

To the plaintiff upon a judgment in his favor of one hundred (100) dollars or more, or in actions of replevin when the value of the property is one hundred (100) dollars or more, when no issue of fact or law is joined, five dollars; when an issue is joined, ten dollars.

To the defendant, when the amount claimed in the complaint is one hundred (100) dollars or more, upon discontinuance or dismissal, five dollars; when judgment is rendered in his favor upon the merits, in such case, ten dollars.

*Provided*, that a defendant who has appeared in an action in any court existing under and by virtue of the provisions of this act or created by any special law of this state may at any time before trial offer to allow judgment to be taken against him for the sum or property in said offer specified, with costs. If the plaintiff accepts the offer the court shall thereupon enter judgment accordingly. If the plaintiff refuses to accept the offer the same is to be deemed withdrawn, and cannot be given in evidence; and if the plaintiff fails to obtain a more favorable judgment he cannot recover costs or disbursements made subsequent to such offer, but must pay the defendant's costs and disbursements incurred subsequently to such offer.

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

Approved April 6, 1901.

## CHAPTER 162.

S. F. No. 269.

*An act to regulate the number and grade of officers and enlisted men in the several organizations of the National Guard to conform with the organization of the regular army of the United States, and prescribing the duties of regimental quartermasters.*

National  
guard,  
To conform  
with U. S.  
army.

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

SECTION 1. That section fourteen (14) of said Military Code and the several amendments thereof be and the same are hereby amended so as to read as follows:

"Section 14. National Guard—How constituted. In time of peace the National Guard of the State of Minnesota shall consist of the commander-in-chief, the adjutant general as chief of staff, one medical corps, and one brigade to consist of one brigadier general and staff, three regiments of infantry and one battalion of artillery,

How consti-  
tuted.

the latter to include two batteries of artillery and one company of engineers.

Brigade  
staff.

The brigade commander may appoint the following staff officers, who shall hold office during his pleasure: One assistant adjutant general, one assistant inspector general, one brigade quartermaster, one brigade judge advocate, one commissary of subsistence, one inspector of small arms practice and one aid-de-camp, each with the rank of captain.

Command-  
er-in-chief  
to determine.

The commander-in-chief may, from time to time, fix the number and grade of brigade staff officers, regimental and company officers, non commissioned officers and other enlisted men which shall constitute each organization of the National Guard, now or hereafter authorized by law; *provided*, the change is made to conform more closely to the number and grade of officers and enlisted men allowed by law, in time of peace, to similar organizations in the army of the United States; and, *provided, further*, that unless so changed, said organization shall remain as now constituted under this act and the provisions of the Military Code.

SEC. 2. That section twenty-one (21) of said Military Code be and the same is hereby amended so as to read as follows:

Medical  
corps.

Section 21. Medical Corps. The medical corps shall be under the direction of the surgeon general and shall consist of one medical director with the rank of lieutenant colonel, three surgeons with the rank of major, seven assistant surgeons with the rank of first lieutenant, four hospital stewards with the rank of sergeants, and twenty-four privates, eight of whom shall be available for detail as acting hospital stewards, in the discretion of the medical director.

SEC. 3. That section one hundred and twenty-three (123) of said Military Code be and the same is hereby amended by adding thereto the following provision:

Military  
stores.

"The adjutant general may, upon the requisition of the regimental commander, invoice and deliver all stores required by the regiments of infantry or battalion of artillery, respectively, to the regimental quartermasters thereof, the same to be issued and transferred to the company commanders under the direction of the regimental commander, and, for the purpose of insuring the proper care and preservation of all military property so issued, the adjutant general shall require a sufficient bond of said regimental quartermasters and make suitable allowance to them for the establishment and maintenance of regi-

mental depots or sub-arsenals, when approved by him, and for the help and expense necessary for the handling, repair and transportation of such property, the same to be paid from the fund provided for the purchase of uniforms, clothing and other supplies for the National Guard."

SEC. 4. That section one hundred and forty (140) of said Military Code be and the same is hereby amended by adding thereto the following provision:

"The commander-in-chief may, by general order, provide a suitable mark of distinction for all officers and enlisted men who have served in the National Guard for an aggregate period of ten, fifteen and twenty years, respectively, and for like continuous service hereafter."

Veteran  
service.

SEC. 5. This act shall take effect and be in force from and after its passage

Approved April 6, 1901.

## CHAPTER 163.

S. F. No. 36.

*An act to amend section one of chapter one hundred and forty-eight (148) of the General Laws of 1893, entitled "An act authorizing public corporations created and existing under the laws of this state, to refund their bonded indebtedness," as amended by section one of chapter one hundred and twenty-nine (129) of the General Laws of 1895, entitled "An act to amend section one (1) of chapter one hundred and forty-eight (148) of the General Laws of 1893, relating to municipal bonds;" also to amend section two (2) of said chapter one hundred and forty-eight of the General Laws of 1893.*

Amendment  
Refund-  
ing corpo-  
rate bonds.

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

SECTION 1. That section one of chapter one hundred and forty-eight of the General Laws of 1893, approved April 1, 1893, entitled "An act authorizing public corporations, created and existing under the laws of this state, to refund their bonded indebtedness," as amended by section one of chapter one hundred and twenty-nine of the General Laws of 1895, approved April 13, 1895, entitled "An act to amend section one (1) of chapter one hundred and forty-eight (148) of the General Laws of 1893, relating to municipal bonds," be and the same is hereby amended so as to read as follows:

Section 1. That any county, town, city, school district or village in this state that has heretofore issued, or shall hereafter issue bonds purporting to have been issued

County,  
town, city,  
school dis-  
trict or  
village.