

CHAPTER 498—H. F. No. 1326

An act relating to counsel for defendants and providing for a transcript for convicted defendants in certain cases; amending Minnesota Statutes 1953, Section 611.07.

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

Section 1. Minnesota Statutes 1953, Section 611.07 is amended to read:

611.07 **Counsel for defense.** Subdivision 1. When 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, the 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 \$25 per day for each counsel for the number of days he is actually employed in the preparation of the case, and not exceeding \$50 per day for each day in court, together with all necessary and reasonable costs and expenses incurred or paid in said defense, shall be fixed by the court in each case.

Subd. 2. If counsel so appointed shall appeal or procure a writ of error, and after the hearing of the appeal or writ of error the supreme court shall determine that defendant is unable, by reason of poverty, to pay counsel, and that review was sought in good faith and upon reasonable grounds, such counsel may be paid such sum for his services and expenses therein as the supreme court shall determine, to be certified to the county treasurer by the clerk of the supreme court. In any case such compensation and expense shall be paid by the county in which the defendant was accused.

Subd. 3. *When a defendant convicted of a felony or a gross misdemeanor has appealed to the supreme court or has procured a writ of error, or who has otherwise brought the validity of his conviction before the supreme court for review, applies to the district court and makes an adequate showing that because of his poverty he is unable to pay for a transcript which he reasonably needs in presenting the alleged errors raised for appellate review, the district court shall, at the expense of the county in which the defendant was convicted, order a transcript, or a part or an abridgment of the transcript, or a bill of exceptions, as the case may be and as shall be necessary for a proper presentation of defendant's cause for appellate review, unless it shall appear that his cause upon re-*

view may properly be presented on the judgment roll referred to in section 632.04, or on the synopsis of the testimony prepared pursuant to section 640.10, or on any other abridgment or report of testimony made available by law, or on any combination of such available reports or records.

Approved April 18, 1957.

CHAPTER 499—S. F. No. 1565

An act relating to recreational programs; amending Minnesota Statutes 1953, Section 471.16, as amended.

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

Section 1. Minnesota Statutes 1953, Section 471.16, as amended by Laws 1957, Chapter 17, is amended to read:

471.16 May act independently or cooperatively. Any city, however organized, or any village, borough, town, county, school district, or any board thereof, or any incorporated post of the American Legion or any other incorporated veterans' organization, may operate such a program independently, or they may cooperate in its conduct and in any manner in which they may mutually agree; or they may delegate the operation of the program to a recreation board created by one or more of them, and appropriate money voted for this purpose to such board. In the case of school districts the right to enter into such agreements with any other public corporation, board, or body, or the right to delegate power to a board for operating a program of recreation, shall be authorized only by a majority vote cast at an annual school election.

Approved April 18, 1957.

CHAPTER 500—H. F. No. 1840

[Not Coded]

An act relating to the salary of the superintendent of schools in certain counties.

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

Section 1. Superintendent of schools, certain counties, salary. In any county in this state now or hereafter having a population of not less than 39,000, nor more than 42,000