	Ramsey	Jan. 2, 1897
E. A. Jaggard	St. Paul	Ramsey	Jan. 2, 1899
Grier M. Orr	St. Paul	Ramsey	Jan. 5, 1903
Oscar Hallam	St. Paul	Ramsey	Jan. 2, 1905
F. M. Catlin	St. Paul	Ramsey	Jan. 7, 1913
Fred N. Dickson	St. Paul	Ramsey	Feb. 18, 1911
*Hugo O. Hanft	St. Paul	Ramsey	Jan. 5, 1915
*James C. Michael	St. Paul	Ramsey	Feb. 25, 1915
C. C. Haupt	St. Paul	Ramsey	April 23, 1917
F. M. Catlin	St. Paul	Ramsey	April 1921
John B. Sanborn	St. Paul	Ramsey	April 1922
*John W. Boerner	St. Paul	Ramsey	Jan. 2, 1923
Chas. Bechoefer	St. Paul	Ramsey	Jan. 3, 1923
Richard Dillon O'Brien	St. Paul	Ramsey	April 17, 1923
*Carlton McNally	St. Paul	Ramsey	March 28, 1925
*Kenneth Gray Brill	St. Paul	Ramsey	May 16, 1929
Howard Wheeler	St. Paul	Ramsey	Nov. 17, 1930
*Gustavus Loevinger	St. Paul	Ramsey	March 10, 1931
*Richard A. Walsh	St. Paul	Ramsey	Sept. 8, 1931
*Clayton Parks	St. Paul	Ramsey	Jan. 2, 1939
*Albin S. Pearson	St. Paul	Ramsey	Oct. 4, 1939

Third District

Thomas Wilson	Winona	Winona	May 24, 1858
Lloyd Barber	Winona	Winona	Sept. 12, 1864
C. N. Waterman	Winona	Winona	Jan. 1, 1872
John Van Dyke	Winona	Winona	Feb. 28, 1873
William Mitchell	Winona	Winona	Jan. 8, 1874
Chas. M. Start	Rochester	Olmsted	March 14, 1881
O. B. Gould	Winona	Winona	Jan. 7, 1895
A. H. Snow	Winona	Winona	Jan. 5, 1897
George W. Granger	Rochester	Olmsted	April 13, 1915
Charles E. Callaghan	Rochester	Olmsted	Sept. 15, 1917
*Vernon Gates	Rochester	Olmsted	Aug. 28, 1926
*Karl Finkelnburg	Winona	Winona	March 18, 1925

