

THE LEGISLATURE.

THREE SESSIONS OF EACH HOUSE HELD YESTERDAY.

A Large Amount of Business Disposed of.—The Appropriations for State Institutions Passed by the Senate—A Large Number of Local Measures Indefinitely Postponed.—The House Cleans Up a Large Quantity of Miscellaneous Business—Discussing the State Institutions Bill in Committee of the Whole.—It is Recommended for Passage.

SENATE.

After the chaplain had fervently prayed to the Almighty Ruler of the Universe that the work of the senate might be "pretty well done," the ghastly honesty of the reverend gentleman not permitting him to express the thought that even with divine interposition excellence was expected, the senate proceeded with the regular order, the first thing being to order the electric lights prepared for use for the coming evening session.

Senator Clark, from the railroad committee, in reporting, said that it was impossible to get that committee together for consultation upon the various bills relating to railroads, and desired that they be referred to committee of the whole, where they would have a fair hearing.

Senator Sargent moved to modify the motion by making railroad legislation the special order for this evening at 7:30.

Soon after the adoption of this motion, a batch of railroad bills were reported back by other members of the committee with amendments or recommendations for indefinite postponement, and were referred to the special order.

A number of bills providing for the incorporation and granting of special powers to villages were reported back with the recommendation of the judiciary committee that they be indefinitely postponed on the ground that it was special legislation and unconstitutional, while another batch of a somewhat similar character was recommended for consideration by committee of the whole, the judiciary committee being divided upon them. The attorney general and the minority of the judiciary committee were of the opinion that additional powers may be granted to existing incorporated towns, cities and villages, while the majority of the committee hold that all such additional powers and privileges are prohibited.

Senator C. D. Gillilan, who has been a great sufferer from inflammatory rheumatism, and who has been confined to his home for some time, made his appearance in the senate. The senator moves about with difficulty yet, but is inclined to do his duty as far as possible during the busy days at the close of the session.

Quite a bill took place between Senators Wilson and O'Brien when the appropriation bill for state institutions was considered. Senator Wilson has a great antipathy to the state reform school, and opposed the appropriation for that institution vigorously, and Senator O'Brien championed the cause of the institution and the friendly little fellows there, with equal zeal and ability. The same asked for was granted.

When the house bill came before the senate appropriating \$8,000 to pay the city of St. Paul for the use of the market house for a state capital for two years, Senator Griggs asked to have the bill referred to the Ramsey county delegation, but upon the information being communicated to the senate by Senator Rice that the Ramsey county delegation desired to defeat the attempt of the state to remunerate the city for the use of the building, the senate concluded to refer the bill to the committee on claims.

At a meeting of the railroad committee, held at the capitol last evening, a majority of the committee voted to report back the house bill proposing to transfer the swamp land grant from the Duluth & Winnipeg Railway company to the Duluth & Iron Range Railway company, for indefinite postponement. A grand bear fight is predicted over this bill.

An evening session which lasted until 11 o'clock close the calendar, but did not reach the immense accumulation of bills on general orders.

Routine Report.

Senate met at 10 o'clock, and was called to order by the president.

Devotional exercises by the chaplain.

Roll called and journal read and approved.

On motion of Senator Rice the senate decided to order the chamber lighted by electric light the rest of the session.

Senator Christensen offered a petition of citizens of Renville county, asking for \$500 to aid in the construction of a bridge.

BILLS INTRODUCED.

By Senator Van Hoesen—To regulate the catching of fish in Douglas county. Passed under suspended rules.

By Senator Langdon—Amending section 328, chapter 66, general statutes of 1878, relating to the commission of waste on mortgaged property.

HOUSE BILLS INDEFINITELY POSTPONED.

Relating to larceny from dwellings; relating to manufacturing corporations; relating to the powers and duties of public examiner; relating to town plans; relating to burdock; relating to jurors in justice courts; amending general statutes relating to costs; relating to the adoption of children; for the protection of livery and sale stable keepers; relating to offenses against morality and decency; relating to the conveyance of land; to legalize foreclosure of mortgages by executors; relating to summonses in justices courts.

SENATE BILLS INDEFINITELY POSTPONED.

To provide forms for conveyance of real property; to appropriate money for the compensation of the clerk of the supreme court; to protect the rights of women; extending the limits of Fairmount, Martin county.

BRIDGE MONEY.

The secretary made a long and detailed report of the amount of money appropriated by the senate for bridge building, and the counties to which it was appropriated, in accordance with the motion made by Senator Wheat on Saturday.

SMALL-POX BILLS.

were reported back with the recommendation that they go to the finance committee. The recommendation was so modified on motion of Senator Doran as to send them to committee of the whole.

TELEGRAPH AND SLEEPING CAR TAXATION.

Senator Rice, from the committee on taxes and tax laws, reported a substitute for senate bill 369, relating to the taxation of sleeping car companies and telegraph companies. This bill leaves out telegraph companies that are already taxed, and pro-

vides for the taxation of sleeping cars only. The substitute was adopted.

