

REVISED LAWS

MINNESOTA

1905

ENACTED APRIL 18, 1905 TO TAKE EFFECT MARCH 1, 1906

EDITED AND ANNOTATED BY
MARK B. DUNNELL

PUBLISHED UNDER CHAPTER 185, LAWS 1905

ST. PAUL
PUBLISHED BY THE STATE
1906

tively, in each of which districts one or more judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Washington, Pine, Chisago, and Kanabec: two judges.
2. Ramsey: six judges.
3. Olmsted, Wabasha, and Winona: one judge.
4. Hennepin: six judges.
5. Dodge, Rice, Steele, and Waseca: one judge.
6. Blue Earth and Watonwan: one judge.
7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena: two judges.
8. Carver, Le Sueur, McLeod, Scott, and Sibley: one judge.
9. Lyon, Redwood, Brown, Nicollet, and Lincoln: one judge.
10. Fillmore, Freeborn, Houston, and Mower: one judge.
11. Carlton, St. Louis, Lake, and Cook: three judges.
12. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, and Yellow Medicine: two judges.
13. Cottonwood, Murray, Nobles, Pipestone, and Rock: one judge.
14. Norman, Polk, Marshall, Kittson, Red Lake, and Roseau: two judges.
15. Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Clearwater, and Cass: two judges.
16. Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin: one judge.
17. Faribault, Martin, and Jackson: one judge.
18. Anoka, Isanti, Wright, and Sherburne: one judge.

7 (11)
09 - - 126

7 (11)

09 (12) 134

CONGRESSIONAL DISTRICTS

8. Composition—The state is hereby divided into nine congressional districts, in each of which one representative to the Congress of the United States shall be elected; said districts being composed of the following named counties, respectively:

1. Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Steele, Wabasha, Waseca, and Winona.
2. Blue Earth, Brown, Cottonwood, Faribault, Jackson, Martin, Murray, Nobles, Pipestone, Rock, and Watonwan.
3. Carver, Dakota, Goodhue, Le Sueur, McLeod, Nicollet, Rice, Scott, and Sibley.
4. Chisago, Ramsey, and Washington.
5. Hennepin.
6. Benton, Cass, Crow Wing, Douglas, Hubbard, Meeker, Morrison, Sherburne, Stearns, Todd, Wadena, and Wright.
7. Big Stone, Chippewa, Grant, Kandiyohi, Lac qui Parle, Lincoln, Lyon, Pope, Redwood, Renville, Stevens, Swift, Traverse, and Yellow Medicine.
8. Aitkin, Anoka, Carlton, Cook, Isanti, Itasca, Kanabec, Lake, Mille Lacs, Pine, and St. Louis.
9. Becker, Beltrami, Clay, Clearwater, Kittson, Marshall, Norman, Otter Tail, Polk, Red Lake, Roseau, and Wilkin. ('01 c. 92)

CHAPTER 3

THE LEGISLATURE

9. Biennial and extra sessions—The legislature shall assemble at the seat of government on the first Tuesday after the first Monday in January of each odd-numbered year, and at such other times as it may be called by the governor to meet in extra session. (217)

10. Evidence of membership—For all purposes of organization of either house of the legislature, a certificate of election thereto, duly executed by the

auditor of the proper county, shall be prima facie evidence of the right to membership of the person therein named. (218)

11. Temporary employees—At the opening of each session of the legislature, the superintendent of the capitol shall employ the following assistants, who shall serve until their places are filled by action of the respective houses, and no longer: For the senate, two doorkeepers, one cloakroom keeper, and two pages; and for the house of representatives, two doorkeepers, three cloakroom keepers, and four pages. (223)

12. Same—Compensation—Each door and cloakroom keeper so temporarily employed shall be paid three dollars per day, and each page two dollars per day, for the time of his actual service; but none of them shall receive any pay whatsoever until the superintendent of the capitol shall have certified to the number of days of such service, and the amount due therefor. And no other person shall be paid for assistance rendered to either house during its organization. (223, 224)

