

CHANGES

—IN THE—

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

SAINT PAUL:
WEST PUBLISHING COMPANY.
1883.

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 indorsed 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 indorsed, 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. (1881, c. 105, § 1.)*

*§ 35. **Sheriff to be notified of proposed surrender.** 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. (*Id.* § 2.)

*§ 36. **Commitment of party surrendered.** 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. (*Id.* § 3.)

*§ 37. **Fees of sheriff.** 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. (*Id.* § 4.)

See page 937.

CHAPTER CVII.

GRAND JURIES.

§ 60. **Indictment to be presented, filed and recorded.** Whenever an indictment is found it shall be immediately presented by the foreman in the presence of the grand jury to the court and filed with the clerk to be recorded in a book kept for that purpose, as soon as the arrangement shall have been made, the same to remain in the office of said clerk as a public record. (*As amended* 1881, c. 47, § 1.)

*§ 61. **Clerk to certify to the record.** The clerk shall certify at the bottom of the record that he has compared the same with the original indictment, and that it is a true copy thereof. (*Id.* § 2.)

*§ 62. **Effect to be given to the record of indictment.** The record of such indictment shall have all the force and be of the same effect for all the purposes required as the original indictment, and although such indictment should be lost or mislaid, or should for any reason not be before the court, any proceeding may be had upon the record aforesaid in the same manner and with the same effect as if the original indictment was before the court; and in such case no trial, conviction, or sentence shall be invalid by reason of the fact that such original indictment has disappeared from the files of the court, in such case, after the recording of such indictment. (*Id.* § 3.)

See page 942.

(Grand juries in Crow Wing county. See 1881, c. 82, § 66. *Ante*, p. 95.)

CHAPTER CXVI.

CHALLENGING JURORS.

§ 23. **Exception or denial of challenge.** The adverse party may except to the challenge in the same manner as to a challenge to a panel, and the same proceedings shall be

(*An act to provide for the surrender of a principal by his sureties or bail. Approved March 7, 1881.)