

tain and determine the amount to be paid by said board to the owners or persons interested, said commissioners to be appointed on application of said Board of Game and Fish Commissioners by one of the judges of the district court in and for the county in which said lands are situated, according to the provisions of title one (1) of chapter thirty-four (34) of the General Statutes of eighteen hundred and seventy-eight (1878), and amendments thereto, so far as reasonably applicable, which said law shall apply to and govern proceedings under this act.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 7, 1901.

CHAPTER 24.

H. F. No. 35.

An Act to amend section five thousand one hundred thirteen (5113) of the General Statutes of Minnesota for 1894, relating to appeals.

Amendment
Appeals
from Jus-
tice's court.

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

SECTION 1. That section five thousand one hundred thirteen (5113) of the General Statutes of 1894, be, and the same is hereby amended so as to read as follows:

Section 5113. Upon a compliance with the foregoing provisions the justice shall allow the appeal, and make such entry of his allowance in his docket; and all further proceedings on the judgment before the justice shall be suspended by the allowance of the appeal. And if the defendant has been committed to jail, the justice shall make a certificate setting forth that the defendant has perfected an appeal from said judgment, and cause the same to be served upon the sheriff of the county or keeper of the common jail, who shall thereupon immediately release the defendant from custody. The justice shall thereupon make a return of all the proceedings had before him and cause the complaint, warrant, recognizance, original notice of appeal, with proof of service thereof, and return, and all other papers relating to said cause, and filed with him, to be filed in the district court of the same county, on or before the first day of the general term thereof next to be holden in and for said county. And the complainant and witnesses may also be required to enter into recognizance, with or without sureties, in the discretion of the justice, to appear at said district court at the time last aforesaid, and abide the order of the court therein. Upon an appeal on questions of law

alone, the cause shall be tried in the district court upon the return of the justice. On an appeal taken upon questions of fact alone, or upon questions of both law and fact, the cause shall be tried in the same manner as if commenced in the district court: Provided, that upon an appeal upon questions of law alone, the justice before whom the action is tried shall, upon the request of either party to the suit, return to the district court a true and certified transcript of all the evidence offered or received upon the trial, and the same shall be filed with the clerk of the district court as a part of the return of said justice.

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

Approved March 8, 1901.

I. F. No 43.

CHAPTER 25.

amendment,
admission of
ex-soldiers
to university

An Act to amend chapter (345) three hundred and forty-five of the General Laws one thousand eight hundred and ninety-nine (1899), entitled "An Act for the free education of certain students of the University of Minnesota who enlisted in the United States army for the war of 1898 between the United States of America and the Kingdom of Spain, or is a veteran of the late Civil war, and to provide for refunding certain tuition already paid."

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

eligibility.

SECTION 1. That section one (1) of chapter three hundred and forty-five (345) of General Laws one thousand eight hundred and ninety-nine (1899), be amended so as to read as follows:

Section 1. That any person who, being at the time a resident of the State of Minnesota, enlisted in the army of the United States during the late war between the United States and the Kingdom of Spain, or who has been a resident of the State of Minnesota for the past fifteen years and is a veteran of the late Civil war, and who was honorably discharged therefrom, shall, upon complying with all other requirements for admission, be entitled to pursue any course or courses in the University of Minnesota without expense for tuition.

SEC. 2. That section two (2) of chapter three hundred and forty-five (345) of General Laws of one thousand eight hundred and ninety-nine (1899) be amended so as to read as follows:

titles of
regents.

Section 2. It is hereby made the duty of the board of regents of the University of Minnesota to accept in any