13. Organization—At noon of the day appointed for the convening of the legislature, the members thereof shall meet in their respective chambers. The lieutenant governor shall call the senate to order; and the secretary of state, the house of representatives. In the absence of either of said officers, the oldest member present shall act in his place. The person so acting shall appoint, from the members present, a clerk pro tem., who shall call the legislative districts in the order of their numbers; and, as each is called, the persons claiming to be members therefrom shall present their certificates to be filed. All whose certificates are so presented shall then stand and be sworn. (219, 221)

14. Officers to be elected—Thereupon, a quorum being present, the respective houses shall elect, by viva voce vote, and in the order hereinafter named, the following officers, any of whom may be removed by resolution of the appointing body:

The senate, a secretary, a first and a second assistant secretary, an enrolling clerk, an engrossing clerk, a sergeant-at-arms, an assistant sergeant-at-arms, and a chaplain.

The house, a speaker, who shall be a member thereof, a chief clerk, a first and a second assistant clerk, an enrolling clerk, an engrossing clerk, a sergeant-at-arms, an assistant sergeant-at-arms, a postmaster, an assistant postmaster, and a chaplain. (220, 221)

See 1905 c. 52

15. Additional employees—Service, how computed and paid—Each house, after its organization, may appoint, and at pleasure remove, such necessary doorkeepers, cloakroom keepers, clerks, messengers, and other employees as are provided for by its permanent rules, or recommended by its committee on legislative expenses. All members, officers, and employees shall be paid by the day, counting the first and last days of each session and every intervening day; and, unless otherwise expressly provided by law, no officer or employee shall receive any other compensation for his services, whether rendered before, during, or after the session: Provided, that in no case shall pay be allowed for time preceding the election or appointment, nor after the membership or employment has ceased. (232)

16. Manner of election—Duties—Jury exemption—A majority of all the votes given upon the election or appointment of any officer or employee of either house shall be necessary to a choice. Such officers and employees, in addition to the duties prescribed by law, shall perform such services as may be required of them by rule or vote of the appointing body, or by direction of any committee thereof. During all sessions the members, officers, and employees of each house shall be exempt from duty as jurors. (226, 230)

17. Compensation and mileage—The compensation of members, officers, and employees shall be at the following rates per day, respectively:

1. The president of the senate and speaker of the house, ten dollars each.
2. Senators and representatives, five dollars each.

09 - 16 - 51

07 - 17 - 229

09 - 17 - 132

3. The secretary of the senate and chief clerk of the house, ten dollars each; and, in addition thereto, each shall receive two hundred dollars for properly indexing the journals of their respective houses, and reading and correcting the printer's proofs thereof.

4. The assistant secretaries and assistant clerks, seven dollars each.

5. Clerks of committees, such sum as may be fixed by a resolution of the appointing body, not exceeding ten dollars each.

6. Messengers, not exceeding two dollars and fifty cents each.

7. All other employees, for the time of service actually performed, five dollars each, unless fixed at a less sum by resolution of the appointing body.

8. Assistants of the enrolling and engrossing clerks, who are not paid by the day, shall receive not exceeding eight cents per folio for matter properly transcribed by them, respectively, under the direction of such clerks.

9. Each member shall receive mileage at the rate of fifteen cents per mile for the distance necessarily traveled in going to and returning from the place of meeting, computed from his place of residence. (230, 232-234)

18. **Same—How certified and paid—**On the eleventh day of the session, and on every tenth day thereafter, the secretary of the senate and the chief clerk of the house shall certify to the state auditor, in duplicate, the amount of compensation due each member, officer, and employee of their respective houses for the preceding ten days, and the aggregate thereof; and at the end of the session they shall include in the final certificate the amount due to each member for mileage, and the aggregate thereof. Suitable blanks for such certificates shall be furnished by the auditor. Upon receipt of one of such duplicates, with a certificate of approval thereof by the auditor, and his warrant for payment, the state treasurer shall forthwith pay to the several persons named the amount to which each is thereby shown to be entitled, taking his receipt therefor. No member, officer, or employee shall receive pay for the time of any unexcused absence, and the treasurer shall have credit hereunder only for sums actually disbursed. (238-243)

09 - 18 - 2

19. **Contempts—**Each house may punish, as a contempt, any breach of its privileges, or of the privileges of its members, but only for one or more of the following offences:

07 - 19 - 319

1. Arresting or causing to be arrested any member or officer thereof, in violation of his privilege from arrest.

2. Disorderly conduct in its view and presence, or in the view and presence of any of its committees, tending to interrupt their proceedings.

