

GENERAL LAWS

OF THE

STATE OF MINNESOTA



PASSED DURING THE

THIRTIETH SESSION



OF THE

STATE LEGISLATURE

COMMENCING JANUARY FIFTH, ONE THOUSAND  
EIGHT HUNDRED AND NINETY-SEVEN.

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OFFICIAL PUBLICATION BY SECRETARY OF STATE.

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# AMENDMENTS

## TO THE CONSTITUTION OF THE STATE OF MINNESOTA, ADOPTED IN THE YEAR 1896.

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*An act providing for an amendment to section four (4) of article five (5) of the constitution of the State of Minnesota, defining the authority and duties of the governor in relation to pardons for criminal offenses and creating a board of pardons.*

To amend Sec.  
4, Art. 5 of  
constitution.

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

SECTION 1. The following amendment to section four (4) of article five (5) 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, by striking from said section the following words, viz.: "And he shall have power to grant reprieves and pardons after conviction for offenses against the state," and inserting in lieu thereof the following, that is to say: "And he shall have power in conjunction with the board of pardons, of which the governor shall be ex-officio a member, and the other members of which shall consist of the attorney general of the state of Minnesota and the chief justice of the supreme court of the state of Minnesota, and whose powers and duties shall be defined and regulated by law, to grant reprieves and pardons after conviction for offenses against the state."

Text of  
amendment.

Voted upon at the general election held November third (3d), eighteen hundred and ninety-six (1896), and adopted by a vote of 130,354 in favor of said amendment, and a vote of 45,097 against the same.

Proclamation of the vote issued by the governor December twenty-ninth (29th), 1896.

To amend Sec.  
1. Art. 7 of  
constitution.

*An act proposing an amendment to section one (1) of article seven (7) of the constitution of the State of Minnesota, which relates to the elective franchise.*

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

Section as  
amended.

SECTION 1. The following amendment to a part of article seven (7) 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, change section one (1) of article seven (7) of said constitution so that said section one (1) shall read as follows:

Section one (1). What persons are entitled to vote:

Every male person of the age of twenty-one (21) years or upwards, belonging to either of the following classes, who has resided in this state six (6) months next preceding any election, shall be entitled to vote at such election in the election district of which he shall at the time have been for thirty (30) days a resident, for all officers that now are, or hereafter may be, elective by the people.

First—Citizens of the United States who have been such for the period of three (3) months next preceding any election.

Second—Persons of mixed white and Indian blood, who have adopted the customs and habits of civilization.

Third—Persons of Indian blood residing in this state, who have adopted the language, customs and habits of civilization, after an examination before any district court of the state, in such manner as may be provided by law, and shall have been pronounced by said court capable of enjoying the rights of citizenship within the state.

Voted upon at the general election held November third (3d), eighteen hundred and ninety-six (1896), and adopted by a vote of 97,980 in favor of said amendment, and a vote of 52,454 against the same.

Proclamation of the vote issued by the governor December twenty-ninth (29th), 1896.

*An act proposing an amendment to article four (4) of the constitution of the State of Minnesota, allowing cities already incorporated, and villages desiring to become incorporated as cities, to frame their own charters as cities.*

To amend  
Art. 4 of the  
constitution.

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

SECTION 1. The following amendment to 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 amendment when so approved shall be known as section 36 of said article four (4), and shall read as follows:

"Sec. 36. Any city or village in this state may frame a charter for its own government as a city consistent with and subject to the laws of this state as follows: The legislature shall provide, under such restrictions as it deems proper, for a board of fifteen freeholders, who shall be and for the past five years shall have been qualified voters thereof, to be appointed by the district judges of the judicial district in which the city or village is situated, which board shall within six months after its appointment return to the chief magistrate of such city or village a draft of such charter signed by the members of said board, or a majority thereof. Such charter shall be submitted to the qualified voters of such city or village at the next election thereafter, and if four-sevenths of the qualified voters voting at such election shall ratify the same, it shall at the end of thirty days thereafter become the charter of such city or village as a city, and supersede any existing charter and amendments thereof; *provided*, that in cities having patrol limits now established such charter shall require a three-fourths majority vote of the qualified voters, voting at such election, to change the patrol limits now established.

Text of  
amendment.

