

When justice to  
cause arrest.

person is not in custody, the justice or court before whom such inquisition is holden shall issue process forthwith for his apprehension, and such warrant shall be made returnable before [any] justice or court having jurisdiction of the case, who shall proceed therein in the same manner as required by justice or court in case of felony.

Fees.

SEC. 10. The fees of the magistrate and the expenses of the inquisition shall be the same as required for coroner's inquests.

When act to take  
effect.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 9, 1874.

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## CHAPTER L.

### AN ACT FOR THE PROTECTION OF SUB-CONTRACTORS AND MATERIAL MEN.

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

Liabilities of  
contractors to  
sub-contractors.

SECTION 1. Any person or persons entering into any contract for the construction or repairing of any house or other building, steamboat or vessel, or any railroad contract, or for furnishing materials for such construction or repairing, and who shall sub.let such contract or any part thereof to any person or persons to perform such labor or furnishing such material, shall be held liable to pay all moneys received by him upon said contract to the person or persons who performed such work and labor, or furnished such materials, or so much thereof as may be sufficient to pay them what is justly due for the work and labor performed and materials furnished by them, and any such person who shall neglect and refuse to pay over such money so received by him upon said contract to the person or persons who have performed the work and labor and furnished the materials as aforesaid, with intent to cheat and defraud the said person or persons, shall be deemed to have been guilty of fraud in contracting the said debt. And whenever it shall be made to appear to any court of competent jurisdiction that such

contractor, having received the money upon his said contract, and that he fraudulently and with the intent to cheat and defraud the said person or persons who performed the work and labor or furnished the materials as aforesaid, withholds from or refuses to pay them the money which he has received as aforesaid, may be arrested and held to bail for the payment of the amount so due as aforesaid; and in case such party shall not furnish the bail required, he shall be committed to the jail of the county, there to be held until the trial of the action to recover such money; and in case judgment shall be rendered against such party, the execution issued thereon shall authorize and empower the sheriff to commit the defendant in such execution to the jail of the proper county until such judgment shall be paid or until discharged by law.

Penalty for refusing to pay sub-contractor.

Approved March 9, 1874.

## CHAPTER LI.

AN ACT TO AMEND SECTION TWO OF CHAPTER TWENTY-ONE OF THE GENERAL LAWS FOR THE YEAR EIGHTEEN HUNDRED AND SEVENTY-THREE, RELATING TO THE PROTECTION OF SHEEP.

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

SECTION 1. That section two of chapter twenty-one of the session laws for the year eighteen hundred and seventy-three, be amended so as to read as follows :

SEC. 2. Any person keeping or harboring a dog or dogs that has bitten or worried any sheep or lambs, and having been notified of such fact, shall be liable to pay a fine of five dollars per day for every day thereafter that he shall keep, harbor or permit such dog or dogs to remain in or about his premises. Such fine when collected shall be paid over to the county treasurer of the county for the benefit of the common school fund of the county.

Penalty for keeping dog that kills sheep.