

CHAPTER 118.

AN ACT TO LEGALIZE THE ACTS OF CERTAIN OFFICERS
THEREIN NAMED.*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That all acknowledgments to any conveyances or other instruments heretofore taken by any person previously appointed or elected, and then acting as a notary public, or other officer authorized to take such acknowledgments, be and the same are hereby legalized and made valid for all intents and purposes.

Legalizing acts
of certain offi-
cers.

SEC. 2. This act shall take effect from and after its passage and approval by the Governor.

When act to
take effect.

Approved February 24, 1877.

CHAPTER 119.

AN ACT REGULATING COSTS AND DISBURSEMENTS IN
CERTAIN CIVIL ACTIONS.*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. When in an action to recover damages for the commission of a tort, the defendant shall at any time before the trial of such action, tender to the plaintiff a sum of money as damages or compensation for such tort, and if such tender be made after the commencement of the action, in addition to such tender for damages or compensation, he shall also tender the costs and disbursements of the plaintiff then accrued, and the plaintiff in such action shall not recover a greater sum than the amount so tendered; the plaintiff shall recover no costs or disbursements, but shall pay the defendant's costs and disbursements. The fact of such tender having been made shall not be pleaded nor given in evidence to the court or jury.

Tender of
damages or
compensation
a bar to re-
covery of costs,
&c.

SEC. 2 In all such actions, when such tender shall be made and the plaintiff fails to recover a greater sum than the amount of such tender, if the amount of such recovery and

Taxation of
costs.

the costs and disbursements accrued and tendered exceed the amount of the defendant's costs and disbursements, the court shall enter judgment against the defendant for such excess. If the amount of the defendant's costs and disbursements exceed the amount recovered by the plaintiff, and his costs and disbursements accrued and tendered, the court shall enter judgment against the plaintiff for such excess.

When act to
take effect.

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

Approved March 6, 1877.

CHAPTER 120.

AN ACT TO REGULATE THE SALARY, COMPENSATION, AND FEES OF COUNTY OFFICERS AND CLERK HIRE OF THE SAME.

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

SECTION 1. That section one hundred and twenty-four (124) of chapter eight (8) of the general statutes, as amended by section one (1) of chapter ninety (90) of the General Laws of one thousand eight hundred and seventy-one (1871), also amended by section one (1) of chapter twenty-seven (27) of General Laws of one thousand eight hundred and seventy-five (1875), be amended so as to read as follows:

Salaries of
county audi-
tors—how
regulated.

Sec. 124. The salary of the county auditors shall be regulated by the value of the property in their respective counties, as fixed by the State board of equalization for the preceding year, as follows: In counties where the amount of taxable property does not exceed the sum of one (1) and one-half ($\frac{1}{2}$) million dollars, they shall be entitled to receive six (6) mills on each dollar of the first one (1) hundred thousand dollars, and one (1) mill on each dollar of all amounts in excess of said last named sum, and less than two (2) hundred thousand dollars, and one-third ($\frac{1}{3}$) of one (1) mill on each dollar on all amounts in excess of said last named sum. In counties where the value of the taxable property for the preceding year, as fixed by the said board of equalization, exceeds the sum of one (1) and one-half ($\frac{1}{2}$) million dollars, the county auditor shall be entitled to receive five (5) mills on each dollar of the first one (1) hundred thousand dollars, and