

GENERAL LAWS

OF THE

STATE OF MINNESOTA

PASSED DURING THE

THIRTY-FIFTH SESSION

OF THE

STATE LEGISLATURE

COMMENCING JANUARY EIGHTH, ONE THOUSAND NINE  
HUNDRED AND SEVEN.

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OFFICIAL PUBLICATION BY SECRETARY OF STATE.

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1907.

# STATE OF MINNESOTA

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EXECUTIVE DEPARTMENT

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1907

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## PROCLAMATION

*WHEREAS*, pursuant to chapter 143 of the General Laws of the State of Minnesota for the year 1893, entitled "An Act to provide for the creation and organization of new counties and the government of the same," as amended by chapter 124 of the General Laws of the State of Minnesota for the year 1895, which act is entitled "An act to amend sections two (2) and four (4) of chapter 143 of the General Laws of the year 1893, providing for the creation and organization of new counties and the government of the same," a petition was filed with the Secretary of State of the State of Minnesota on the 25th day of January, 1906, praying for the creation of a new county out of territory now lying in Itasca County in the State of Minnesota, to be named Koochiching County, and which territory is described as follows, to-wit:

Beginning at the point where the line between ranges twenty-nine (29) and thirty (30), west of the fifth principal meridian, intersects the boundary line between the United States and the British Possessions, said point being the northwest corner of Itasca county, Minnesota; thence south on said range line to the line between townships one hundred fifty (150) and one hundred fifty-one (151); thence east on said township line to the southeast corner of township one hundred fifty-one (151) north, range twenty-five (25) west of the fifth principal meridian; thence north to the northwest corner of fractional township sixty-two (62) north of range

twenty-seven (27) west of the fourth principal meridian; thence east on the township line to the east line of said Itasca county, being the line between ranges twenty-one (21) and twenty-two (22) west of the fourth principal meridian, thence north on the range line to its intersection with the boundary between the United States and the British Possessions; thence westerly along said boundary line to the place of beginning, all of which said territory is within the present limits of the county of Itasca, State of Minnesota; which said petition asks that the name of said proposed new county shall be Koochiching county; that the village of International Falls, within said territory hereinbefore described, be the county seat thereof, and that Ronald S. McDonald of the village of International Falls, Nels L. Olson of the village of Littlefork, Fred Smith of the town of Reedy, Charles M. Bowman of the village of Big Falls, and Hugh T. McIntosh of the village of Northhome, all actual residents of the said proposed county of Koochiching, be and constitute the first Board of County Commissioners of said proposed county, and in which said petition it is represented and averred that the said hereinbefore described territory comprises more than four hundred square miles and contains more than two thousand inhabitants, and that the remaining area of Itasca county, after detaching the territory hereinbefore described, will comprise more than four hundred square miles and contain more than two thousand inhabitants;

*AND WHEREAS*, on the 19th day of February, 1906, said petition was duly considered by the Governor, State Auditor and Secretary of State of the State of Minnesota, and found and certified to as conforming in all respects to the provisions of sections two and three of chapter one hundred and forty-three (143) of the General Laws of the State of Minnesota for the year 1893, as amended by chapter one hundred and twenty-four (124) of the General Laws of said state for the year 1895;

*AND WHEREAS*, pursuant to the provisions of section three hundred eighty-two (382) of the Revised Laws of 1905, the Governor of the State of Minnesota on the 30th day of April, 1906, duly issued his proclamation declaring that said petition had been duly filed and considered, and directing that the question of the proposed new county of Koochiching be submitted to the voters of said Itasca county at the next general election to be held in said state on the first Tuesday

## PROCLAMATION

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after the first Monday in November, 1906, which proclamation was duly filed, recorded and published in accordance with the provisions of said law;

*AND WHEREAS*, it appears that the notice of an election, as provided by section three hundred eighty-four (384) of the Revised Laws of 1905, was duly given to the electors of the county of Itasca that the question of the creation of the county of Koochiching would be voted upon at the said general election and that the law for such cases made and provided has been in all respects complied with;

*AND WHEREAS*, it appears from the certificate of the State Canvassing Board, made and filed with the Secretary of State, disclosing the result of the vote on the said proposition in Itasca county, Minnesota, that said proposition has received a majority of the votes cast thereon in the said county of Itasca at said election, and that a total of two thousand, two hundred sixty-three (2263) votes were polled at said election on the question of the creation of the proposed new county of Koochiching, of which one thousand three hundred seventy (1370) were in favor of establishing said county of Koochiching;

*NOW THEREFORE*, I, John A. Johnson, Governor of the State of Minnesota, in compliance with section three hundred eighty-six (386) of the Revised Laws of 1905, do hereby publish, declare and proclaim that the proposition to organize and create the said county of Koochiching did receive at the said election a majority of the votes cast thereat upon the said proposition and that the same was duly adopted, and that the said county of Koochiching, as hereinbefore bounded and described, with the county seat located and the county commissioners named, as set forth in said petition and proclamation, has been duly created and vested with all the rights and privileges conferred by law upon an organized county of the State of Minnesota.

