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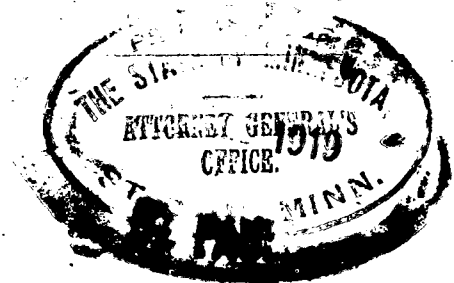
GENERAL STATUTES

OF THE

STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE
THE STATUTES OF THE STATE, BY ACT OF THE
LEGISLATURE, PASSED FEBRUARY 17, 1863.

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1 SECT. 23. If from any cause a vacancy happens in the
 2 office of senator in congress during any session of the legis-
 3 lature, the two houses of the legislature shall meet in joint ^{c 54}
 4 convention in the hall of the house of representatives, at a 1890—p. 224, Sect. 7.
 5 time to be fixed by joint resolution of the two houses,
 6 during the same session in which the said vacancy happens,
 7 and shall proceed in the manner provided for in the preced-
 8 ing sections, to elect a United States senator; and in case
 9 of a failure to elect a senator at any of the times provided
 10 for in this title, if such senator is not elected at any time
 11 during the same session as provided for herein, then, at
 12 twelve o'clock, m., on the second Tuesday of the session of
 13 the legislature next succeeding the said session and of each
 14 succeeding session of the legislature until such senator is
 15 elected, the two houses of the legislature shall meet in joint
 16 convention in the hall of the house of representatives, and
 17 proceed to elect such senator in the same manner provided
 18 for herein.

1 SECT. 24. In case a vacancy in the office of United
 2 States senator happens, from any cause, during the recess ^{c 54}
 3 of the legislature of this state, the governor shall appoint 1890—p. 224, Sect. 8.
 4 some person to fill such vacancy until the session of the
 5 legislature next thereafter, and until a successor is elected
 6 and qualified.

CHAPTER IV.

STATUTES—THEIR CONSTRUCTION AND REPEAL.

1 SECTION 1. In the construction of statutes, the follow-
 2 ing rules shall be observed, unless such construction would be
 3 inconsistent with the manifest intent of the legislature, or
 4 repugnant to the context of the same statute, that is to
 5 say:—
 6 *First.*—Words and phrases shall be construed according
 7 to the common and approved usage of the language; but tech- ^{P. 5 18 40-58 c 3}
 8 nical words and phrases, and such others as may have ac- G. S. p. 113, Sect. 2.
 9 quired a peculiar and appropriate meaning in the law, shall Amended.
 10 be construed according to such peculiar and appropriate
 11 meaning; and all clerical and typographical errors shall be
 12 disregarded when the intent and meaning are obvious.
 13 *Second.*—Words importing the singular number may ex-
 14 tend and be applied to several persons or things; words im-
 15 porting the plural number may include the singular, and words
 16 importing the masculine gender may be applied to females.

17 *Third.*—Words purporting to give a joint authority to
18 three or more public officers or other persons, shall be con-
19 strued as giving such authority to a majority of such officers
20 or persons.

21 *Fourth.*—The term “folio,” when used as a measure for
22 computing fees or compensation, means one hundred words,
23 counting every figure necessarily used, as a word; and any
24 portion of a folio, when in the whole draft or paper there is
25 not a complete folio, and when there is any excess over
26 the last folio, shall be computed as a folio.

C. S. p. 118, Sect. 2.
Amended.

27 *Fifth.*—The word “highway” may include any road laid
28 out by the authority of the United States or of this state, or
29 of any town or county, and all bridges upon the same.

30 *Sixth.*—The words “insane person” shall include every
31 idiot, non-compos, lunatic, and distracted person; and the
32 word spendthrift shall include every one who is liable to
33 be put under guardianship on account of excessive drink-
34 ing, gaming, idleness or debauchery.

35 *Seventh.*—The word “issue,” as applied to the descent
36 of estates, shall include all the lawful lineal descendants of
37 the ancestor.

38 *Eighth.*—The word “land” or “lands,” and the word
39 “real estate,” shall include lands, tenements, heredita-
40 ments, and all rights thereto and interests therein.

41 *Ninth.*—The word “month” shall mean a calender
42 month, and the word “year” shall be equivalent to the ex-
43 pression “year of our Lord.”

44 *Tenth.*—The word “oath” shall include “affirmation”
45 in all cases where by law an affirmation may be substituted
46 for an “oath;” and in like cases the word “sworn” shall
47 include the word “affirmed.”

48 *Eleventh.*—The word “person” may extend and be ap-
49 plied to bodies politic and corporate.

50 *Twelfth.*—The words “preceding” and “following,”
51 when used by way of reference to any section of these stat-
52 utes, shall mean the section next preceding or next follow-
53 ing that in which such reference is made.

54 *Thirteenth.*—When the seal of a court, public office, or
55 corporation is required by law to be affixed to any paper,
56 the word “seal” shall include an impression of the official
57 seal made upon the paper alone, as well as an impression
58 made by means of a wafer or of wax affixed thereto.

59 *Fourteenth.*—The word “town” may include cities and
60 districts, unless such construction would be repugnant to
61 the provisions of any act specially relating to such cities or
62 districts.

63 *Fifteenth.*—The term “will” shall be construed to in-
64 clude codicils.

65 *Sixteenth.*—The words “written” and “in writing”
66 may include printing, engraving, lithographing, and any

67 other mode of representing words and letters; but when
 68 the written signature of a person is required by law, it shall
 69 always be the proper handwriting of such person, or in case
 70 he is unable to write, his proper mark.

71 *Seventeenth.*—The word “State,” when applied to the
 72 different parts of the United States, shall extend to and in-
 73 clude the District of Columbia and the several territories,
 74 so called, and the words “United States” shall include
 75 said district and territories.

76 *Eighteenth.*—The word “felonious” shall mean criminal,
 77 and the word “feloniously” criminally, and the term “in-
 78 famous crime” shall include every offence punishable with
 79 death or imprisonment in the state prison.

1 SECT. 2. Every statute which does not expressly pre- C. S. p. 114, Sect. 8. c. 3
 2 scribe the time when it shall go into operation, shall take
 3 effect throughout the state on the thirtieth day next after
 4 that on which it is approved by the governor or otherwise
 5 becomes a law; but no general law shall take effect until
 6 published.

1 SECT. 3. Whenever a law is repealed, which repealed a New Section.
 2 former law, the former law shall not thereby be revived un-
 3 less it is so specially provided, nor shall such repeal affect
 4 any right which accrued, any duty imposed, any penalty
 5 incurred, nor any proceeding commenced under or by vir-
 6 tute of the law repealed.

CHAPTER V.

PRINTING AND DISTRIBUTION OF LAWS AND DOCUMENTS.

1 SECTION 1. The senate and the house of representatives
 2 shall meet in joint convention at their regular sessions in
 3 each year and elect a state printer who shall do the print- 1860 p. 277, Sect. 1. Amended.
 4 ing, binding and advertising for the state officers, school
 5 and banking departments, and all other printing to be exe-
 6 cuted for the state from the adjournment of the session of
 7 one Legislature to the meeting of the next Legislature, on
 8 a scale of prices to be agreed upon by the printing com-
 9 mittee of the senate and the printing committee of the
 10 house and said printer.

attached out

1 SECT. 2. The person so elected printer shall, within New Section.
 2 one week after his election execute a bond to the state in
 3 the sum of five thousand dollars, with two or more suffi-

stamped out