

the Minnesota national guard suffering from illness or injury sustained from any cause in the line and discharge of military duty shall be admitted to the soldiers' home hospital for medical treatment and hospital service until recovery from such illness or injury under such rules and regulations as the board of trustees may adopt.

Sec. 2. Minnesota Statutes 1949, Section 198.02 is hereby repealed.

Approved March 17, 1953.

CHAPTER 118—S. F. No. 518

An act relating to conciliation court; amending Laws 1919, Chapter 112, Section 2, and Section 4, as amended.

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

Section 1. Laws 1919, Chapter 112, Section 2, is amended to read:

Sec. 2. **Conciliation judge, powers.** Said conciliation judge shall have all the powers of a court of conciliation and exercise all the special powers conferred by this act. Said conciliation court shall be open every day except Sundays and holidays at such hours as may be fixed by rule with at least two regular terms per month, for the hearing and determining of controversies submitted to such court in accordance with the provisions of this act. No costs shall be taxed either party in said court, but the judge may include in the settlement and judgment such actual disbursements of the prevailing party as are now allowed by law in civil actions, and as may seem to him just and proper, or he may refuse to include any disbursements if same shall appear just and proper, under the circumstances. The clerk and court officers of said municipal court shall be respectively: ex-officio clerk and court officers of said conciliation court; but neither said clerk nor any of said officers shall charge any *other fee or charge than is provided for in this section* for filing or serving any paper in a case brought under the terms of this act, while the same is pending in said conciliation court. *The plaintiff or person instituting a suit, action or proceeding shall pay to the clerk of court 50 cents as a filing fee for each suit, action or proceeding instituted by him. The clerk shall deduct a fee of 20 percent from all sums collected in proceedings of said court to be turned into the treasury of the City of Stillwater to cover expense of blanks and record books.* Causes in said court shall be conducted by the parties without attorneys, but a removal to the municipal court as provided in

this act may be taken through an attorney-at-law.

Sec. 2. Laws 1919, Chapter 112, Section 4, as amended by Laws 1921, Chapter 122, Section 1, is amended to read:

Sec. 4. **Dismissal, procedure.** (a) In case the parties brought before the conciliation court, in the manner provided in this act, do not agree upon the judgment to be entered, then in case the amount in controversy, whether the claim of the plaintiff or a counterclaim on the part of the defendant exceeds the sum of \$100 and the judge is satisfied said counterclaim is in good faith, the case shall be forthwith dismissed and dropped from the docket without prejudice; but if the amount involved in the controversy be \$100 or less, or if said judge is of the opinion that the counterclaim, if any, therein in excess of \$100 is not in good faith, he shall retain jurisdiction and shall proceed summarily to hear and determine the cause and to enter judgment in his docket. The conclusion of the judge as to the good faith of any counterclaim shall be final and conclusive on all parties for the purpose of the jurisdiction of this court. In case such judgment is not removed by demand of either party to said municipal court within five days of the entry thereof, as provided in this act, and said judgment remains unsatisfied, said judgment or order of said judge, shall upon the payment of the fee of \$1 as hereinbefore provided, be docketed in said municipal court by said clerk and shall thereupon be and be enforced as the judgment of said municipal court or said judge may retain jurisdiction for the collection and satisfaction of said judgment by payment to him, but no execution shall issue from said conciliation court.

(b) By its terms, said judgment may provide for its satisfaction by payment into court, either in a lump sum or in installments and in such amounts and at such times as to said judge may under the circumstances of the case seem just and reasonable.

(c) The conciliation court shall be subject to the direction of the judge thereof, but the judges of said municipal court may prescribe rules of procedure, methods of producing evidence and general conduct of the case and the trial thereof under the provisions of this section and the carrying out of all the provisions of this act.

Approved March 17, 1953.

CHAPTER 119—S. F. No. 588

[Not Coded]

An act relating to county and judicial ditches and for pay-