District Court Judges

Fourth District

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
James Hall	Little Falls	Morrison	May 24, 1858
Edward O. Hamlin	St. Cloud	Stearns	Oct. 1, 1858
Chas. E. Vanderburgh	Minneapolis	Hennepin	Nov. 1, 1859
A. H. Young	Minneapolis	Hennepin	Feb. 26, 1877
John M. Shaw	Minneapolis	Hennepin	Jan. 13, 1882
M. B. Koon	Minneapolis	Hennepin	Jan. 8, 1884
John P. Rea	Minneapolis	Hennepin	May 1, 1886
Wm. Lochren	Minneapolis	Hennepin	Nov. 19, 1881
Henry G. Hicks	Minneapolis	Hennepin	March 15, 1887
Frederick Hooker	Minneapolis	Hennepin	March 5, 1889
Seagrave Smith	Minneapolis	Hennepin	March 5, 1889
Chas. M. Pond	Minneapolis	Hennepin	Nov. 18, 1890
Thos. Canty	Minneapolis	Hennepin	Jan. 5, 1891
Robert D. Russell	Minneapolis	Hennepin	May 8, 1893
Robert Jamison	Minneapolis	Hennepin	Sept. 19, 1893
Chas. B. Elliott	Minneapolis	Hennepin	Jan. 3, 1894
Henry C. Belden	Minneapolis	Hennepin	Jan. 7, 1895
David F. Simpson	Minneapolis	Hennepin	Jan. 5, 1897
E. M. Johnson	Minneapolis	Hennepin	May 5, 1897
John F. McGee	Minneapolis	Hennepin	Oct. 20, 1897
Willard R. Cray	Minneapolis	Hennepin	Nov. 19, 1902
William A. Lancaster	Minneapolis	Hennepin	Dec. 1, 1897
Alexander M. Harrison	Minneapolis	Hennepin	May 19, 1898
Chas. M. Pond	Minneapolis	Hennepin	Jan. 2, 1899
Frank C. Brooks	Minneapolis	Hennepin	Jan. 2, 1899
Andrew Holt	Minneapolis	Hennepin	Jan. 2, 1905
Horace D. Dickinson	Minneapolis	Hennepin	Jan. 2, 1905
John Day Smith	Minneapolis	Hennepin	Jan. 2, 1905
Frederick V. Brown	Minneapolis	Hennepin	Oct. 4, 1905
Wm. H. Donahue	Minneapolis	Hennepin	Jan. 6, 1909
Wilbur F. Booth	Minneapolis	Hennepin	May 20, 1909
Wm. E. Hale	Minneapolis	Hennepin	Nov. 1, 1909
John H. Steele	Minneapolis	Hennepin	Jan. 3, 1911
Edward Foote Waite	Minneapolis	Hennepin	April 15, 1911
Chas. S. Jelley	Minneapolis	Hennepin	Dec. 21, 1911
William C. Leary	Minneapolis	Hennepin	Jan. 7, 1913
Daniel Fish	Minneapolis	Hennepin	Jan. 5, 1915
Joseph L. Molyneaux	Minneapolis	Hennepin	Jan. 5, 1915
C. J. Rockwood	Minneapolis	Hennepin	April 23, 1917
*Winfield W. Bardwell	Minneapolis	Hennepin	Jan. 7, 1919
Frank M. Nye	Minneapolis	Hennepin	Nov. 15, 1920
*Edmund A. Montgomery	Minneapolis	Hennepin	Jan. 4, 1921
C. D. Gould	Minneapolis	Hennepin	Sept. 21, 1921
G. W. Buffington	Minneapolis	Hennepin	March 11, 1922
*Mathias Baldwin	Minneapolis	Hennepin	Dec. 1, 1922
T. H. Salmon	Minneapolis	Hennepin	Jan. 2, 1923
Paul W. Guilford	Minneapolis	Hennepin	Aug. 4, 1923

District Court Judges

Fourth District, cont'd.

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
Robert S. Kolliner	Minneapolis	Hennepin	April 1, 1924
*Frank E. Reed	Minneapolis	Hennepin	Jan. 6, 1925
Gunnar H. Nordbye	Minneapolis	Hennepin	March 30, 1925
*Arthur W. Selover	Minneapolis	Hennepin	Nov. 24, 1930
*Levi M. Hall	Minneapolis	Hennepin	April 23, 1931
*Lars O. Rue	Minneapolis	Hennepin	June 9, 1931
*Vince A. Day	Minneapolis	Hennepin	Dec. 3, 1936
*Paul S. Carroll	Minneapolis	Hennepin	Jan. 5, 1937
*Luther Youngdahl	Minneapolis	Hennepin	Jan. 5, 1937
*Fred B. Wright	Minneapolis	Hennepin	Sept. 3, 1941

Fifth District

N. M. Donaldson	Owatonna	Steele	May 24, 1858
Samuel Lord	Mantorville	Dodge	Jan. 1, 1872
Thomas S. Buckham	Faribault	Rice	Feb. 21, 1880
Arthur B. Childress	Northfield	Rice	Jan. 3, 1911
Fred W. Senn	Waseca	Waseca	Jan. 2, 1923
*Axel B. Anderson	Owatonna	Steele	Aug. 11, 1941

Sixth District

L. Branson			May 24, 1858
Horace Austin	St. Peter	Nicollet	Jan. 1, 1865
M. G. Hanscome	St. Peter	Nicollet	Oct. 1, 1869
Franklin H. Waite	Mankato	Blue Earth	Jan. 1, 1870
A. C. Woolfolk	Mankato	Blue Earth	Oct. 1, 1874
D. A. Dickinson	Mankato	Blue Earth	Jan. 1, 1875
M. J. Severance	Mankato	Blue Earth	June 27, 1881
Lorin Cray	Mankato	Blue Earth	Jan. 1, 1900
A. R. Pfau	Mankato	Blue Earth	May 1, 1908
W. L. Comstock	Mankato	Blue Earth	Jan. 5, 1915
*Harry A. Johnson	Mankato	Blue Earth	Jan. 4, 1927

