

CHAPTER 494—H. F. No. 39.

An act to provide one additional judge for the district court of the fourth judicial district of the State of Minnesota.

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

Section 1. Additional judge for Hennepin county in 4th district.—One additional judge of the district court of the fourth judicial district of the State of Minnesota, in addition to the present judge of said court are hereby authorized and the offices of such additional judge are hereby created.

Sec. 2. To be elected at next general election.—The incumbent of the office hereby created shall be elected at the general election to be held next after the passage of this act. The person so to be elected shall have and possess the qualifications prescribed by law for the other judges of said court. He shall take office on the first Monday in January, 1919, and shall serve for a term of six years. His successors shall be elected as shall then be provided by law for the election of judges of said court.

Sec. 3. Rights, powers and privileges.—The incumbent of the office hereby created shall have and exercise all the rights, powers and privileges and shall be subject to the same duties and obligations as are by law granted to or imposed on the other judges of said court. He shall receive the same compensation as such other judges, to be paid in the same manner and at the same time as the other judges of said court.

Sec. 4. Governor to appoint suitable person.—Within five days after the passage of this act, the governor of the State of Minnesota shall appoint one suitable and legally qualified person to hold the office of judge of the district court of the fourth judicial district hereby created, until the election and taking of office by the incumbent thereof under the provisions of section 2 of this act. Any vacancy in the office hereby created shall be filled in like manner as shall be provided by law for the filling of vacancies in the offices of the other judges of the district court of said district.

Approved April 21, 1917.

CHAPTER 495—H. F. No. 149.

An act authorizing the railroad and warehouse commission to make rates for the transportation of sand, gravel and crushed rock used for public purposes.

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

Section 1. Rates ordered for transportation of sand, gravel, etc., for certain purposes.—The railroad and warehouse commission is hereby authorized to make schedules of intra-state

rates for railroads for the transportation of sand, gravel and crushed rock to be used in the construction of public roads and streets by or under the direction of public authorities, which rates may be lower than those charged for transporting the same kind of freight for all other purposes.

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

Approved April 20, 1917.

CHAPTER 496—H. F. No. 177.

An act to amend Section 8513, General Statutes of 1913, providing for the creation of the office of public defender in counties now or hereafter having a population of 300,000 or over, to prescribe his duties, manner of appointment, term of office, salary, and to provide for the appointment and salaries of his assistants.

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

Section 1. **Public defender for Hennepin county, to be appointed of unanimous vote of judges.**—That section 8513, General Statutes of 1913 be and the same is hereby amended so as to read as follows: whenever a defendant shall be arraigned upon indictment or information for any felony or gross misdemeanor, and shall request the court to appoint counsel to assist in his defense, and satisfied it by his own oath or other required proof that he is unable, by reason of poverty, to procure counsel, such court shall appoint counsel, not exceeding two for such defendant, to be paid, upon his order, by the county in which the indictment was found. Compensation, not exceeding ten (\$10.00) dollars per day for each counsel, for the number of days he is actually employed in the court, shall be fixed by the court in each case; provided that in counties now or hereafter having a population of 300,000 or over the judges of the district court of such county, may by a *unanimous vote*, appoint an attorney at law, a member of the bar in such county to appear for and defend all persons charged with a felony or gross misdemeanor in such county who are unable by reason of poverty to employ counsel.

Sec. 2. **Duties of public defender.**—The attorney so appointed as aforesaid shall be known as the public defender of _____ county. He shall appear for and defend all persons charged with any felony or gross misdemeanor whenever it shall appear to the court that the person accused is unable by reason of poverty to procure counsel.

Sec. 3. **To appear before board of pardons and parole.**—Whenever the committing judge, or the judge in charge of the