

any cause that the statements contained in the affidavit are untrue he may, in cases where the amount of the warrant is two hundred dollars or over, publish in some newspaper having general circulation, the circumstances of the case as contained in the affidavit, and shall give notice of some day certain when he will issue such duplicate warrant which shall be not less than thirty days after the first publication of the notice.

SEC. 4. Whenever a duplicate warrant shall be issued under the provisions of this act the original warrant shall thereupon be cancelled and the state of Minnesota relieved from any claim or liability for the payment of such original warrant.

When original warrant may be cancelled.

SEC. 5. The state auditor shall use his discretion in carrying out the provisions of this act as appears to him to be right and in accordance with justice and honesty; *Provided*, That in no case shall the state be liable for any damages accruing under the provisions of this act.

Liabilities to state.

SEC. 6. Warrants may be reduplicated under the provisions of this act in cases where the duplicate becomes lost or destroyed.

When reduplicate may issue.

SEC. 7. Any person who shall secure a duplicate warrant under the provisions of this act who is not legally entitled to the same shall be liable to indictment in any of the courts of this state having jurisdiction for the crime of embezzlement or perjury as the case may be.

Punishment in case of fraud.

SEC. 8. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 13, 1874.

CHAPTER XIV.

AN ACT TO AUTHORIZE THE APPOINTMENT OF PRESIDENT OF THE STATE NORMAL SCHOOL BOARD IN CASE OF VACANCY.

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

SECTION 1. Whenever from any cause, a vacancy shall exist in the office of president of the state normal

Vacancy, how filled.

school board, and said board shall not be in session at a regular meeting thereof, the governor may appoint one of the normal school directors to be president of said board, who shall hold his office until the next regular meeting of said board, and until a president thereof shall be duly elected and shall enter upon the duties of his office.

When act to take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved January 21, 1874.

CHAPTER XV.

AN ACT TO AMEND CHAPTER ONE HUNDRED AND THREE OF THE GENERAL STATUTES OF THE STATE OF MINNESOTA, RELATING TO DEMANDING FUGITIVES FROM JUSTICE.

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

Proceedings when fugitives from justice are demanded by executive of another state.

SECTION 1. Section two of chapter one hundred and three of the general statutes of the state of Minnesota is hereby amended so as to read as follows, viz. : When a demand is made upon the governor by the executive of any state or territory in any case authorized by the constitution and laws of the United States for the delivery over of any person charged in such state or territory with treason, felony or any other crime, the attorney general, when required by the governor, shall forthwith investigate the ground of such demand, or cause the same to be investigated by any county attorney and report to the governor all material facts which may come to his knowledge, or to the situation and circumstances of the person so demanded, especially whether he is held in custody or is under recognizance to answer for any offense against the laws of the state or of the United States, and also whether such demand is made according to law, so that such person ought to be delivered up, and if the governor is notified that such demand is conformable to law and ought to be complied with, he shall issue his