

act shall not impair vested rights heretofore acquired by third parties in such property for value.

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

Approved March 12, 1909.

CHAPTER 56—S. F. No. 204.

An Act to further conform the organization of the National Guard to that prescribed for the regular army.

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

Section 1. That sections 1048, 1049, 1050, 1051, 1052, 1053 and 1071 of the Revised Laws of Minnesota, 1905, as amended, be and the same are hereby further amended so as to read as follows:

“1048. **How constituted—Peace—Strength**—The active militia, organized, armed and equipped as required by law, shall be known as the ‘Minnesota National Guard.’ In time of peace it shall consist of three regiments of infantry organized into a brigade, and one battalion of field artillery which may be attached to the brigade for the purpose of administration and instruction; also the several staff corps and departments, similar to the staff corps and departments prescribed for the regular army of the United States, which are hereby authorized to the extent that the same may be necessary to provide proper staff officers and enlisted men for the national guard as herein established. The term ‘National Guard’ shall apply only to the militia organized as a land force. The provisions of this chapter relating to the corps of artillery shall apply to the battalion of field artillery.

1049. **Staff officers—Qualifications for command—Changes.**—No appointment on the staff of the governor shall qualify the appointee for the actual command of troops, without the examination and qualifications prescribed by law. For the purpose of conforming the national guard more closely to the organization of the United States army, and not otherwise, the governor may, by orders issued from time to time, fix the number and grade of officers and enlisted men in the staff corps and departments. And in case of war, invasion, insurrection, riot or imminent danger of either, the governor may temporarily increase such force to meet such emergency.

1050. **Organization—Armament.**—The organization, armament and discipline of the Minnesota Guard shall be the same as that which is now or may hereafter be prescribed for the reg-

ular army of the United States, subject in time of peace to such general exceptions as may be authorized by the secretary of war. *Provided*, that in peace and in war each organized division of militia may have one inspector of small arms practice with the rank of lieutenant colonel; each organized brigade of militia, one inspector of small arms practice with the rank of major; each regiment of infantry or cavalry of organized militia one inspector of small arms practice with the rank of captain, and each separate or unassigned battalion of infantry or engineers or squadron of cavalry of organized militia, one assistant inspector of small arms practice with the rank of first lieutenant.

1051. **Staff departments.**—The adjutant general's department shall consist of the adjutant general, with the rank of brigadier general, one adjutant general with the rank of lieutenant colonel, each of whom shall be appointed or detailed and shall perform the duties and receive pay as now provided by law for the adjutant general and assistant adjutant general, respectively: and two majors, one of whom shall be available for detail on the staff of the brigade. The inspector general's department and the judge advocate general's department shall consist each of one major, for detail on the staff of the brigade. The quartermaster's department and the subsistence department shall each consist of the adjutant general, ex-officio, acting as quartermaster general and commissary general, and one major in each of said departments for detail on the staff of the brigade. The medical department shall consist of the surgeon general and the assistant surgeon general, with rank and duties as now provided by law; four surgeons, with the rank of major; eleven assistant surgeons, with the rank of first lieutenant, eligible to promotion as provided by law; one veterinarian, and one hospital corps to be composed of three sergeants first class, seven sergeants, twenty privates, first class, and ten privates. The officers and enlisted men of the medical department will be detailed to the line as follows: To the brigade staff, one surgeon: to each regiment of infantry, one surgeon, three assistant surgeons, one sergeant, first class, two sergeants, six privates, first class, and three privates: to the battalion of field artillery, two assistant surgeons, one veterinarian, one sergeant, two privates, first class, and one private. The pay department shall consist of the adjutant general, ex-officio acting as paymaster general. The corps of engineers and signal corps shall consist of one captain for detail to the battalion of field artillery. The ordnance department shall consist of the adjutant general, ex-officio acting as chief of ordnance: one major for detail on the staff of the brigade: one captain for general detail, and one captain and military storekeeper who shall be appointed, perform the duties and receive pay as now provided by law

for the military storekeeper; and one first lieutenant and one sergeant for detail to the battalion of field artillery.

1052. **Staff Departments—Appointments.**—The officers and enlisted men of the staff corps and departments, designated for detail to the several organizations of the line, shall be appointed or enlisted by, and hold office during the pleasure of the commanding officers of such organizations, respectively, subject, in the case of officers, to the approval of the governor.

1053. **Military Board.**—The brigade commander and the regimental commanders, including the commanding officer of the battalion of field artillery, shall constitute a military board, and meet quarterly at such stated time and place as they may fix, and at such other times as they may be convened by the adjutant general. The board shall consider the status and needs of the national guard and such other matter as may be referred to them, and make suitable recommendation thereon to the adjutant general. The members shall receive no compensation or allowance for expenses beyond transportation and pay for one day's attendance at each session of the board.

1071. **Uniform—Equipments.**—The uniform and equipment of the national guard shall be the same as that which is now or may hereafter be prescribed for the regular army of the United States, except that the state designation shall be substituted for the letters "U. S." on the collar. Uniforms and equipments for any required service shall be provided for all organizations having the minimum membership required in section 1088. They shall be issued by the adjutant general as the needs of the service may require on the basis of the federal clothing allowance and shall be accounted for or dropped from the returns in like manner."

Sec. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

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

Approved March 11, 1909.

CHAPTER 57—S. F. No. 216.

An Act to amend section No. 3795 of the Revised Laws of 1905, relating to deposits of money not claimed by distributees.

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

To deposit unclaimed legacy or funds with county treasurer.

Section 1. That section No. 3795 of the Revised Laws of 1905 be and the same is hereby amended so as to read as follows: