

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.

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-

ceedings may be had either in term time or in vacation, at such place within the judicial district where the crime was committed as may be designated by the court.

And whenever such plea is received at any other place than the county seat of the county wherein the crime charged in the indictment or information was committed, the sheriff or his deputy shall take the defendant to the place designated by the court, and the county attorney and clerk of district court, or his deputy, of the county wherein the crime charged in the indictment or information was committed, shall attend the hearing for the purpose of taking part in the proceedings and recording the plea of the defendant and entering judgment thereon.

And the expense of the sheriff, clerk of district court or their deputies, and county attorney, necessarily incurred and paid by them in attending on such proceedings shall be a charge on the county wherein the crime charged in the indictment or information was committed, and shall be allowed and paid by the county commissioners of said county in the same manner as other claims against the county.

This section shall not apply to cases where the punishment for the offense to which the prisoner desires to plead guilty may exceed seven years' imprisonment in the state's prison.

Provided, that no plea of guilty shall be received or entered under the provisions of this section, unless the person charged in the indictment or information be represented by competent counsel, and in case he shall have no counsel the court shall appoint competent counsel to appear for such accused, and the fees of such attorney shall be paid in the manner provided in section 4789, and the court shall not accept such plea of guilty or pass sentence thereon unless it is fully satisfied that the accused has had his action properly considered and advised by competent counsel.

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

Approved April 22, 1909.