

# GENERAL LAWS

OF

## MINNESOTA.

PASSED AND APPROVED DURING THE TWENTY-SEVENTH SESSION OF  
THE LEGISLATURE, COMMENCING JANUARY EIGHTH, ONE THOUS-  
AND EIGHT HUNDRED AND NINETY-ONE.

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### CHAPTER 1.

[S. F. No. 635.]

AN ACT PROPOSING AN AMENDMENT TO SECTION THIRTY-  
THREE (33) OF ARTICLE FOUR (4) OF THE CONSTITU-  
TION OF THE STATE OF MINNESOTA, PROHIBITING  
SPECIAL LEGISLATION.

Sec. 88, art. 4.  
State constitu-  
tion.

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

SECTION 1. The following amendment to section thirty-  
three (33) of article four (4) of the constitution of the state  
of Minnesota is hereby proposed to the people of said state  
for their approval or rejection, which said section when so  
approved shall read as follows:

Proposed  
amendment re-  
lating to special  
legislation.

Sec. 33. In all cases when a general law can be made  
applicable no special law shall be enacted; and whether a  
general law could have been made applicable in any case  
is hereby declared a judicial question, and as such shall be  
judicially determined without regard to any legislative as-  
sertion on that subject. The legislature shall pass no local  
or special law regulating the affairs of, or incorporating,  
erecting or changing the lines of any county, city, village,  
township, ward or school district, or creating the offices,  
or prescribing the powers and duties of the officers of, or  
fixing or relating to the compensation, salary or fees of the  
same, or the mode of election or appointment thereto;  
authorizing the laying out, opening, altering, vacating or

Constitutional  
amendment re-  
lating to special  
laws.

maintaining roads, highways, streets or alleys; remitting fines, penalties or forfeitures; regulating the powers, duties and practice of justices of the peace, magistrates and constables; changing the names of persons, places, lakes or rivers; for opening and conducting of elections, or fixing or changing the places of voting; authorizing the adoption or legitimation of children; changing the law of descent or succession; conferring rights upon minors; declaring any named person of age; giving effect to informal or invalid wills or deeds, or affecting the estates of minors or persons under disability; locating or changing county seats; regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes; exempting property from taxation, or regulating the rate of interest on money; creating corporations, or amending, renewing, extending or explaining the charters thereof; granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise whatever, or authorizing public taxation for a private purpose. *Provided, however,* That the inhibitions of local or special laws in this section shall not be construed to prevent the passage of general laws on any of the subjects enumerated.

The legislature may repeal any existing special or local law, but shall not amend, extend or modify any of the same.

Form of  
submission.

SEC. 2. This proposed amendment shall be submitted to the people of this state for their approval or rejection at the next general election held therein, and each of the legal voters at said election may vote by ballot for or against said proposed amendment, and the returns thereof shall be made and certified and such votes canvassed, and the result thereof declared in the manner provided by law for returning, certifying and canvassing votes at general elections for state officers and declaring the result thereof; and if it shall appear therefrom that a majority of the voters present and voting at said election upon said amendment have voted in favor of the same, then immediately after the result shall have been ascertained, the governor shall make proclamation thereof, and said amendment shall therefrom take effect and be in full force as part of the constitution of the state of Minnesota.

Style of ballot.

SEC. 3. The ballots used at said election on said amendment shall have printed thereon, "Amendment to article four (4) of the constitution to prohibit special legislation, yes—no;" and each elector voting on said amendment shall, unless otherwise provided by general law, mark across, erase or scratch out one (1) of said words "yes" or "no" on said ballot, and leave the other on the same when deposited in the ballot box, and no ballot shall be counted except those having one (1) only of said words "yes" or "no" thereon, and any ballot having unmarked, not erased

or not scratched, the word "yes" thereon shall be counted in favor of said amendment, and any ballot having unmarked, not erased or not scratched, the word "no" thereon shall be counted against said amendment.

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

Approved April 15, 1891.

## CHAPTER 2.

[S. F. No. 124.]

AN ACT PROPOSING AN AMENDMENT TO SECTION THREE (3) OF ARTICLE NINE (9) OF THE CONSTITUTION OF THE STATE OF MINNESOTA, AUTHORIZING THE TAXATION OF THE GROSS EARNINGS IN THIS STATE OF RAILROADS, SLEEPING, DRAWING ROOM AND PARLOR CAR COMPANIES, TELEGRAPH AND TELEPHONE COMPANIES, EXPRESS COMPANIES AND INSURANCE COMPANIES, OR IN LIEU OF SUCH TAX AUTHORIZING A LICENSE FEE OR TAX ON EITHER OR ANY OF SUCH COMPANIES, AND AUTHORIZING A SPECIFIC TAX ON MINING PROPERTY.

Section 3, art. 9,  
State constitution.

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

SECTION 1. The following amendment to section three (3) of article nine (9) of the constitution of the state of Minnesota is hereby proposed to the people of said state for their approval or rejection, that is to say, to add at the end of said section the following words:

Amendment  
proposed.

"And there may be levied and collected annually a tax upon the gross earnings in this state of all railroads, sleeping, parlor and drawing room car companies, or owners, whose cars run in or into this state; on all telegraph and telephone companies, or owners, whose lines are in or extend into this state; on all express companies, or owners, doing business in this state; on all foreign insurance companies doing business in this state; on all domestic insurance companies of this state, or on either or any of such companies. Or in lieu of such tax on the gross earnings of such companies, or either or any of them, an annual license fee or tax imposed on them, or either or any of them; but no tax upon the gross earnings of any corporation shall be construed to prevent the taxation, by law, of any real estate owned by said corporation not used in the business of the same. And there may be levied and collected, in lieu of other taxation on mining property, a specific tax upon the

Taxation of railroads and sleeping car, telegraph and telephone companies—on express companies—on insurance companies.

On mine products.