

sation therefor, the fees allowed by law for like service in the civil courts, the same to be taxed by such court and paid out of the military fund of the company of which the accused is a member. But no fees shall be allowed or paid to such officers unless an itemized statement thereof is endorsed on and forthwith returned with such warrant or process to the court issuing the same. (2447).

Sec. 97. **Return of record.**—In all cases military courts shall return the records of their proceedings after sentence to the reviewing authority within thirty days after promulgation of said sentence. And upon final determination of the case such record shall be transmitted to the adjutant general for safe keeping. (2451).

Sec. 98. **Repeals.**—All acts and parts of acts inconsistent with this act are hereby repealed. Sections 2351 to 2452, both inclusive of the General Statutes of Minnesota, 1913, are specifically repealed.

Sec. 99. **When to take effect.**—This act shall take effect and be in force from and after its passage.

Approved April 20, 1917.

#### CHAPTER 401—S. F. No. 512.

*An act legalizing as a mortgage or security for debt any instrument relating to real estate made prior to January 1, 1916, which is absolute in form but given and intended as security for a debt and in which the fact that it is so intended and the amount of such debt are not expressed.*

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

Section. 1. **Certain mortgage legalized.**—That any instrument made and recorded prior to January 1, 1916, which is absolute in form but given and intended as a mortgage or security for a debt and in which the fact that it is so intended and the amount of such debt are not expressed and upon which instrument the mortgage registration tax has been paid, is hereby legalized and made as valid and effectual to all intents and purposes and of the same force and effect in all respects, for the purpose of notice, evidence, validity, as a mortgage or security, foreclosure, cancellation or otherwise, as if such instrument had contained a statement that it was intended as security and the amount of the debt thereby secured; provided that nothing in this act shall be held to apply to any action heretofore commenced or now pending in any of the courts of this state.

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

Approved April 20, 1917.