

# GENERAL STATUTES

OF THE

# STATE OF MINNESOTA

36

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COMPLETE IN TWO VOLUMES.

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VOLUME 1, the General Statutes of 1878, prepared by GEORGE B. YOUNG, edited and published under the authority of chapter 67 of the Laws of 1878, and chapter 67 of the Laws of 1879.

VOLUME 2, Supplement.—Changes effected in the General Statutes of 1878 by the General Laws of 1879, 1881, 1881 Extra, 1883, 1885, and 1887, arranged by H. J. HORN, Esq., with Annotations by STUART RAPALJE, Esq., and others, and a General Index by the Editorial Staff of the NATIONAL REPORTER SYSTEM.

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VOL. 2.

SUPPLEMENT, 1879-1888,

WITH

ANNOTATIONS AND GENERAL INDEX TO BOTH VOLUMES.

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ST. PAUL:  
WEST PUBLISHING CO.  
1888.

and shall be entitled to elect one senator and one representative. (1881, c. 128, § 2.)

**\*§ 3. Change of county or township lines—Effect.**

In the event of any change in the county and township lines affecting the districts provided in section two of this act, the senatorial and representative districts shall not be affected thereby. (*Id.* § 3.)

ORGANIZATION.

**\*§ 18. Compensation for preparing journals.**

The secretary of the senate and the chief clerk of the house shall be paid each two hundred dollars for fully and completely indexing the printed journals of their respective legislative bodies. The assistant secretary of the senate and the assistant clerk of the house shall be paid three hundred dollars each for transcribing the journals of their respective legislative bodies. (1873, c. 113, § 3, as amended 1883, c. 14, § 1.)

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## § 1. Rules for construing statutes.

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*Nineteenth.* When the words "railroad" or "railroads" is used in any general or special law of this state, the same shall be deemed to apply alike to all railroads, without reference to the gauge thereof. (1879, c. 79, § 1.)

SUBD. 8. An owner of a right or interest in land, legal or equitable, is an owner of the land in which he possesses such right or interest, within this definition. *Wilder v. Haughey*, 21 Minn. 101, 106.

The easement of a railroad company in a street in which its track is laid is not "real estate," under this provision, as such construction is inconsistent with the legislative intent. *State v. County of Ramsey*, 31 Minn. 354, 17 N. W. Rep. 954.

SUBD. 11. A corporation indorsing a note by its authorized agent, is the "person" indorsing it, within c. 73, § 89, *infra*. *First Nat. Bank of Rock Island v. Loyhed*, 28 Minn. 398, 10 N. W. Rep. 421.

"Person" may be construed to include and designate the state. *Forrest v. Henry*, 33 Minn. 434, 23 N. W. Rep. 848.

SUBD. 12. See *Humphill v. Holley*, 4 Minn. 233, (Gil. 166.)

SUBD. 14. Whether "town" means town, city, or incorporated village, may be apparent in a given case from the purpose of the statute. *Odegaard v. City of Albert Lea*, 33 Minn. 351, 23 N. W. Rep. 527.

SUBD. 18. "Feloniously," as thus defined, is applicable to misdemeanors as well as felonies. *State v. Hogard*, 12 Minn. 293, (Gil. 191.)

See, generally, *Banning v. Sibley*, 3 Minn. 389, (Gil. 282;); *Rothschild v. Boelter*, 18 Minn. 363, (Gil. 331;); *Wilder v. Haughey*, 21 Minn. 101, 106; *Beecher v. Stephens*, 25 Minn. 146.

### § 2. When laws to take effect.

A provision that an act shall take effect and be in force from and after its passage, is effectual, and *pro tanto* a repeal of this section. *State v. Welch*, 21 Minn. 22.

Due publication will be presumed, in the absence of any allegation to the contrary, *Lowell v. North*, 4 Minn. 32, (Gil. 15, 20;); and publication in a newspaper is sufficient, *Stine v. Bennett*, 13 Minn. 153, (Gil. 138.)

### § 3. Effect of repeal.

The repeal of Laws 1875, c. 5, § 52, did not revive Gen. St. 1866, c. 11, § 154; nor did Laws 1878, c. 1, § 120, have that effect. *Kipp v. Johnson*, 31 Minn. 360, 17 N. W. Rep. 957.

See *Lambert v. Slingerland*, 25 Minn. 457, and note at head of chapter, *supra*.

## CHAPTER 5.

### PRINTING AND DISTRIBUTION OF LAWS AND DOCUMENTS.\*

#### \*§ 3. Advertisement for bids for public printing, etc.— Maximum prices—Requisites of bids.

The commissioners of printing shall, during the first week in May, A. D. one thousand eight hundred and seventy-five, and every year thereafter, give notice in two newspapers printed in the city of St. Paul, and in such other newspapers in the state, not exceeding four, as they may deem necessary, for thirty days, that sealed proposals will be received at the office of the secretary of state, until a day specified in the said notice, for the execution of the several classes of the state printing, in separate contracts, as specified in section two of this act, for the term of one year from the first day of *August* next ensuing; said advertisement shall contain the maximum list of prices established by law, and such other information as the said commissioners may deem necessary: *provided, however*, that the contract for such printing let and made for the year A. D. one thousand eight hundred and eighty-five shall only embrace the period between November first in the year of our Lord one thousand eight hundred and eighty-five and the thirty-first day of July, in the year of our Lord one thousand eight hundred and eighty-six. The following prices are hereby established as the maximum prices for doing said work:

*Composition.* First class, fifty cents per one thousand ems; second, third and fourth class, seventy cents per one thousand ems for plain matter; fifth class, one dollar per one thousand ems.

*Presswork.* For the first one hundred impressions of a form, one dollar; for each additional one hundred impressions of the same form, twenty-five cents. In book work the form is hereby determined to consist of eight pages octavo, or twelve pages duodecimo, or fraction thereof, whenever said fraction is made necessary. In all other work, the form shall consist of one side of the sheet upon which the job is printed and delivered.

*Folding.* When no charge is made for binding, per one hundred sheets of eight pages, or fraction thereof, eight cents.

\*See an act providing for the printing of school laws, Laws 1887, c. 229; *post*, c. 36, §§ 57*d*, 57*e*. Also an act providing for the publication of the Minnesota Reports, Laws 1887, c. 230, *post*, c. 27.