BILLS INTRODUCED.

By Senator Waite—Amending section 3, chapter 90, general laws of 1876, relating to the inspection of mineral oils. Reduces fees of inspector about one-half. Read a second time and referred to committee of the whole.

By Senator Hollister—Amending the charter of the village of Le Roy, Mower county, relating to taxes. Passed under suspended rules.

By Senator J. B. Gillilan—Amending the statutes of 1878, relating to the sale of liquors near the University of Minnesota. Forbids the sale of liquor within one mile. Passed under suspended rules.

By Senator Clement—Regulating the salaries and fees of officers of Rice county. Passed under suspended rules.

By Senator Castle—To establish a board of public works in and for the city of Stillwater. Passed under suspended rules.

SENATE BILLS PASSED.

Amending the charter of Winnebago City, Fairbault county.

HOUSE BILLS PASSED.

Authorizing St. Paul to issue \$7,000 in bonds for widening and extending Dakota avenue.

Confirming city ordinances relative to the St. Paul Street railway.

Regulating the fees and salaries of the officers of Ramsey county.

SENATORIAL TENURE.

The following opinion of the attorney general was transmitted to the senate and read for its information:

To the Honorable the Senate of the State of Minnesota: I have the honor to acknowledge the receipt of the following resolution:

Resolved, "That the attorney general of the state be and is hereby requested to furnish his opinion for the use of the senate, upon the question as to the length of the term of the senators elected at the last general election in 1882."

The terms of the senators elected in 1882 is fixed by the amendment to the constitution adopted in 1877. By this amendment the terms of the senators was to be as heretofore prescribed until the general election in 1878, at which time an entire new election of such officers was to be had. It then goes on to provide that "the senators chosen at such elections by districts designated by odd numbers" should hold for two years, and those designated by even numbers for four years, and thereafter senators shall be chosen for four years, except that those chosen in an entire new election after each apportionment.

It will be seen by this amendment that it is only such senators as are chosen by odd numbered districts at the election of 1878, who are to hold for two years. Thereafter there is to be no difference in the term. All hold for four years. The language of this amendment is too plain to admit of doubt. The legislature proposing and the people adopting this amendment must be deemed to have meant just what the language used clearly imports.

"Where a law is plain and unambiguous whether it is expressed in general or limited terms, the legislature should be intended to mean what they have plainly expressed and consequently no room is left for construction. Possible and even probable meanings when one is plainly declared in the instruments itself the courts are not at liberty to search for elsewhere." Carley's Constitutional Limitations, 68-69. "We are not at liberty to presume that the framers of the constitution or the people who adopted it did not understand the force of language," says Mr. Justice Bronson in People vs. Purdy, 2 Hill, 35.

Mr. Justice Johnson in Newell vs. People, 74-75, expresses the same idea in this language: "Whether we are considering an agreement between parties, a statute or constitution with a view to its interpretation the thing which we are to seek is the thought which it expresses. To ascertain this, the first rule in all cases is to the natural significance of the words employed in the order of grammatical arrangements in which the framers of the instrument have placed them. If this regarded, the words embody a definite meaning, which involves no absurdity and no contradiction between different parts of the same writing, then that meaning apparent on the face of the instrument is the one which alone we are at liberty to say was intended to be conveyed. In such a case there is no room for tradition. That which the words declare is the meaning of the instrument, and neither words nor legislation have a right to add or take away from that meaning. I am therefore clearly of the opinion that the senators elected in 1882, whether from odd or even numbered districts, hold for four years. Yours respectfully,

WILLIAM J. HAIN.

Attorney General.

AFTERNOON SESSION.

Senator Sargent offered a resolution asking the clerk to keep an account of the time messengers were absent from the senate and that a proportionate amount be deducted from their salaries. Notice of debate given.

IN COMMITTEE OF THE WHOLE.

Senator Wilson in the chair, and took under consideration the bill appropriating money for the support of the several state institutions, which was passed by items, the item for insurance at the reform school having been stricken out and the item appropriating \$5,629.34 for making good the losses by fire at the reform school was also stricken out, that amount having been provided for by separate bill, after which it was recommended to pass. The bill appropriating money for purchase of land for insane hospitals was recommended to pass. The bill appropriating money for rebuilding at the reform school was then recommended for passage.

CONFERENCE COMMITTEE.

The senate refused to concur in the house amendments providing for the removal of county seats, and Senators Van Hoesen, Compton and Crosby were appointed a committee of conference on the part of the senate.

SENATE BILLS PASSED.

Appropriating money for the state normal schools, repairs, etc., \$12,000.

Appropriating money for the support of the state institutions for the years 1883 and 1884. Aggregate, \$386,729.25.

Appropriating money for the hospitals for the insane.

To establish clerkships in the office of the state auditor and appropriating money to pay his salary.

