

*Provided*, The owner of such animals, or his agent, at any time before proceedings have been commenced to appraise such damages under the provisions of this act, or before suit in any court shall have been commenced to recover said damages from such owner or agent, may tender the amount of such damage to the person aggrieved by any depredation, of such amounts as said owner may think has been suffered thereby, and if said tender is accepted, no other damages can be recovered in any manner, and if said tender is not accepted and other proceedings are had under the provisions of this act, or otherwise, and the person aggrieved by such depredations fails to substantiate or recover any greater sum as damages then such amount tendered by the said owner, no costs shall be collected or taxed against such owner, and said owner's costs and disbursements shall be paid by said complaining party, to be taxed against him as in like actions and proceedings.

Concerning  
tender of  
damages.

In regard to  
costs.

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

Approved March 4, 1879.

## CHAPTER 13.

AN ACT TO AMEND SECTION ONE HUNDRED AND TWENTY-THREE (123) OF TITLE FOUR (4) OF CHAPTER EIGHT (8) OF THE GENERAL STATUTES, RELATING TO THE ALLOWANCE OF CLAIMS.

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

SECTION 1. Section one hundred and twenty-three (123) of title four (4) of chapter eight (8) of the General Statutes, is hereby amended so as to read as follows:

"Section 123. No claims against the county shall be paid otherwise than upon the allowance of the county commissioners, upon the warrant of the Chairman of the Board, attested by the County Auditor, except in those cases in which the precise amount is fixed by law, or is authorized to be fixed by some other person or tribunal, in which cases the same shall be paid upon the warrant of the County Auditor upon the proper certificate of the person or tribunal allowing the same. *Provided*, That no public money shall be disbursed by the county commissioners or any of them, but the same shall be disbursed by the County Treasurer upon the warrant of the chairman of the board of county commissioners, attested by the County Auditor, specifying the name of the party entitled to the same, on what account and upon whose allowance, if not fixed by law, and all orders or warrants drawn in payment

Claims paid,  
how; excep-  
tion.

Money, how  
disbursed.

for services, shall show thereon the specific time for which such services are rendered, and all orders and warrants shall be progressively numbered, and the number, date and amount of each, the name of the person to whom payable, the purpose for which drawn, and the specific time for which any service was rendered, shall at the time of issuing the same be entered in a book to be kept by the auditor for that purpose."

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

Approved March 3, 1879.

## CHAPTER 14.

AN ACT TO AMEND SECTION NINE (9) OF CHAPTER TWO (2) OF CHAPTER SEVENTY-FOUR (74) OF THE GENERAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN (1877), ENTITLED AN ACT TO ESTABLISH AND MAINTAIN A SYSTEM OF PUBLIC SCHOOLS IN THE STATE OF MINNESOTA.

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

SECTION 1. That section nine (9) of chapter two (2) of chapter seventy-four (74) of the General Laws of the year one thousand eight hundred and seventy-seven (1877) be amended by adding to said section the following words: "or the refunding of the bonded indebtedness of such district."

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

Approved March 3, 1879.

## CHAPTER 15.

AN ACT TO AMEND SECTION EIGHTY-THREE (83), OF THE GENERAL STATUTES, RELATING TO THE REPLY IN CIVIL ACTIONS.

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

SECTION 1. That section eighty-three (83), of chapter sixty-six (66) of the General Statutes be and the same is hereby amended so as to read as follows:

"Section 83. When the answer contains new matter, the plaintiff shall within twenty (20) days reply to such new matter, denying each allegation controverted by him, or any knowledge or information thereof sufficient to form a belief, and he may allege in ordinary and concise language, without

Chapter 74  
general laws of  
1877 amended.

As to new  
matter.