Seventh District

James M. McKelvey	St. Cloud	Stearns	Aug. 1, 1866
L. M. Collins	St. Cloud	Stearns	April 19, 1883
L. L. Baxter	Fergus Falls	Otter Tail	March 18, 1885
D. B. Searle	St. Cloud	Stearns	Nov. 14, 1887
Myron D. Taylor	St. Cloud	Stearns	Dec. 1, 1906
Carroll A. Nye	Moorhead	Clay	Jan. 3, 1911
William L. Parsons	Fergus Falls	Otter Tail	April 18, 1913
John A. Roeser	St. Cloud	Stearns	April 1, 1913
*Don M. Cameron	Little Falls	Morrison	Nov. 13, 1928

District Court Judges

Seventh District, cont'd.

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
*Anton Thompson	Fergus Falls	Otter Tail	March 27, 1931
*Byron R. Wilson	Wadena	Wadena	Dec. 5, 1935
*J. B. Himsel	St. Cloud	Stearns	Nov. 16, 1936

Eighth District

L. M. Brown	Shakopee	Scott	March 11, 1870
A. G. Chatfield	Belle Plaine	Scott	Jan. 1, 1871
L. M. Brown	Shakopee	Scott	Oct. 29, 1871
J. L. McDonald	Shakopee	Scott	Jan. 3, 1877
James C. Edson	Glencoe	McLeod	Nov. 4, 1886
Francis Cadwell	Le Sueur	Le Sueur	Feb. 9, 1891
P. W. Morrison	Norwood	Carver	Jan. 2, 1905
Cyril M. Tiffet	Glencoe	McLeod	Jan. 2, 1917
*Jos. J. Moriarity	Shakopee	Scott	June 21, 1938

Ninth District

M. G. Hanscome	St. Peter	Nicollet	March 11, 1870
E. St. Julian Cox	St. Peter	Nicollet	Jan. 1, 1877
H. D. Baldwin	Redwood Falls	Redwood	April 4, 1882
B. F. Weber	New Ulm	Brown	Jan. 3, 1883
I. M. Olsen	Sleepy Eye	Brown	Nov. 15, 1906
Frank Clague	Redwood Falls	Redwood	Jan. 7, 1919
I. M. Olsen	New Ulm	Brown	Feb. 1, 1920
A. B. Gislason	Marshall	Lyon	April 10, 1923
*Albert H. Enersen	Marshall	Lyon	July 22, 1926
*A. B. Gislason	New Ulm	Brown	Oct. 26, 1927

Tenth District

Sherman Page	Austin	Mower	Jan. 1, 1873
John Q. Farmer	Spring Valley	Fillmore	Jan. 10, 1880
John Whytock	Albert Lea	Freeborn	Jan. 2, 1893
Nathan Kingsley	Austin	Mower	Nov. 26, 1898
S. D. Catherwood	Austin	Mower	June 12, 1916
John F. D. Meighen	Albert Lea	Freeborn	June 6, 1921
Ralph J. Parker	Spring Valley	Fillmore	Jan. 2, 1923
*Norman E. Peterson	Albert Lea	Freeborn	Jan. 5, 1923

District Court Judges

Eleventh District

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
O. P. Stearns	Duluth	St. Louis	April 23, 1874
R. Reynolds	Crookston	Polk	March 19, 1885
Ira B. Mills	Moorhead	Clay	March 8, 1887
J. D. Ensign	Duluth	St. Louis	April 16, 1889
Charles L. Lewis	Duluth	St. Louis	March 14, 1893
Samuel H. Moer	Duluth	St. Louis	Jan. 3, 1894
Page Morris	Duluth	St. Louis	Sept. 2, 1895
W. A. Cant	Duluth	St. Louis	Jan. 5, 1897
H. B. Dibell	Duluth	St. Louis	Jan. 1, 1900
*Martin Hughes	Hibbing	St. Louis	April 1, 1909
Herbert A. Dancer	Duluth	St. Louis	April 19, 1911
*Bert Fesler	Duluth	St. Louis	March 14, 1913
*Edward Freeman	Virginia	St. Louis	April 23, 1917
*C. R. Magney	Duluth	St. Louis	Jan. 4, 1921
Henry J. Grannis	Duluth	St. Louis	July 20, 1923
*Edwin J. Kenny	Duluth	St. Louis	Feb. 1, 1924
*Mark Nolan	Gilbert	St. Louis	Jan. 5, 1937

