

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

college, school or department thereof any student who comes within the definition of section one of this act, without any charge to said student for tuition, and to refund to any student who may come under the provisions of this act any money which he has paid in as tuition since his discharge.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 8, 1901.

CHAPTER 26.

S. F. No. 15.

An Act to amend section five thousand four hundred (5400) of the General Statutes of 1894, relating to the preparation and settlement of bills of exceptions.

Amendment.
Bills of ex-
ceptions.

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

SECTION 1. Section five thousand four hundred (5400) of the General Statutes of 1894 is hereby amended so as to read as follows:

Sec. 5400. The party preparing a bill of exceptions or case shall, within twenty days after the trial, or, in case a motion for a new trial has been made upon the minutes of the court, as provided in the preceding section, within twenty days after written notice of the filing of the order deciding such motion, serve it upon the adverse party, who may, within ten days after such service, propose amendments thereto, and the same, with the amendments proposed thereto, shall, within fifteen days after service of such amendments, be presented to the judge or referee who tried the cause, for allowance or settlement and signature, upon a notice of five days; if not presented within the time aforesaid, or such further time as may be stipulated or granted, the same shall be deemed abandoned; provided, that whenever the judge who tried the case shall cease to be judge, or shall die, or become incapable of acting from sickness or other cause, before a bill of exceptions is allowed or case made, or shall depart from and remain without the state at the time limited for the allowance or settlement, the said bill may be allowed, or case settled, by or before the judge of a judicial district adjoining that in which the action is pending; or in case a referee shall so die, or become incapacitated, or remain absent, as herein set forth, such bill may be allowed, or case settled, by the judge of the

Limitation of
service.

If judge
incapacitated.

If referee
incapacitated.