

## CHAPTER 42.

AN ACT TO AMEND CHAPTER TWENTY-TWO (22) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1872), ENTITLED AN ACT TO PROMOTE THE SCIENCE OF MEDICINE AND SURGERY IN THE STATE OF MINNESOTA.

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

SECTION 1. That section four (4) of chapter twenty-two (22) of the General Laws of the State for the year one thousand eight hundred and seventy-two (1872), be and the same is hereby amended so as to read as follows :

Chapter 22 of  
the general  
laws of 1872  
amended.

Sec. 4. Every person who unlawfully shall exhume, remove or carry off the remains or any part of the remains of any deceased person, or who shall deliver up such remains in violation of or contrary to any or all of the provisions contained in the first section of this act, and every person who shall receive said remains, knowing the same to have been exhumed, removed, carried off or delivered contrary to any or all of the provisions of this act, shall, each and every one of such persons, be deemed guilty of a felony, and shall on conviction be imprisoned in the State prison for a term not exceeding four (4) years.

SEC. 2. All acts and part of acts inconsistent with this act is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 27, 1879.

## CHAPTER 43.

AN ACT TO AMEND SECTION SIXTEEN (16) OF CHAPTER ONE (1) OF CHAPTER SEVENTY-FOUR (74) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN (1877) RELATING TO PUBLIC SCHOOLS.

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

SECTION 1. That section sixteen (16) of chapter one (1) being chapter seventy-four of the General Laws of one thousand eight hundred and seventy-seven (1877,) relating to public schools be amended by changing the proviso commencing

Chapter 74 of  
the general  
laws of 1877  
amended.

ing at the word "provided" in line fourteen, so the same shall read as follows: Provided that when the territory of the district or districts to be affected by such formation, alteration or consolidation consists of parts of two or more counties the petition shall be in duplicate or more as the case may be and one presented to the commissioners of each of such counties who shall severally proceed to hear the petition in the manner directed. That to effect the formation, alteration or consolidation in such petitions desired shall require the concurrent action of the commissioners of each of such counties. The determination of such commissioners in each county shall be entered upon their records in the several counties by the several county auditors, who shall file the copies thereof with the clerks of the districts affected thereby in their respective counties, in the manner directed and also with the county auditors in each of the counties petitioned.

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

Approved March 6, 1879.

## CHAPTER 44.

AN ACT AMENDING SECTION ONE (1) OF CHAPTER FIFTEEN (15) RELATING TO FUGITIVES FROM JUSTICE.

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

SECTION 1. That section one (1) of chapter fifteen (15) of the General Statutes of one thousand eight hundred and seventy-four (1874), relating to fugitives from justice be and the same is amended by adding to said section the following proviso, to wit: *Provided*, however, that the Governor when issuing his warrant shall deliver the same to the Sheriff or some other public officer of any county in this State, and such officer, upon receipt of such warrant, shall have power to arrest and detain in his custody the person whose surrender is demanded, but no such person arrested upon such warrant shall be delivered to the agent designated therein, or to any other person until the person so arrested and whose surrender is demanded shall be notified of the demand made for his surrender, and of the nature of the criminal charge made against him, and not until he has had an opportunity to apply for a writ of habeas corpus if he claims such right, of the officer making the arrest. When such writ is applied for, notice thereof and of the time and place of the hearing thereon shall be given to the Attorney General or other prosecuting officer of the judicial district in which the arrest is made. Any sheriff

Powers and  
duties of  
sheriff.

Habeas corpus