Before any city shall incorporate under this act, the legislature shall prescribe by law the general limits within which such charter shall be framed. Duplicate certificates shall be made setting forth the charter proposed and its ratification, which shall be signed by the chief magistrate of said city or village, and authenticated by its corporate seal. One of said certificates shall be deposited in the office of the secretary of state, and the other, after being recorded in the office of the register of deeds for the county in which such city or village lies, shall be deposited among the archives of such city or village, and all courts shall take judicial

notice thereof. Such charter so deposited may be amended by a proposal therefor made by a board of fifteen freeholders aforesaid, published for at least thirty days in three newspapers of general circulation in such city or village, and accepted by three-fifths of the qualified voters of such city or village voting at the next election, and not otherwise; but such charter shall always be in harmony with and subject to the constitution and laws of the state of Minnesota. The legislature may prescribe the duties of the commission relative to submitting amendments of charter to the vote of the people.

The board of freeholders above provided for shall be permanent, and all the vacancies by death, disability to perform duties, resignation or removal from the corporate limits shall be filled by appointment in the same manner as the original board was created, and said board shall always contain its full complement of members.

It shall be a feature of all such charters that there shall be provided, among other things, for a mayor or chief magistrate, and a legislative body of either one or two houses; if of two houses at least one of them shall be elected by general vote of the citizens.

In submitting any such charter or amendment thereto to the qualified voters of such city or village any alternate section or article may be presented for the choice of the voters, and may be voted on separately without prejudice to other articles or sections of the charter or any amendment thereto.

The legislature may provide general laws relating to affairs of cities, the application of which may be limited to cities of over fifty thousand inhabitants, or to cities of fifty and not less than fifteen thousand inhabitants, or to cities of fifteen thousand inhabitants or less, which shall apply equally to all such cities of either class, and which shall be paramount while in force to the provisions relating to the same matter included in the local charter herein provided for. But no local charter, provision or ordinance passed thereunder shall supersede any general law of the state defining or punishing crimes or misdemeanors."

Voted upon at the general election held November third (3rd), eighteen hundred and ninety six (1896), and adopted by a vote of 107,086 in favor of said amendment and a vote of 58,312 against the same.

Proclamation of the vote issued by the governor December twenty-ninth 29th, 1896.

*An act proposing an amendment to section thirteen (13), article one (1), of the constitution of the State of Minnesota, relating to taking private property for public use.*

To amend Sec. 13, Art 1 of constitution.

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

SECTION 1. The following amendment to section thirteen (13), article one (1), of the constitution of the state of Minnesota is hereby proposed to the people of the state for their approval or rejection, that is to say, said section shall be amended to read as follows: Private property shall not be taken, destroyed or damaged for public use, without just compensation therefor first paid or secured.

Text of amendment.

Voted upon at the general election held November third (3d), eighteen hundred and ninety-six (1896), and adopted by a vote of 101,188 in favor of said amendment, and a vote of 56,839 against the same.

Proclamation of the vote issued by the governor December twenty-ninth (29th), 1896.

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*An act to amend article eight (8) of the constitution of the State of Minnesota, relating to school funds, education and science.*

To amend Art. 8 of the constitution.

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

SECTION 1. The following amendment of article eight (8) of the constitution of the state of Minnesota is hereby proposed to the people for approval or rejection, that is to say, that said article eight (8) be amended by adding thereto the following section, viz.:

Sec. 6. The permanent school and university fund of this state may be invested in the purchase of bonds of any county, school district, city, town or village of this state, but no such investment shall be made until approved by the board of commissioners designated by law to regulate the investment of the permanent school fund and the permanent university fund of this state; nor shall such loan or investment be made when the issue of which the same in part would make the entire bonded indebtedness exceed seven per cent of the assessed valuation of the taxable real property of the county, school district, city, town or village issuing such bonds; nor shall such loans or indebtedness be made at

Text of amendment.

a lower rate of interest than three per cent per annum nor for a shorter period than five (5) years nor for a longer period than twenty (20) years, and no change of the town, school district, village, city or county lines shall relieve the real property in such town, school district, county, village or city in this state at the time of the issuing of such bonds from any liability for taxation to pay such bonds.

Voted upon at the general election held November third (3d), eighteen hundred and ninety-six (1896), and adopted by a vote of 127,151 in favor of said amendment, and a vote of 36,134 against the same.

Proclamation of the vote issued by the governor December twenty-ninth (29th,) 1896.

To amend  
Art. 9 of the  
constitution.

*An act proposing an amendment to the constitution of the State of Minnesota, to authorize the taxation of the property of sleeping, drawing room and parlor car, and other companies and owners, in the manner therein provided.*

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

SECTION 1. The following amendment to the constitution of the state of Minnesota is hereby proposed to the people of said state for approval or rejection, that is to say, to add at the end of article 9 thereof an additional section, to be appropriately numbered, and to be as follows:

Text of  
amendment.

