§ 70. Deputy attorney-general to act as special district attorney.

Whenever the governor shall advise the attorney-general that he has reason to doubt whether in any county the law relating to crimes against the elective franchise is properly enforced, the attorney-general shall require from the district attorney of such county, and it shall be the duty of such district attorney forthwith to make to the attorney-general a report of all prosecutions and complaints within his county during the year then last past for offenses under the election law and of the action had thereon.

The attorney-general shall assign one or more of his deputies to take charge of prosecutions under the election law. Such deputy shall represent the people of this state in all such prosecutions before all magistrates and in all courts and before any grand jury having cognizance thereof. The deputies so assigned shall be appointed pursuant to section sixty-two of this chapter. They may be especially appointed thereunder for the purpose of such assignment and for the performance of the duties herein described.

Whenever the attorney-general shall advise the governor that there is occasion for an extraordinary term in any such county to inquire into and try cases arising under article sixteen of the election law, the governor may appoint an extraordinary term of the supreme court to be constituted and held for the trial of criminal cases in such county, pursuant to section one hundred forty-nine of the judiciary law. Grand and petit juries shall be drawn and summoned for said term in the manner provided by law, and such cases shall be brought before such inquest and court as the attorney-general shall direct. All the provisions of sections sixty-three and sixty-seven of this chapter shall apply to such extraordinary term.

It shall be the duty of the district attorney of the county, and of the assistants, clerks and employees in his office, and of all police authorities, officers and men within any such county, to render to the attorney-general and his deputy whenever requested, all aid and assistance within their power in such prosecutions and in the conduct of

such cases. The jurisdiction conferred upon the attorney-general herein to prosecute crimes, is concurrent in each county with that of the district attorney; but whichever of such officers shall first assume jurisdiction of a particular offense shall have exclusive jurisdiction to prosecute for the same unless or until the governor shall, by written order filed with both such officers, give such jurisdiction to the other.