

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 2, 1881.

CHAPTER 105.

AN ACT TO PROVIDE FOR THE SURRENDER OF A PRINCIPAL BY HIS SURETIES OR BAIL.

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

SECTION 1. Whenever the surety or sureties for any person held to answer upon any charge or otherwise, or any of them, shall believe that the person or principal for whom they are such sureties is about to abscond, or that he will not appear as required by [the] recognizance or other instrument of bail, which they have executed with or for him, or that he will not otherwise perform the conditions thereof, such sureties or bail, or either of them, may arrest and take such principal, or cause him to be arrested and taken, as hereinafter stated, before the officer who admitted him to bail, or the judge of the court before which person or principal was required thereby to appear, and surrender him up to such officer or judge: such surety or sureties, or either of them, may have such person or principal so arrested by the sheriff of the county, by delivering to such sheriff a certified copy of the recognizance, or instrument of bail, under which he or they are held as sureties, with a direction to such sheriff endorsed thereon, requiring him to arrest such principal and bring him before such officer or judge, to be so surrendered, and it shall be the duty of such sheriff, upon the receipt of any such copy so endorsed, and a tender or payment to him of his fees for so doing, to so arrest such principal and bring him before such officer or judge to be so surrendered.

SEC. 2. Before any such surety or sureties shall personally so surrender the person for whom he or they are bail, the sheriff of the county shall be notified to be, and he or one of his deputies shall be, present to take such person so surrendered into custody, if he fails or refuses to give new bail, as herein provided.

SEC. 3. When any such person is so surrendered, the officer or judge to whom he is surrendered shall, by a new commitment, commit him to jail, unless he shall give sufficient bail with new sureties, as he was required by law to do in the first instance.

Sureties may cause principal to be arrested.

Duty of sheriff.

Sheriff shall be notified.

Commitment.

SEC. 4. The sheriff is allowed the same fees and mileage for making an arrest or attending before said officer or judge under this act as he is allowed for arresting a person under a bench warrant; and in all cases his fees shall be paid by the surety or sureties surrendering any principal as herein provided for.

Fees of Sheriff.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 7, 1881.

CHAPTER 106.

AN ACT TO PROVIDE FOR THE ORGANIZATION OF THE COUNTY OF BIG STONE.

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

SECTION 1. That the county of Big Stone as now established by law in this State, be and the same is hereby declared to be an organized county, with all the rights, privileges and immunities of other organized counties within this State. The county seat shall be located at Ortonville, in said county, until the next general election. At the next general election the question of the removal of the county seat to section twenty-four (24), town one hundred and twenty-three (123), range forty-six (46), shall be submitted to the electors of said county, and said electors at said election shall have written or printed, or partly written and partly printed on their ballots for State and county officers, the words: For removal of county seat to section twenty-four (24), town one hundred and twenty-three (123), and range forty-six (46); and those opposed to such removal the words "against removal of county seat;" and such ballots shall be received by the judges of election, and canvassed at the same time, in the same manner and returned to the same office, as ballots for county officers. The canvassing board for said county shall canvass the returns upon said question, at the same time and in the same manner as returns for county officers; and if a majority of the votes so cast at said election shall designate said Big Stone Centre as the county seat then said Big Stone Centre in said county shall be the permanent county seat, otherwise the same to remain at Ortonville.

Submission to the people.

How ballots shall read.

Canvassing returns.