*IN TESTIMONY WHEREOF*, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be hereto affixed, at the Capitol, in the City of St. Paul, in said State, on this nineteenth day of December, A. D. 1906.

[Seal.]

JOHN A. JOHNSON,

Governor.

Attest: P. E. HANSON, Secretary of State.

## STATE OF MINNESOTA

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EXECUTIVE DEPARTMENT

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## PROCLAMATION

*WHEREAS*, pursuant to section three hundred eighty-one (381) of the Revised Laws of 1905, relative to the creation and organization of new counties and the government of the same, a petition was filed with the Secretary of State of the State of Minnesota, on the 21st day of July, 1906, praying for the creation of a new county out of territory now lying in Norman county in the State of Minnesota, to be named Mahnomen county, and which territory is described as follows: to-wit:

Beginning at a point where the line between ranges thirty-nine (39) and thirty-eight (38), west of fifth principal meridian, intersects the line between townships one hundred forty-six (146) and one hundred forty-seven (147) north, said point being the northeast corner of Norman county, Minnesota, thence south on said range line to the line between townships one hundred forty-two (142) and one hundred forty-three (143) north, thence west to the line between ranges forty-three (43) and forty-two (42) west of the fifth principal meridian, thence north to the line between townships one hundred forty-six (146) and one hundred forty-seven (147) north, thence east to place of beginning; all of which said territory is within the present limits of the county of Norman, State of Minnesota: which said petition asks that the name of said proposed new county shall be Mahnomen county; that the village of Mahnomen, within said territory hereinbefore described, shall be

the county seat thereof, and that Henry Birkett, Wm. C. Hazeltine and S. B. Olson, all of the village of Mahnomen, Julius Owen of Congressional township one hundred forty-five (145) north of range forty (40) west of the fifth principal meridian and whose post office address is Beaulieu, Minnesota, and Selam Fairbanks of the village of Beaulieu, all actual residents of said proposed county of Mahnomen, be and constitute the first board of county commissioners of said proposed county, and in which said petition it is represented and averred that the said hereinbefore described territory comprises more than four hundred square miles and contains more than two thousand inhabitants, and that the remaining area of Norman county, after detaching the territory hereinbefore described, will comprise more than four hundred square miles and contain more than two thousand inhabitants;

*AND WHEREAS*, on the 21st day of July, 1906, said petition was duly considered by the Governor of the State of Minnesota and found and certified to as conforming in all respects to the provisions of section three hundred eighty-one (381) of the Revised Laws of 1905;

*AND WHEREAS*, pursuant to the provisions of section three hundred eighty-two (382) of the Revised Laws of 1905, the Governor of the State of Minnesota, on the 21st day of July, 1906, duly issued his proclamation declaring that said petition had been duly filed and considered, and directing that the question of the proposed new county of Mahnomen be submitted to the voters of said Norman county at the next general election to be held in said state on the first Tuesday after the first Monday in November, 1906, which proclamation was duly filed, recorded and published in accordance with the provisions of said law;

*AND WHEREAS*, it appears that the notice of an election, as provided by section three hundred eighty-four (384) of the Revised Laws of 1905, was duly given to the electors of the county of Norman, and duly specified that the question of the creation of the county of Mahnomen would be voted upon at the said general election and that the law for such cases made and provided has been in all respects complied with;

*AND WHEREAS*, it appears from the certificate of the State Canvassing Board, made and filed with the Secretary of State, disclosing the result of the vote on the said propo-

sition in Norman county, Minnesota, that said proposition has received a majority of the votes cast thereon in the said county of Norman at said election, and that a total of one thousand, eight hundred sixty-three (1863) votes were polled at said election on the question of the creation of the proposed new county of Mahnomen, of which one thousand, one hundred sixty-three (1163) were in favor of establishing said county of Mahnomen;

*NOW THEREFORE*, I, John A. Johnson, Governor of the State of Minnesota, in compliance with section three hundred eighty-six (386) of the Revised Laws of 1905, do hereby publish, declare and proclaim that the proposition to organize and create the said county of Mahnomen did receive at the said election a majority of the votes cast thereat upon the said proposition and that the same was duly adopted, and that the said county of Mahnomen, as hereinbefore bounded and described, with the county seat located and the county commissioners named, as set forth in said petition and proclamation, has been duly created and vested with all the rights and privileges conferred by law upon an organized county of the State of Minnesota.

