

the legal exercise of authority of the officers of the counties attached.

In suits wherein the Judge is interested, another Judge to hear the cause.

SEC. 3. That whenever a Judge of the District Court shall be interested as counsel, or otherwise, in the event of any cause or matters pending before said Court, in any county of his District, it shall be the duty of the other District Judges, or one of them, when thereunto requested by said Judge so interested as aforesaid, to attend and hold the Court wherein such cause or matter is pending, for the trial of the same, and it shall be the duty of the Judge of any District to discharge the duties of the Judge of any other District not his own, when convenient or the public interest requires it.

SEC. 4. All acts and parts of acts inconsistent with this Act, are hereby repealed.

SEC. 5. This Act shall take effect and be in force from and after its passage.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

APPROVED—August twelfth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
August 12, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER LXVIII.

### *An Act to prescribe the duties of Attorney General.*

- SECTION 1. Attorney General to take oath of office and give bond.
2. Certificate of oath and bond to be filed.
  3. Required to appear for the State in cases before Supreme Court.
  4. Required to appear for the State in any cause on request of Governor or Legislature.
  5. Prosecution of parties for any offence on request of Governor.
  6. Prosecution of official Bonds of delinquent officers.
  7. Prosecutions of Assessors and other officers connected with revenue laws for delinquencies.
  8. Prosecution of incorporated companies for breach of chartered rights.
  9. Proceedings against incorporation where they may be instituted.
  10. Shall give legal advice when required to State officers named.

- SECTION 11. Shall give written opinions upon any question of law on request of the Legislature.
12. Shall advise District Attorneys upon request as to their duties.
  13. To prepare forms of contracts, obligations, &c., on request of State officers.
  14. Serving writs, mileage and fees to Sheriffs.
  15. Upon appeals taken on behalf of State no security to be required.
  16. Office to be kept at Capital—Postage expenses to be audited by Auditor and paid out of State Treasury.
  17. Official register to be kept.
  18. Act takes effect on passage.

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

SECTION 1. That each Attorney General elect, before entering upon the performance of his duties, shall take an oath or affirmation before the Supreme Court, or some Judge thereof, to support the Constitution of the United States, and the Constitution of the State of Minnesota, and faithfully to discharge the duties of his office, and shall also give a bond to the State in the sum of five thousand dollars, with two or more sureties, to be approved by the Governor, conditioned, that he will faithfully discharge his duties as aforesaid, and truly pay into the treasury of State, all public moneys which may come into his hands.

Oath of office and bond

SEC. 2. That a certificate of the oath or affirmation so taken shall be filed, together with the bond, in the office of the Secretary of State, and a record of the same shall be made and kept in the said Secretary's office.

Certificate of oath and bond to be filed

SEC. 3. The Attorney General shall appear for the State in the trial and argument of all causes in the Supreme Court, (whether of a civil equitable or criminal description) where the State may be directly interested.

To appear for state before supreme court

SEC. 4. That he shall, when required by the Governor or Legislature, appear for the State in any Court or tribunal, in any cause to which the State may be a party or in which the State may be directly interested.

Appearance for state before other courts

SEC. 5. That he shall, upon the written request of the Governor, prosecute any person who may be charged with any indictable offense whatever.

Prosecution of parties for offences

SEC. 6. He shall cause to be prosecuted the official bonds of all delinquent officers in which the State may be interested, when the same are directed to be put in suit.

Prosecution of official bonds of delinquent officers

SEC. 7. He shall cause to be prosecuted all assessors and other officers connected with the revenue laws of this State, for all such delinquencies and offenses against those laws as may come to his knowledge. Said suits to be brought in the District Court of the county in which the defendant or any one or more of the defendants may reside or be found.

Prosecution of assessors and tax collectors for delinquency

SEC. 8. That if it shall come to his knowledge that any incorporated company has offended against the laws of the State, misused its corporated authority or any of its franchises or privileges not conferred or surrendered, abandoned or forfeited its corporated authority or any of its franchises or privileges, he shall cause proceedings to be instituted against it.