Twelfth District

John H. Brown	Willmar	Kandiyohi	March 13, 1875
Gorham Powers	Granite Falls	Yellow Medicine	Jan. 31, 1890
*G. E. Qvale	Willmar	Kandiyohi	April 30, 1897
Richard T. Daly	Renville	Renville	Feb. 25, 1915
*Harold Baker	Renville	Renville	Jan. 2, 1923

Thirteenth District

A. D. Perkins	Windom	Cottonwood	March 17, 1885
P. E. Brown	Luverne	Rock	Feb. 25, 1891
L. S. Nelson	Worthington	Nobles	Jan. 3, 1911
C. T. Howard	Pipestone	Pipestone	Jan. 8, 1929
George P. Gurley	Pipestone	Pipestone	Jan. 8, 1935
*Charles A. Flinn	Windom	Cottonwood	Dec. 1, 1936

Fourteenth District

Ira B. Mills	Moorhead	Clay	March 8, 1887
Frank Ives	Crookston	Polk	Jan. 2, 1893
Wm. Watts	Crookston	Polk	Jan. 3, 1899
Andrew Grindeland	Warren	Marshall	March 24, 1903
Julius J. Olson	Warren	Marshall	Dec. 1, 1930
Michael A. Brattland	Ada	Norman	March 1, 1933
*James E. Montague	Crookston	Polk	March 27, 1934
*Oscar Knutson	Warren	Marshall	Jan. 2, 1941

District Court Judges

Fifteenth District

<u>Judges</u>		<u>County</u>	<u>Assumed Office</u>
C. B. Sleeper	Brainerd	Crow Wing	March 10, 1887
Geo. W. Holland	Brainerd	Crow Wing	Jan. 5, 1889
W. S. McClenahan	Brainerd	Crow Wing	Jan. 7, 1901
Marshall A. Spooner	Bemidji	Beltrami	March 27, 1903
C. M. Stanton	International Falls	Koochiching	April 1908
E. F. Wright	Park Rapids	Hubbard	Dec. 29, 1908
C. M. Stanton	Bemidji	Beltrami	Feb. 10, 1909
*Graham M. Torrance	Bemidji	Beltrami	June 15, 1927
M. E. Ryan	Brainerd	Crow Wing	Jan. 25, 1930
*Alfred L. Thwing	Grand Rapids	Itasca	Jan. 6, 1931
*D. H. Fullerton	Brainerd	Crow Wing	Nov. 6, 1936

Sixteenth District

Calvin L. Brown	Morris	Stevens	March 10, 1887
F. J. Steidl	Wheaton	Traverse	Aug. 30, 1899
Stephen A. Flaherty	Morris	Stevens	Jan. 7, 1901
*E. R. Selnes	Glenwood	Pope	Dec. 1, 1941

Seventeenth District

Jas. H. Quinn	Fairmont	Martin	March 12, 1897
E. C. Dean	Fairmont	Martin	Jan. 2, 1917
*Julius E. Haycraft	Fairmont	Martin	May 8, 1925

Eighteenth District

Jos. C. Tarbos	Monticello	Wright	May 5, 1897
A. E. Giddings	Anoka	Anoka	Jan. 2, 1899
*Leonard Keyes	Columbia Heights	Anoka	Jan. 8, 1934

Nineteenth District

P. H. Stolberg	Harris	Chisago	April 11, 1907
J. C. Nethaway	Stillwater	Washington	Jan. 6, 1916
Jasper N. Searles	Stillwater	Washington	July 14, 1917
*Alfred P. Stolberg	Center City	Chisago	Jan. 6, 1925

*Incumbents

ORGANIC ACT OF MINNESOTA

Sec. 9. AND BE IT FURTHER ENACTED, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and places as may be prescribed by law; and the said judges shall, after their appointment, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of probate courts and justices of the peace, shall be as limited by law; provided, that the justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court, or the judges thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception and appeals shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law, but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeal in all such cases shall be made to the supreme court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of the late Wisconsin Territory received for similar services.

