

child or youth in a school for the deaf, when such case shall have been reported to him.'

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

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CHAPTER 397—H. F. No. 15.

*An Act to authorize any city in this state not operating under a home rule charter now or hereafter having a population of over fifty thousand inhabitants to issue and sell its bonds for the purpose of arching or covering over any creek flowing in, over or across any public highway in such city.*

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

**\$50,000 bonds authorized for arching certain creek.**—Section 1. Any city in this state not operating under a home rule charter now or hereafter having a population of over fifty thousand inhabitants is hereby authorized and empowered, acting by and through the city council or common council of such city, by resolution duly enacted by an affirmative vote of not less than two-thirds of all members elect of such city council or common council, to issue and sell not to exceed \$50,000.00 par value of the bonds of such city for the purpose of arching or covering over any creek flowing in, over or across any public highway in such city.

**To be issued notwithstanding present indebtedness—Thirty years at 4 per cent—How signed and sold.**—Sec. 2. The bonds authorized by section 1 of this act may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of any such city shall at all times be pledged for the payment of the bonds issued under this act and for the current interest thereon, and the city council or common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

No bonds shall be issued by any such city for the purposes hereinabove mentioned to run for a longer term than thirty years or bearing a higher rate of interest than four (4) per cent, payable semi-annually, but the place of payment of the principal and interest thereof and the denominations in which the same

shall be issued shall be such as may be determined upon by the city council or common council and may be in the form of coupon bonds or registered certificates, so-called.

All such bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller of such city and shall be sealed with the seal of such city, except that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon, and none of such bonds shall be sold at less than their par value and accrued interest, and then only to the highest responsible bidder therefor.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

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#### CHAPTER 398—H. F. No. 53.

*An Act to amend section 4 of chapter 231 of the General Laws of Minnesota for 1905, relating to sentence of persons pleading guilty to crime.*

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

**Sentence on plea of guilty may be in term or in vacation—Duty of sheriff and other officers—Expense—Not to apply where punishment exceeds seven years—Prisoner to be represented by competent counsel.**—Section 1. That section 4 of chapter 231, of the General Laws of 1905, be amended so as to read as follows :

Section 4. That in all cases where a person charged with a criminal offense shall have been held to the district court for trial by any court or magistrate, and in all cases where any person shall have been committed for trial and is in actual confinement or in jail by virtue of an indictment or information pending against him, the court having trial jurisdiction of such offense or of such indictment or information shall have the power at any time, whether in term or vacation, upon the application of the prisoner in writing, stating that he desires to plead guilty to the charge made against him by the complaint, indictment or information, or to a lesser degree of the same offense to direct the county attorney to file an information against him for such offense, if any indictment or information has not been filed, and upon the filing of such information and of such application, the court may receive and record a plea of guilty to the offense charged in such indictment or information, or to a lesser degree of the same offense and cause judgment to be entered thereon and pass sentence on such person pleading guilty, and such pro-