

Money realized by sale, covered into general road and bridge fund legalizd.

bonds has heretofore been covered into the general road and bridge fund of said county by the county treasurer thereof, instead of into a special fund for the construction of the roads for which said bonds were voted, said deposit of said sum to the credit of said general road and bridge fund of said county shall be and the same is hereby legalized, and said sum so covered into said general road and bridge fund by said county treasurer shall be incorporated therewith and become a part thereof, and may hereafter be used and disbursed for any purpose for which said general road and bridge fund may be lawfully used and disbursed;

Provided, however, that nothing herein contained shall operate to in any way invalidate any of said bonds so issued and negotiated.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 17, 1905.

H. F. No. 372.

CHAPTER 227.

Powers of attorney general and assistants.

An act relating to the duties and powers of the attorney general and his assistants.

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

To appear for state.

SECTION 1. The attorney general shall appear for the state in all causes in the supreme and federal courts wherein the state is directly interested; also in all civil causes of like nature in the district courts whenever, in his opinion, the interests of the state require it. Upon request of the county attorney he shall appear in the district court in such criminal cases as he shall deem proper. Whenever the governor shall so request in writing he shall prosecute any person charged with an indictable offense; and in all such cases he may attend upon the grand jury and exercise the powers of a county attorney.

Upon request of county attorney and governor.

May appoint assistants, etc., and keep record of official correspondence and register of legal proceedings.

SEC. 2. The attorney general may appoint, and at his pleasure, remove three assistants, a clerk and a stenographer, who shall render such aid as he may require of them in the discharge of his official duty. He shall keep a record of his official correspondence and of all matters placed in his hands by the governor, auditor, secretary of state or treasurer, or any officer or board in charge of

any of the business of the state upon which any official action is necessary; he shall also keep a register of all legal proceedings instituted by him or in which he appears, and of the several steps taken therein, and he shall keep copies of all official opinions rendered by his office. Each of said assistants shall, when thereunto authorized in writing by the attorney general, have the same authority as the attorney general, to appear before grand juries, or otherwise, in any court in this state.

SEC. 3. He shall cause to be prosecuted all assessors and other officials for such delinquencies in connection with revenue laws as may come to his knowledge; also all bonds of officers and others upon which any liability to the state has accrued. Whenever any corporation shall have offended against the laws of the state, or misused, surrendered, abandoned or forfeited its corporate authority, or any of its franchises or privileges, he shall cause proceedings to be instituted against it.

Prosecute delinquencies of officers, and corporations.

SEC. 4. He shall begin and prosecute actions against all persons claiming to own any portion of the school or other public lands adversely to the state. Whenever, in his opinion, an action can be sustained, and shall cause an appearance to be entered for the state whenever an application to pre-empt any such land shall come to his notice. In case of any such application he may require the county attorney of the county in which the same is made to enter such appearance, and he may cause witnesses to be subpoenaed, and take such other measures in the premises as the public interests may require.

Claims against persons holding lands adversely to the state.

SEC. 5. He shall prepare forms for bonds and other contracts and instruments for the use of state officials, boards and commissions and give legal advice in all matters relating to their official duties, whenever required by the governor, auditor, treasurer or secretary of state, or any board or commission created by law. And whenever required by either house of the legislature he shall give his written opinion upon any question of law.

Prepare forms for bonds for state officials etc.

Opinions on questions of law.

SEC. 6. The attorney general shall act as the attorney for all state officers and all boards or commissions created by law in all matters pertaining to their official duties, and when requested by the attorney general it shall be the duty of any county attorney of the state to appear within his county and act as attorney for any such board, commission or officer in any court of such county; and when in his judgment the public welfare will be promoted

Attorney for state officers, etc.

May employ special attorney.

Other attorneys not to be employed, fee.

Opinion to county, city, etc.

Opinion decisive until reversed by court.

Report to governor.

Annual salary.

thereby, the attorney general may, upon request in writing, employ a special attorney for any such board, commission or officer and fix his compensation, and when such special attorney is so employed his fees shall be paid from the appropriation made for such board, commission or officer. Except as herein provided no board, commission or officer shall hereafter employ any attorney at the expense of the state. The compensation of any attorney employed by the attorney general to assist in criminal prosecutions shall not exceed twenty (\$20.00) dollars per day.

SEC. 7. The attorney general on application shall give his opinion in writing to county, city, village or town attorneys, on questions of public importance: and on application of the state superintendent of public instruction he shall give his opinion in writing upon any question arising under the laws relating to public schools, and on all school matters such opinion shall be decisive until the question involved shall be decided otherwise by a court of competent jurisdiction.

SEC. 8. The attorney general shall report to the governor annually the number, character and result of all actions and proceedings in which he has appeared for the state, the expense incurred by the state in each, and the amount of fines, penalties and other moneys collected; also the opinions of general interest given by him and his assistants since the preceding report, with such recommendations for amendment of the laws as he may deem necessary or proper, and tables shall be appended showing the offenses reported to him by county attorneys.

SEC. 9. The yearly salary of the attorney general shall be four thousand eight hundred (\$4,800) dollars; each of his assistants shall receive an annual salary of three thousand (\$3,000) dollars; the clerk shall receive an annual salary of fifteen hundred (\$1,500) dollars; the stenographer shall receive an annual salary of nine hundred (\$900) dollars; and the money necessary to pay said salaries is hereby appropriated out of any money in the state treasury not otherwise appropriated.

SEC. 10. All acts or parts of acts inconsistent with this act are hereby repealed.

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

Approved April 17, 1905.