Organic Act of Minnesota

Sec. 15. AND BE IT FURTHER ENACTED, That all suits, process and proceedings, civil and criminal, at law or in chancery, and all indictments and informations, which shall be pending and undetermined in the courts of the Territory of Wisconsin, within the limits of said Territory of Minnesota, when this act shall take effect, shall be transferred to be heard, tried, prosecuted and determined in the district courts hereby established, which may include the counties or districts where any such proceedings may be pending. All bonds, recognizances, and obligations of every kind whatsoever, valid under the existing laws, within the limits of said Territory, shall be valid under this act; and all crimes and misdemeanors against the laws, in force within said limits, may be prosecuted, tried, and punished in the courts established by this act; and all penalties, forfeitures, actions, and causes of action may be recovered under this act the same as they would have been under the laws in force within the limits composing said Territory at the time this act shall go into operation.

Sec. 17. AND BE IT FURTHER ENACTED, That the sum of \$5,000 be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to be expended by and under the direction of the said governor of the Territory of Minnesota, in the purchase of a library, to be kept at the seat of government for the use of the governor, legislative assembly, judges of the supreme court, secretary, marshal, and attorneys of said Territory, and such other persons and under such regulations as shall be prescribed by law.

Sec. 19. AND BE IT FURTHER ENACTED, That temporarily, and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Note. The Organic Act of Minnesota is embodied in 9 U.S. Stat. 403-409.

CONSTITUTION OF THE STATE OF MINNESOTA

ARTICLE VI

Judiciary

Judicial Powers. Section 1. The judicial power of the State shall be vested in the supreme court, district courts, courts of probate, justices of the peace, and such other courts, inferior to the supreme court, as the legislature may from time to time establish by a two-thirds vote.

Election and term of office for judges. Sec. 3. The judges of the supreme court shall be elected by the electors of the State at large, and their term of office shall be six years, and until their successors are elected and qualified.

District judges may act where supreme judges are disqualified. Whenever all or a majority of the judges of the supreme court shall, from any cause be disqualified from sitting in any case in said court, the governor, or, if he shall be interested in the result of such case, then the lieutenant governor, shall assign judges of the district court of the State, who shall sit in such case in place of such disqualified judges, with all the powers and duties of judges of the supreme court.

Judicial districts for district courts-election of judges-term of office and residence. Sec. 4. The State shall be divided by the legislature into judicial districts, which shall be composed of contiguous territory, be bounded by county lines, and contain a population as nearly equal as may be practicable. In each judicial district, one or more judges, as the legislature may prescribe, shall be elected by the electors thereof, whose term of office shall be six years, and each of said judges shall severally have and exercise the powers of the court, under such limitations as may be prescribed by law. Every district judge shall, at the time of his election, be a resident of the district for which he shall be elected, and shall reside therein during his continuance in office. In case any court of common pleas heretofore established shall be abolished, the judge of said court may be constituted by the legislature one of the judges of the district court of the district wherein such court has been so established for a period not exceeding the unexpired term for which he was elected.

Jurisdiction of district courts. Sec. 5. The district courts shall have original jurisdiction in all civil cases, both in law and equity, where the amount in controversy exceeds one hundred dollars, and in all criminal cases where the punishment shall exceed three months' imprisonment or a fine of more than one

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hundred dollars, and shall have such appellate jurisdiction as may be prescribed by law. The legislature may provide by law that the judge of one district may discharge the duties of judge of any other district not his own, when convenience or the public interest may require it.

Qualifications. Sec. 6. The judges of the supreme and district courts shall be men learned in the law, and shall receive such compensation at stated times as may be prescribed by the legislature; which compensation shall not be diminished during their continuance in office, but they shall receive no other fee or reward for their services.

Judges for other courts to be elected. Sec. 9. All judges other than those provided for in this Constitution shall be elected by the electors of the judicial district, county, or city, for which they shall be created, not for a longer term than seven years.

Vacancies-appointment by governor. Sec. 10. In case the office of any judge become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor is elected and qualified. And such successor shall be elected at the first annual election that occurs more than thirty days after the vacancy shall have happened.

