

shall bring before said court all questions and proceedings involved in such order. *Provided*, that the party taking such appeal shall accompany the same with an appeal bond to the board of county commissioners with at least two freehold sureties in the sum of one thousand dollars, to be approved by the auditor of the county in which such appeal is taken, conditioned that said appellant will duly prosecute the appeal and pay all costs that may be adjudged against him, and to abide the order of the court.

SEC. 64. This act shall take effect and be in force from and after its passage.

Approved April 18, 1905.

CHAPTER 231.

S. F. No. 32.

An act relating to proceedings in criminal cases.

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

SECTION 1. The district courts of this state shall possess and may exercise the same power and jurisdiction to hear, try and determine prosecutions upon informations for the crimes, misdemeanors and offenses, specified in section four of this act and to issue writs and process and do all other acts therein as they possess and may exercise in cases of like prosecutions upon indictment.

Dist. courts possess powers to hear and try prosecutions upon information, in certain cases.

SEC. 2. The offense charged in any such information shall be stated in plain and concise language, without prolixity or unnecessary repetition, and all the provisions of law relating to indictments and for testing the validity thereof, shall apply to informations, and all provisions of law applying to prosecutions upon indictments, to writs and process thereon, and to the issuing and service thereof; to motions, pleadings, trials and punishments, or to the passing or execution of any sentence thereon, and to all other proceedings in cases of indictment, whether in the court of original or appellate jurisdiction, shall to the same extent and in the same manner, as near as may be, apply to informations and all prosecutions and proceedings thereon.

Offense charged to be stated in plain language. Provisions as to trial under indictments to apply.

SEC. 3. No information shall be filed against any person for any offense, until such person shall have had a preliminary examination as provided by law, before a

No information filed without preliminary hearing unless waived.

justice of the peace or other examining magistrate or officer, unless such person shall waive his right to such preliminary examination.

When person held to dist. court, and in all cases when committed, court shall have power, upon application of prisoner in writing, that he wishes to plead guilty, to direct Co. attorney to file information, if not filed, and may receive and record plea of guilty, and judgment entered and sentence.

SEC. 4. That in all cases where a person charged with 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 any 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 in 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, to direct the county attorney to file an information against him for such offense, if an 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, and cause judgment to be entered thereon and pass sentence on such person pleading guilty and such proceedings may be had either in term time or vacation.

Provided that the provisions of this section shall apply only to cases where the punishment provided by law for such offense may be commitment to the reformatory or does not exceed five years in the state prison.

Applies only to commitment to reformatory, or not to exceed five years in state prison.

SEC. 5. Such information may be in the following form:

Form of information.

State of Minnesota, } District Court,
 County of _____, } ss. _____ Judicial District.
 The State of Minnesota,
 against
 (The name of the accused.)

I, _____, county attorney for said county, hereby inform the court that on the _____ day of _____, in the year _____, at said county, A. B. (name or alias of accused) did (state the offense) against the peace and dignity of the State of Minnesota.

Dated, _____

 County Attorney.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 17, 1905.