*IN TESTIMONY WHEREOF*, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be hereto affixed, at the Capitol, in the city of St. Paul, in said state, on this twenty-seventh day of December, A. D. 1906.

[Seal.]

JOHN A. JOHNSON,

Governor.

Attest: P. E. HANSON, Secretary of State.

# AMENDMENTS

TO THE CONSTITUTION OF THE STATE OF MINNESOTA, ADOPTED IN THE YEAR 1906.

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*An Act proposing an amendment to article nine of the Constitution of the State of Minnesota relating to taxation.*

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

**Constitution, Article 9.**—The following amendment to article nine of the Constitution of the State of Minnesota, to take the place of sections one, two, three, four and the amendment added to the end of said article adopted in 1896, relating to taxation, is hereby proposed to the people of the State of Minnesota for their approval or rejection, which amendment when adopted shall be known as section one of said article nine, that is to say :

**Power of taxation—legislature may authorize.**—Section 1. The power of taxation shall never be surrendered, suspended or contracted away. Taxes shall be uniform upon the same class of subjects, and shall be levied and collected for public purposes, but public burying grounds, public school houses, public hospitals, academies, colleges, universities, and all seminaries of learning, all churches, church property, and houses of worship, institutions of purely public charity, and public property used exclusively for any public purpose, shall be exempt from taxation, and there may be exempted from taxation personal property not exceeding in value \$200, for each household, individual or head of a family, as the legislature may determine: *Provided*, that the legislature may



authorize municipal corporations to levy and collect assessments for local improvements upon property benefited thereby without regard to a cash valuation, and *provided further*, that nothing herein contained shall be construed to affect, modify or repeal any existing law providing for the taxation of the gross earnings of railroads.

**Submission to vote of people—majority of all votes.—**

Sec. 2. Such proposed amendment shall be submitted to the people, for their approval or rejection, at the general election for the year one thousand nine hundred and six, and the qualified electors of the state, in their respective districts may, at such elections, vote for or against such proposed amendment by ballot, and the returns thereof shall be made and certified within the time, such votes canvassed, and the result thereof declared in the manner provided by law with reference to the election of state officers, and if it shall appear thereupon that a majority of all the electors voting at such election shall have voted for and ratified said amendment, as provided in the next section hereof, then the governor shall make proclamation thereof, and such amendment so ratified shall take effect and be in force as a part of the Constitution.

**Form of ballot.—**Sec. 3. The ballots used at said election, on said proposed amendment, shall have printed thereon: "Amendment of article nine of the Constitution, relating to taxation, to take the place of sections one, two, three, four and the amendment added at the end of said article adopted in 1896. Yes— No.—." Each elector voting upon such proposed amendment shall place a cross mark, thus, "X," in a space to be left on the ballot opposite the words "yes" and "no," according as he may wish to vote for or against said amendment, and his vote shall be counted in accordance with the expressed will of such elector, as provided by the election laws of this state.

Voted upon at the general election held November sixth (6) nineteen hundred and six (1906), and adopted by a vote of 156,051 in favor of said amendment, and a vote of 46,982 against the same.

Proclamation of the vote issued by the Governor December 27, 1906.

*An Act entitled An act proposing an amendment to article one (1) of the constitution of the State of Minnesota providing that any person may sell or peddle the products of the farm or garden occupied and cultivated by him, without obtaining a license therefor.*

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

**Constitution, article 1.**—Section 1. The following amendment to article one (1) of the constitution of the State of Minnesota, is hereby proposed to the legal voters of said state for their approval or rejection, which amendment, when so approved shall be known as section eighteen (18) of said article one (1) and shall read as follows :

**No license to peddle.**—Sec. 18. Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefor.

**To be submitted to the people—ballot.**—Sec. 2. This proposed amendment shall be submitted to the electors of said state for their approval or rejection at the next general election for the year 1906, as is now provided by law for submission of amendments of the constitution of this state, and each of the legal voters of said state may at said election vote by ballot for or against said amendment, and if it shall appear therefrom that a majority of the voters voting at said election upon said amendment, "Yes" or "No," have voted in favor of the same, then within ten days after the result shall have been ascertained the governor shall make proclamation thereof and said amendment shall thereupon take effect and be in full force as part of the constitution of the State of Minnesota.

Voted upon at the general election held November sixth (6) nineteen hundred and six (1906), and adopted by a vote of 190,897 in favor of said amendment and a vote of 34,094 against the same.

Proclamation of the vote issued by the governor December 27, 1906.