

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

criminal court, shall deem it advisable he may by order direct the said public defender to appear before the board of pardons, or parole for and on behalf of any applicant for pardon or parole who was committed from such county.

**Sec. 4. Compensation to be fixed by judges.**—He shall receive compensation for his services as the judges of the district court shall fix, said compensation to be paid by the county in the same manner and at the same time as the salary of other county officials.

**Sec. 5. To be appointed for four years.**—The term of office of the public defender shall be four (4) years, but he may be re-appointed as often as the majority of the judges of the district court shall concur in such re-appointment.

**Sec. 6. Given power to appoint and remove assistants.**—He shall have the power to appoint and remove his assistants and number and compensation of which shall be fixed by the judges of the district court, by an order filed with the county auditor. Their compensation shall be paid by the county in the same manner and at the same time as the salaries of other county officials.

**Sec. 7. To appear for criminals who have plead guilty on information.**—The public defender shall also appear for and on behalf of criminals who shall have pleaded guilty on information as provided in section 9162, General Statutes of 1913, in counties now or hereafter having a population of 300,000 or over.

**Sec. 8. Inconsistent acts repealed.**—All acts or part of acts inconsistent with the provisions in this act are hereby repealed.

**Sec. 9.** This act shall take effect and be in force from and after its passage.

Approved April 21, 1917.

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#### CHAPTER 497—H. F. No. 208.

*An act to amend Section 4796, General Statutes of Minnesota, 1913, relating to beaver, mink and muskrat.*

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

**Section 1. Game and fish commissioner to license killing of mink and muskrats under certain conditions.**—That section 4796 of the General Statutes of Minnesota, 1913, be and the same is made to read as follows:

4796. No person shall take, catch or kill any beaver at any time, or any mink or muskrat between the fifteenth day of April and the first day of December following, and no person shall molest, injure or destroy any muskrat, mink or beaver house, den or dam at any time, or hunt or pursue such animals with