

CHAPTER 28—H. F. No. 252

An act authorizing county boards to appropriate and expend county funds to assist in paying for sites for state armories in certain cases.

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

Section 1. **County boards to purchase armory sites in certain cases.**—That in all cases wherein subsequent to April 1, 1921, the owners of lots or parcels of land situated in any city of the fourth class have conveyed the same to the State of Minnesota and a state armory has been constructed thereon pursuant to the provisions of Chapter 506, Laws, 1921, and such city has contributed and paid not less than \$2,000 to the said owners as part of the agreed purchase price thereof, with the implied understanding that the county board would appropriate and pay the balance of the purchase price as a memorial to the soldiers and sailors of all wars, the county board of any such county hereby is authorized to appropriate and expend from the county funds and to pay to the grantors in such conveyance the amount of the unpaid portion of said purchase price as so agreed upon, with interest thereon at six per cent per annum from the date of delivery of said conveyance to the state; provided, however, that the total amount so appropriated, expended and paid shall not exceed \$3,500.

Approved February 20, 1925.

CHAPTER 29—H. F. No. 86

An act providing for the creation of the office of public defender in counties now or hereafter having a population of more than 240,000 and less than 300,000 prescribing his duties, manner of appointment, term of office, and fixing his salary.

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

Section 1. **Office of Public Defender created.**—That in counties now or hereafter having a population of more than 240,000 and less than 300,000 the judges of the district court of such county may 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.**—The attorney so appointed as aforesaid shall be known as the Public Defender. He shall appear for and defend all persons charged with a 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.—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 for and on behalf of any applicant for pardon who was committed from such county.

Sec. 4. Compensation.—He shall receive such compensation for his services as the judges of the district court shall fix, in a sum not to exceed Eighteen Hundred Dollars (\$1,800), 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. Term of office.—The term of office of the Public Defender shall be two (2) years.

Sec. 6. Shall appear for parties pleading guilty.—The Public Defender shall also appear for and on behalf of criminals who shall have pleaded guilty on information as provided in Section 10667 General Statutes of Minnesota, 1923.

Sec. 7. Inconsistent acts repealed.—All acts or parts of acts inconsistent with the provisions in this act are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved February 23, 1925.

CHAPTER 30.—S. F. No. 419

An act permitting municipal corporations to dam that portion of the Red River of the North that forms the boundary common to the State of Minnesota, and the State of North Dakota, subject to conditions therein expressed.

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

Section 1. Municipal corporations may dam rivers.—Any municipality owning or permanently controlling land upon which a proposed dam is to be constructed may construct a dam thereon and across that portion of the Red River of the North that forms a part of the boundary common to the state of Minnesota and the state of North Dakota, for the purpose of conserving water for municipal, commercial and domestic use, constructing in connection therewith such appliances, fishways, race ways, sluice ways and waste ways as may be necessary or convenient for the proper construction and utility of such dam and as may be required by law. Provided, that if required by law or treaty, the consent of the United States and of the state of North Dakota shall be first obtained.

Approved February 23, 1925.