3. Refusing to attend or be examined as a witness, before either house or any committee thereof, or before any person authorized by such house or committee to take testimony in legislative proceedings.

4. Giving or offering a bribe to any member, or attempting, by menace or by any corrupt or improper means, directly or indirectly to control or influence a member in giving or withholding his vote. (227)

20. **Same—Punishment—**Punishment for contempt shall be by imprisonment, but the term thereof shall not extend beyond the session at which it is inflicted. Whenever either house shall direct the imprisonment of any person for a contempt, the keeper of the common jail of the county in which the seat of government is situated shall receive such person and detain him in close confinement during the term fixed by the order of commitment, or until he is discharged by vote of the committing body or by due process of law. (227, 228)

21. **Journals—**A journal of the daily proceedings in each house shall be printed and laid before each member at the beginning of the next day's session. After it has been publicly read and corrected, a copy of such journal, kept by the secretary and chief clerk, respectively, and a transcript thereof as approved, shall be certified by such secretary or clerk to the printer, who shall print the corrected sheets for the permanent journal. Executive messages, addresses, reports, communications, and all voluminous documents other than amendments to the constitution or to bills and resolutions and the

protests of members submitted under sec. 16, art. 4, of the constitution, shall be omitted from the journals, unless otherwise ordered by vote. (270, 271)

2-330, 281; 24-78; 38-143, 36+443; 45-451, 48+196; 55-401, 407, 56+1056.

22. Other records—Appendix to journals—Each house may determine, by rule or resolution, what number of copies of its journal shall be printed, and the form and contents of such other records as it may see fit to keep. In like manner it may cause to be printed, in an appendix to its journal, such documents as it shall desire to so preserve; but, if both houses shall order the same document to be so printed, it shall be inserted only in the appendix to the senate journal. (270, 271)

23. Election of United States Senator—Senators in Congress shall be elected and the election certified as provided by the statutes of the United States. All meetings of the two houses in joint assembly shall be held in the hall of the house of representatives. The speaker of the house shall preside over such assembly, and the clerk thereof shall be its secretary. The roll of the senate shall be called by its secretary, and that of the house by its clerk. The president of the senate and speaker of the house shall certify the result of such election in duplicate; setting forth the whole number of votes cast on the final ballot, and the number thereof received by each person voted for. One of such duplicates shall be delivered to the governor, and the other filed with the secretary of state. (245-254)

AMENDMENTS TO THE CONSTITUTION

24
05 - 168
05 - 212
05 - 233
07 - 477
07 - 478
07 - 479
07 - 480

24. Form of act—Submission—Every act for the submission of an amendment to the constitution shall set forth the section as the same will read in case the amendment is adopted, with such other matter only as may be necessary to show in what section or article the alteration is proposed. It shall be submitted and voted upon at the general election next ensuing, in the manner provided for by the general law relating to such elections. If adopted, the governor shall announce the fact by proclamation.

24-25
09 - - - 14

25. Statement by attorney general—Notice—At least four months preceding such election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments proposed; showing clearly the form of the existing sections, and of the same as they will read if amended. Prior to the election, the secretary of state shall give three weeks' published notice of such statement in each county of the state in which a qualified newspaper is published. He shall also forward to each county auditor a number of copies of such statement, in poster form, sufficient to enable him to supply at least six of such copies for each election district of his county. The auditor shall furnish such copies to the town, village, and city clerks, who shall give three weeks' posted notice thereof, and cause one copy to be conspicuously posted at each polling place on election day. Wilful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor. (310-315)

25
07 - 152
25
104-M - 284
116-NW 835

CHAPTER 4

EXECUTIVE DEPARTMENT

THE GOVERNOR

26. Custodian of state property—In addition to the powers and duties prescribed by the constitution, the governor shall be the custodian of all property of the state not especially intrusted by law to other officers, and may take possession thereof without legal process, and adopt such measures for its safe-keeping as he deems proper. (298)