Prosecutions against incorporated companies for violation of charter

**Institution of proceedings** SEC. 9. Said prosecutions may be instituted in the Supreme Court of the State, or in the District Court of any county wherein such company may have a place of business, or such officer or officers, person or persons reside or may be found.

**Legal advice to state officers** SEC. 10. That he shall, when required, give legal advice to the Governor, the Secretary of State, the Auditor of State, the Treasurer of State, Warden and Directors of the Penitentiary, and Superintendent and Directors of benevolent institutions and common schools, in all matters relating to their official business.

**Written opinions to legislature** SEC. 11. He shall also give his written opinion upon any question of law, to either House of the Legislature, when required.

SEC. 12. He shall advise the District Attorneys of the State, when requested by them, in all matters appertaining to the duties of their offices.

**To prepare forms of contracts &c** SEC. 13. He shall prepare suitable forms of contracts, obligations and other like instruments of writing for the use of the officers of the State, when requested by the Governor, Secretary, Auditor or Treasurer of State.

**Service of writs—fees to sheriff** SEC. 14. That in all cases brought under the provisions of this Act, the writ or writs may be sent to the Sheriff of any county by mail, and returned by him in like manner, for which the Sheriff shall be allowed the same mileage and fees as if the writ or writs had issued out of the District Court of his own county and been returnable thereto.

**Appeals—no security from state** SEC. 15. That upon all appeals taken or sued out by the Attorney General upon behalf of the State, or any of its officers, no security shall be required.

**Office of Attorney General to be at capital** SEC. 16. That the Attorney General shall keep his office at the seat of government, to be provided and furnished at the State's expense, and the accounts for postage upon his official correspondence shall be audited and allowed by the Auditor of State, and paid out of any funds in the State Treasury not otherwise appropriated.

**Official Registry** SEC. 17. That he shall keep, in a book to be provided for that purpose, at the State's expense, a register of all actions, demands, complaints, writs, informations, and other suits prosecuted or defended by him officially, together with all the proceedings had in respect thereof, and also a register of all written official opinions given by him, which said book he shall deliver to his successor at the expiration of his term.

SEC. 18. This Act shall take effect on its passage.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

APPROVED—July twenty-eighth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
July 28, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER LXIX.

### *An Act regulating Limited Partnership.*

- SECTION 1. Limited Partnerships for Mercantile, Mechanical or Manufacturing purposes—Prohibition of banking privileges or insurance.
2. General and special partners, liability of.
  3. General partners to transact the business.
  4. Co-partnerships, certificate for, and what it shall contain.
  5. Acknowledgment of certificate by the parties.
  6. Certificate to be filed with Register of Deeds.
  7. Affidavit of one or more of the partners to be filed with certificate.
  8. Partnership void until foregoing provisions are complied with.
  9. Term of partnership to be published—failure to publish, partnership to be general.
  10. Affidavit of publication to be filed.
  11. Renewal or continuance of partnership, certificate and affidavit to be filed as before.
  12. Dissolution of partnership, caused by changes in name or capital.
  13. Business of partnership—how conducted.
  14. Suits to be brought against general partners only.
  15. Capital stock not to be reduced during partnership—Interest on stock.
  16. If capital stock has been reduced by payment of interest, party receiving to make stock deficit good.
  17. Rights of special partners.
  18. Liability of general partners.
  19. Fraud on the part of any partner, liable for civil damages, and to indictment for misdemeanor.
  20. Sales or assignments made in a state of insolvency void as against creditors.
  21. Sales or assignments by individual partners of their interest, when insolvent, void as against creditors of partnership.
  22. Special partners violating partnership provisions, or consenting thereto, to be held liable as general partners.
  23. In insolvency, claims of creditors to be satisfied before claims of special partners.
  24. Dissolution of partnerships before specified time—public notice and filing of affidavit.
  25. Act takes effect from April 1, 1858.

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

SECTION 1. Limited partnership for the transaction of mercantile, mechanical, or manufacturing business within