

the person accused shall be represented by competent counsel; and if he have no means with which to employ counsel, the court shall appoint such counsel and shall be authorized to provide and pay compensation therefor under the provisions of Section 9957, General Statutes of Minnesota 1923.

This section shall not apply to cases where the punishment for the offense to which the prisoner desires to plead guilty is imprisonment *for life* in the state's prison."

Sec. 2. Issues of fact.—Mason's Minnesota Statutes of 1927, Section 10705 is hereby amended so as to read as follows:

"10705. An issue of fact arises: (1) Upon a plea of not guilty; or (2) upon a plea of former conviction or acquittal of the same offence. *Except where defendant waives a jury trial*, every issue of fact shall be tried by a jury of the county in which the indictment was found *or information filed*, unless the action shall have been removed by order of court as provided in sections 10701-10704. *If the defendant shall waive a jury trial, such waiver shall be in writing signed by him in open court after he has been arraigned and has had opportunity to consult with counsel and shall be filed with the clerk. Such waiver may be withdrawn by the defendant at any time before the commencement of the trial.* If the charge against the accused be a misdemeanor, the trial may be had in the absence of the defendant, if he shall appear by counsel; but, if it be for a felony *or gross misdemeanor*, he shall be personally present."

Sec. 3. Application by County Attorney.—Upon application of the county attorney, the district court in which any criminal proceeding is pending, may require the defendant to file with the court notice of intention to claim an alibi, which notice shall specify the county or municipality in which the defendant claims to have been at the time of the commission of the alleged offence, and upon failure to file such notice the trial court may in its discretion exclude evidence of an alibi in the trial of the case.

Approved April 17, 1935.

CHAPTER 195—H. F. No. 259

An act authorizing the purchase and installation of a state radio broadcasting station or stations to be used for police purposes.

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

Section 1. Radio stations may be installed.—The commission of administration and finance is hereby authorized to purchase, secure the necessary air privilege, lease or otherwise acquire, and install one or more radio broadcasting stations to be used for police purposes only, under the direction of the bureau of criminal apprehension.

Sec. 2. Bureau to maintain station.—The bureau is hereby charged with the maintenance, operation and conduct of all radio broadcasting stations established under the provisions of this act.

Sec. 3. Police cars to have radios.—When the broadcasting station or stations authorized by this act have been established and are ready for operation, the bureau shall notify immediately the board of county commissioners in each county of the state that such radio service has been established; and forthwith the board shall provide for the installation in the office of the sheriff and at such other places within each county as it may direct, and in at least one motor vehicle used by the sheriff in the conduct of his office, a locked-in radio receiving set of the character prescribed by the bureau, for use in connection with the broadcasting station or stations so established.

Sec. 4. Receiving stations in cities and villages.—The council of each city in the state shall, and the council of each village in the state may, install and maintain in such place as said council may determine at least one such locked-in radio receiving set as may be prescribed by the bureau for use in law enforcement and police work in such city or village in connection with the broadcasting system thereby established.

Sec. 5. State to furnish broadcasting sets.—The state acting through the commission shall purchase and furnish to the counties, cities and villages of the state the necessary broadcasting sets required by this act. The commission shall purchase and supply the bureau of criminal apprehension with such locked-in radio receiving sets as are deemed necessary by the superintendent.

Sec. 6. Bureau to broadcast criminal information.—It shall be the duty of the bureau to broadcast all police dispatches and reports submitted which in the opinion of the superintendent shall have a reasonable relation to or connection with the apprehension of criminals, the prevention of crime and the maintenance of peace and order throughout the state. Every sheriff, peace officer or other person employing

a radio receiving set under the provisions of this act shall make report to the bureau at such times and containing such information as the superintendent shall direct.

Sec. 7. Telephone and telegraph companies to give priority to messages.—Every telegraph and telephone company operating in the state shall give priority to all messages or calls directed to the broadcasting station or stations established under this act.

Sec. 8. Permission for short wave sets must be secured.—No person other than peace officers within the state and the members of the state highway patrol shall equip any motor vehicle with a short wave length radio receiving set or use the same in such motor vehicle without first obtaining permission to do so from the superintendent of the bureau upon such form of application as he may prescribe.

Sec. 9. Appropriation.—There is hereby appropriated out of any money in the treasury not otherwise appropriated \$25,000.00 for the fiscal year ending July 1, 1936, and \$12,500.00 for the fiscal year ending July 1, 1937, or so much thereof as may be necessary to carry out the provisions of this act.

Sec. 10. Violations—Penalties.—Any telegraph or telephone operator who shall fail to give priority to police messages or calls as provided herein; any person who installs or uses a short wave length radio receiving set in any motor vehicle contrary to the provisions of this act; and any person who wilfully makes any false, misleading or unfounded report to any broadcasting station established hereunder for the purpose of interfering with the operation thereof or with the intention of misleading any officer of this state shall be guilty of a misdemeanor.

Approved April 17, 1935.

CHAPTER 196—H. F. No. 254

An act providing that it shall be a gross misdemeanor for a person admitted to bail when charged with a felony to fail to appear in accordance with his bond or recognizance.

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

Section 1. Jumping bail a gross misdemeanor.—Any person charged with or convicted of a felony who has been admitted to bail or released on recognizance in connection with