Prohibition, supreme or district judges to hold other offices or to be voted for office while in office. Sec. 11. The justices of the supreme court and the district courts shall hold no office under the United States, nor any other office under this State. And all votes for either of them for any elective office under this Constitution, except a judicial office given by the legislature or the people, during their continuance in office, shall be void.

Change of judicial districts. Sec. 12. The legislature may at any time change the number of judicial districts or their boundaries, when it shall be deemed expedient; but no such change shall vacate the office of any judge.

Clerk of court. Sec. 13. There shall be elected in each county where a district court shall be held, one clerk of said court, whose qualifications, duties and compensation shall be prescribed by law, and whose term of office shall be four years.

Legal pleadings. Sec. 14. Legal pleadings and proceedings in the courts of this State shall be under the direction of the legislature. The style of all process shall be, "The State of Minnesota," and all indictments shall conclude, "against the peace and dignity of the State of Minnesota."

LEGISLATION

JURISDICTION--The district courts shall have original jurisdiction in all civil actions within their respective districts, in all cases of crime committed or triable therein, in all special proceedings not exclusively cognizable by some other court or tribunal, and in all other cases wherein such jurisdiction is especially conferred upon them by law. They shall also have appellate jurisdiction in every case in which an appeal thereto is allowed by law from any other court, officer, or body. (Laws, 1849, ch. 20, sec. 10; Revised Statutes, 1851, ch. 69, art. 2, sec. 3; Revised Laws, 1905, sec. 90; Mason's, 1927, sec. 154; 1940 supplement, sec. 154, notes.)

ABSENCE OF JUDGE--WHO MAY ACT--EXCEPTIONS--Whenever the judge who should hear any action, motion, or proceeding is unable to be present, any other judge of the same judicial district may act in his place, except in the trial of causes already begun before the judge so absent: Provided, that motions for a new trial shall be heard by the judge before whom the cause was tried, if he be still in office and not disabled. (General Laws, 1889, ch. 153, sec. 1; Revised Laws, 1905, sec. 98; Mason's, 1927, sec. 177.)

POWER TO ISSUE WRITS--Such district courts shall have power to issue writs of injunction, ne exeat, certiorari, habeas corpus, mandamus, quo warranto, and all other writs, processes, and orders necessary to the complete exercise of the jurisdiction vested in them by law, including writs for the abatement of a nuisance. Any judge thereof may order the issuance of such writs, and direct as to their service and return. (Revised Statutes, 1851, ch. 83, secs. 3, 4, 18, 24; General Laws, 1881, extra session, ch. 8; General Statutes, 1894, secs. 4837, 5985; Laws, 1895, ch. 25, sec. 1; 1897, ch. 7, sec. 1; Revised Laws, 1905, sec. 92; Mason's, 1927, sec. 156.)

JUDGES MAY ACT IN OTHER DISTRICTS--Whenever in the judgment of the governor, or of any judge of any judicial district, the convenience or interest of the public or the interest of any litigant shall require that the judge of another judicial district shall discharge any of the duties of such judge, the governor may designate, or such judge may request, a judge of the district court of any other judicial district to discharge any such duties; to hold, or to assist in holding a general or special term of such court, in any county of such judicial district other than his own, or to try and determine any motion, action or proceeding pending therein. And thereupon such judge of the district court, or any other judicial district so designated or requested, may discharge any such duties, hold or assist in holding a general or special term of such court, or try and determine any motion, action, or proceeding pending therein. And by consent of the

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parties any judge of said court may act in all matters brought before him from another judicial district. In either case the acts, orders and judgments of the judge so acting shall have the same force and effect as though given by a judge of such judicial district. When no other provision has been made therefor, the clerk shall seasonably notify the governor of the inability of the judge to hold any of his terms. (Laws, 1849, ch. 20, sec. 15; Revised Statutes, 1851, ch. 69, art. 2, sec. 8; General Laws, 1891, ch. 77; Revised Laws, 1905, sec. 94; Laws, 1907, ch. 157; Mason's, 1927, sec. 158; 1940 supplement, sec. 158, notes.)

