

MINNESOTA STATUTES 1953 ANNOTATIONS

389.02 COUNTY SURVEYOR

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389.02 DEPUTIES; SURVEYS, RECORDS

A county surveyor may certify a plat even though not a registered engineer. OAG June 22, 1948 (123-E).

389.03 COMPENSATION; RECORDS

HISTORY. Amended, 1953 c 416 s 1.

389.04 RULES FOR SURVEYS

HISTORY. 1857 c 11 s 1; PS 1858 c 7 s 93; 1861 c 8 s 3; GS 1866 c 8 s 204; 1870 c 43 s 1; GS 1878 c 8 s 236; GS 1894 s 836; RL 1905 s 579; MS 1927 s 940.

CHAPTER 390

CORONER; MORGUE

390.04 TO ACT WHEN SHERIFF A PARTY TO AN ACTION

The coroner should substitute for the sheriff and act in his place in a case where the sheriff signed three complaints for trial in the justice court and the defendants requested a jury trial and the justice directed that a list of 24 jurors be submitted and the justice had no qualified constable. OAG July 24, 1947 (260-A-9).

390.05 DEPUTIES

A deputy having for the most part the powers of the coroner may issue a certificate of death in violent or mysterious deaths, including suspected homicides, occurring in the county. OAG Sept. 23, 1947 (103-B).

390.11 INQUEST

The coroner in his discretion may hold inquest where the death is believed to have been and evidently was occasioned by accident or casualty; and if grounds exist for suspecting that death was caused by a criminal act, the coroner may require an autopsy without the consent of the next of kin. OAG Oct. 10, 1947 (103-I); OAG Feb. 4, 1948 (103-F).

The expense connected with the coroner's inquest must be paid by the county where the inquest was held. OAG June 2, 1950 (103-F).

Where a decedent met his death by hanging and there is any suspicion that a crime has been committed, the coroner, in the proper discharge of his duties, should hold an inquest and may, in a proper case, be required by mandamus to do so. OAG July 27, 1951 (103-F).

A body may be exhumed in a case where the surviving spouse or next of kin consents to the performance of an autopsy. OAG July 27, 1951 (103-F).

A coroner's inquest authorized under section 390.11 does not require the consent of the next of kin. OAG Aug. 17, 1951 (103-I).

A coroner may require an autopsy where there is reasonable grounds for suspecting that death may have been caused by a criminal act; and consent of the next of kin is not required. OAG Oct. 10, 1947 (103-I).

When the coroner holds an inquest inquiring into a death caused by a motor vehicle accident he shall report the fact and circumstances to the department of highways. OAG Feb. 5, 1948 (989-A-1).

The office of coroner is created by statute. Section 390.11 imposes upon the coroner the duty to hold inquests upon dead bodies of such persons as are supposed

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COUNTY PURCHASING AGENT 392.01

to have come to death by violence. Section 390.11, except as modified by section 169.09, subdivision 11, is directory; but section 169.09, subdivision 11, imposes upon the coroner the duty of reporting in writing to the department of highways the death of a person within his jurisdiction as the result of an accident involving a motor vehicle and the circumstance of such accident, and is mandatory. "Jurisdiction" refers to area, and to his duty and authority. OAG Feb. 6, 1948 (103-2) (989-A-1).

390.23 CERTIFICATES OF DEATH

A deputy having for the most part the powers of the coroner may issue a certificate of death in violent or mysterious deaths, including suspected homicides, occurring in the county. OAG Sept. 23, 1947 (103-B).

390.24 EXPENSES

The expense connected with the coroner's inquest is chargeable to the county where the inquest is held. OAG June 2, 1950 (103-F).

CHAPTER 391

COUNTY ASSESSOR

391.02 DEPUTIES; RAMSEY COUNTY

HISTORY. 1913 c 224 s 1-3; 1915 c 144; 1917 c 473; 1921 c 336 s 12; 1949 c 57 s 1.

391.03 APPOINTMENT, VACANCIES; RAMSEY COUNTY

HISTORY. 1933 c 316 s 1-3; 1945 c 230 s 1; 1949 c 60 s 1.

CHAPTER 392

COUNTY PURCHASING AGENT

392.01 COUNTY PURCHASING AGENT IN CERTAIN COUNTIES

NOTE. The only counties having county purchasing agents are Hennepin, Ramsey, and St. Louis; each operates under a general law of special application. No county operates under chapter 392.

The classification must be germane to the purposes of the law. There must be an evident connection between the distinctive features to be regulated and the regulations adopted. Even the facts being admitted, Laws 1943, Chapter 15, violates Minnesota Constitution, Article IV, Sections 33 and 34, in that it is but another way of naming Pine county under the guise of a general law. Nor are the requirements forming the basis of the classification germane to the purpose of the law. Hamlin v Ladd, 217 M 249, 14 NW(2d) 396.