“The legislature may impose, or provide for the imposition of, upon the property within this state of any and all owners or operators, whether corporate or individual, or otherwise, of any and all sleeping, parlor and drawing room cars, or any or either of the same, which run in, into or through this state; also upon the property within this state of any and all telegraph and telephone companies, or owners, whose lines are in, or extend in, into or through this state; also upon the property within this state of all express companies, or owners, or any or either of the same, doing business in this state; also upon the property within this state of all domestic insurance companies of this state of any kind; also upon the property within this state of any and all foreign insurance companies doing business in this state of any kind; also upon the property within this state of all owners or operators of any and all mines or of mineral ores situated in this state; also upon the property within this state of all boom companies or

owners, and of all ship builders or owners doing business in this state or having a port therein; *provided*, that this act shall not apply to property owned by railroad companies, their lands and other property; and upon the property of either or any of such companies or owners a tax, as uniform as reasonably may be with the taxes imposed upon similar property in said state, or upon the earnings thereof within this state, but may be graded or progressive, or both, and in providing for such tax, or in providing for ascertaining the just and true value of such property, it shall be competent for the legislature, in either or all of such cases, to impose such tax, upon any or all property thereof within this state, and in either case by taking as the basis of such imposition the proportionate business, earnings, mileage or quantity of production or property now or hereafter existing of any such companies, persons or owners, transacted or existing in this state, in relation to the entire business, mileage or quantity of production or property of such companies, persons or owners as aforesaid; or in such other manner, or by such other method, as the legislature may determine; but the proceeds of such taxes upon mining property shall be distributed between the state and the various political subdivisions thereof wherein the same is situated, in the same proportion as the proceeds of taxes upon real property are distributed; *provided further*, that nothing in this act contained shall operate to authorize the assessment or taxation of any farm land or ordinary business blocks or property owned by any such corporation, person, firm or company except in the manner provided by the ordinary methods of taxation."

Voted upon at the general election held November third (3d), eighteen hundred and ninety-six (1896), and adopted by a vote of 163,694 in favor of said amendment, and a vote of 42,922 against the same.

Proclamation of the vote issued by the governor December twenty-ninth (29th), 1896.



LEGISLATIVE ENACTMENTS, ADOPTED IN THE  
YEAR 1896.

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Taxing R. R.  
lands.

*An act relating to the taxation of certain lands owned by railroad companies in this state, and repealing laws and parts of laws relating to the taxation of the same, and to provide for the submission of this act to the people of this state for their approval or rejection.*

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

What lands  
taxed.

SECTION 1. All lands in this state heretofore or hereafter granted by the state of Minnesota, or the United States, or the territory of Minnesota to any railroad company shall be assessed and taxed as other lands are taxed in this state, except such parts of said lands as are held, used or occupied for right of way, gravel pits, sidetracks, depots and all buildings and structures which are necessarily used in the actual management and operation of the railroads of said companies.

*Provided*, that said railroad companies shall continue to pay taxes into the state treasury upon their gross earnings in the same manner and in the same amount as now provided by law. And that nothing in this act contained shall be construed to repeal said laws except in so far as the same relate to the tax upon said lands.

Repealing  
clause.

SEC. 2. Such portion or portions of any act or acts, general or special, of the state or territory of Minnesota heretofore enacted, which provides or attempts to provide for any exemption of lands hereby declared taxable, from taxation, or for any other method of taxing said last mentioned lands different from the method of taxing other lands in this state, or which are in any manner inconsistent with the provisions of this act, are hereby repealed.

If so, not so,  
therefore.

SEC. 3. If this act shall be held to be void so far as it applies to the lands of any particular railroad company in this state, it shall not be ground for declaring it void or inapplicable to any other company not similarly situated.

Declared adopted and ratified December 22nd, 1896. 235,585 votes for, and 29,530 against said proposition.

*An act to appropriate the income derived from the investments in the internal improvement land fund to the internal improvement or road and bridge fund.* Road and bridge fund.

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

SECTION 1. That the income derived from all investments now in the internal improvement land fund, or that may hereafter accrue to said fund from sales of land or otherwise, be and the same is hereby set aside and appropriated to the internal improvement, or road and bridge fund. Income from internal improvement land fund transferred.

SEC. 2. The moneys hereby appropriated shall be used only for making public roads and building bridges on public roads within this state, in such amounts and in the manner as the legislature of the state may direct. How used.

SEC. 3. Nothing in this act contained shall operate to affect or abrogate the right of any person to have his claim or claims adjusted and settled, as provided by chapters one (1) and seventy-one (71), general laws, extra session eighteen hundred and eighty-one (1881), or to revive any claim heretofore barred or extinguished by the provisions of any law of this state; but every valid claim shall, when approved, be paid as now provided by law. Exceptions.

Declared adopted and ratified December 22nd, 1896. 152,765 votes for, and 28,991 against said proposition.