ADJOURNED AND SPECIAL TERMS--The judges of each district may adjourn court from time to time during any term thereof, and may appoint special terms for the trial of issues of law and fact, and, when necessary, direct grand or petit juries to be drawn therefor. Three weeks' published notice of every such special term shall be given in the county wherein it is to be held. They may also appoint special terms for the hearing of all matters except issues of fact, the order for which shall be filed with the clerk, and a copy posted in his office for three weeks prior to such term. (Laws, 1849, ch. 20, sec. 32; Revised Statutes, 1851, ch. 69, art. 2, sec. 30; Revised Laws, 1905, sec. 99; Mason's, 1927, sec. 178; 1940 supplement, sec. 178 notes.)

REVISION OF RULES OF PRACTICE AND OTHER JUDICIARY BUSINESS AUTHORIZED--The judges of the district courts shall assemble annually at such time and place as may be designated in a call for such meeting given by the district judge of said state longest in continuous service to revise the general rules of practice in such courts, for which purpose any eighteen of them shall constitute a quorum. When so assembled, such judges may revise and amend such rules as they deem expedient, conformably to law, and the same shall take effect from and after the publication thereof. Such rules, as the same shall be so revised and amended from time to time, shall govern all the district courts of the state; but, in furtherance of justice, they may be relaxed or modified in any case, or a party relieved from the effect thereof, on such terms as may be just. Any other proper business pertaining to the judiciary may also be transacted. (General Laws, 1875, ch. 44, sec. 1; Revised Laws, 1905, sec. 104; Laws, 1919, ch. 33, sec. 1; Mason's, 1927, sec. 182; 1940 supplement, sec. 182, notes.)

SEVERAL JUDGES--DIVISION OF BUSINESS--In districts having more than one judge, the one longest in continuous service, or, if two or more be equal in such service, the one senior in age, shall be the presiding judge thereof. The business of the court may be divided between the judges, and otherwise regulated as they by rule or order shall direct. Each may try court or jury causes separately during the same term and at the same time, or two or more of them may sit together in the trial of any cause or matter before the court. If there be a division of opinion, that

Legislation

of the majority shall prevail. If the division be equal, that of the presiding judge, or, if he be not sitting, that of the judge senior in age, shall prevail. In districts composed of not less than ten counties, the senior judge, at least 30 days before the time appointed by law for the holding of a general term of the court in each county, by order filed in the office of the clerk of the court in that county, shall designate and assign one or more of the judges of such district to preside at the term so appointed, and the clerk forthwith shall mail a copy of such order to each judge of the district. If any judge assigned to hold a term of court as herein provided is incapacitated by illness or otherwise to preside at such term, another judge shall be designated and assigned in like manner to take his place. The same judge shall not be designated or assigned to hold two consecutive general terms in the same county. (General Laws, 1877, ch. 103, sec. 7; 1885, ch. 141, sec. 3; 1887, ch. 104, sec. 2; Revised Laws, 1905, sec. 105; Mason's, 1927, sec. 183; Laws, 1931, ch. 51, sec. 1; Mason's, 1940 supplement, sec. 183 and notes.)

TERMS TO BE PUBLISHED--The secretary of state shall publish in a volume of laws enacted at each legislative session, a schedule of the times of holding court in the several counties as fixed by law. (General Laws, 1883, ch. 7; Revised Laws, 1905, sec. 97; Laws, 1909, ch. 244, sec. 2; Mason's, 1927, sec. 176.)

ELECTION OF CLERK--BOND--DUTIES--There shall be elected in each county a clerk of the district court who before entering upon the duties of his office, shall give bond to the county, to be approved by the County Board, in a penal sum not less than One Thousand Dollars nor more than Ten Thousand Dollars, conditioned for the faithful discharge of his official duties; Provided that in counties having a population of more than 200,000 and less than 350,000 inhabitants the amount of such bond shall be Ten Thousand Dollars, and in counties having a population of more than 350,000 the amount of such bond shall be \$25,000.00, which bond, with his oath of office, shall be filed for record with the Register of Deeds. Such clerk shall perform all duties assigned him by law and by the rules of the court. He shall not practice as an attorney in the court of which he is the clerk. (General Laws, 1895, ch. 337; Revised Laws, 1905, sec. 106; Laws, 1925, ch. 339; Mason's, 1927, sec. 191.)

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