Appropriating \$7,629.34 for replacing losses by fire and repairs at the state reform school.

BILLS INTRODUCED.

By Senator Truax—To regulate the catching of fish in Round and Prairie lakes, Dakota county. Passed under suspended rules.

By Senator Billson—Authorizing the commissioners of St. Louis county to issue bonds for a court house. Passed under suspended rules.

By Senator Billson—Repealing the act creating a special fire department for Duluth. Passed under suspended rules.

By Senator Lawrence—Amending the charter of the city of Lake City as to sidewalks. Passed under suspended rules.

By Senator Lawrence—Amendatory of

the charter of Lake City. Passed under suspended rules.

By Senator Lawrence—Amendatory of the charter of Lake City relating to poll tax. Passed under suspended rules.

By Senator Clement—For the relief of W. H. Dyke in the amount of \$8,000, for certain claims against the state.

By Senator Wilson—Authorizing Winona to appoint a water commissioner. Passed under suspended rules.

By Senator Castle—Creating a board of inspectors for steam boilers. Three inspectors shall be appointed who shall inspect all boilers not inspected by the United States inspector.

HOUSE BILLS PASSED.

Amending the charter of the village of Wykoff, Fillmore county.

MORE PAGES WANTED.

Senator Sargent offered a resolution providing for the appointment of two additional pages for the remainder of the session.

Senator Doran gave notice of debate. Recess till 7:30.

EVENING SESSION.

Senator Langdon offered a resolution authorizing the secretary of the senate to draw his certificate in favor of the committee of arrangements for the amount of the funeral expenses of the late Senator McLaughlin. Adopted.

Senator Wilson, from the judiciary committee, introduced a memorial asking that a law be enacted by congress relating to docketing of judgments rendered by United States courts in Minnesota, conforming to the law of this state relating to real estate. Passed under suspended rules.

SENATE BILL LOST.

Relating to the terms of office of member of the legislature.

HOUSE BILLS PASSED.

Relating to banks and banking. Re-organizing the State Agricultural society, and appropriating money thereto.

Amending the act creating the office of district attorney for the Twelfth judicial district.

Providing for the assignment of the estates of deceased persons in certain cases.

Authorizing Big Stone county to issue bonds.

Authorizing Norman county to issue bonds.

Appropriating money to build two bridges across the Rum river, Isanti county.

Amending the statutes of 1878, relating to insurance.

Extending the time for constructing the Princeton & Anoka railroad.

Changing the boundaries of certain school districts in Le Sueur county.

SENATE BILLS PASSED.

Amending the statutes relating to the printing of the report of the State Horticultural society.

Appropriating \$5,000 for the purchase of 1,000 copies of the statutes of 1878, with supplements.

Legalizing conveyances defectively acknowledged.

Regulating the salaries of auditors and treasurers where unorganized counties are attached.

Authorizing the state auditor to draw his warrant for the payment of a bridge in Renville county.

Requiring public funds to be deposited in banks by town and county treasurers.

Requiring town clerks to send to county auditors records of births and deaths.

Amending the statutes relating to the duties of county auditors.

Fixing the fees of clerks of courts in certain cases.

Amending the statutes relating to proceedings supplemental to execution.

Amending the statutes of 1878 relating to the one-mile school tax.

Amending the statutes relating to the record of deeds of trust and railroad mortgages.

Amending the statutes relating to the fees for recording chattel mortgages.

Relating to larceny from railroad cars.

Amending the statutes of 1878 relating to the foreclosure of mortgages.

Amending the statutes relating to the time of meeting of the normal board.

Amending the statutes providing for the incorporation of Masonic bodies.

Adjoining till 9 o'clock.

THE HOUSE.

The house was slow in getting a quorum yesterday, it being 9:15 before a quorum was secured, and when it did get down to business there was a general lack of interest shown, members as a rule seeming to be more interested in following up and looking after matters in which they were personally interested, than in expediting the general business. So marked was this lack of attention during the call of the roll upon the passage of bills, that absentees had frequently to be called to save a bill, and finally on two occasions calls of the house had to be resorted to to get a sufficient number of members in their seats to do business.

Upon resolution Mrs. M. A. Hamilton was appointed assistant to the enrolling clerk for the balance of the session, at \$5 per day.

The house waived its prohibition against the introduction of new bills to allow them to come in. Among them was one by Mr. Hartley changing the boundary lines of the counties of Crow Wing, Morrison and Cass counties. The bill provides for transferring from Crow Wing a strip some two miles in depth on the south, to Morrison county, and the northwest corner of Morrison county of about equal territory to Crow Wing, and of something over seven sections of the southwest corner of Cass county to Crow Wing. These proposed changes together with those already proposed in reference to the boundaries of Wadena, and that setting aside sixteen sections of Cass county north of Wadena for the new county of Hubbard, operates to straighten out the boundary lines and more nearly equalize the territory of the several counties, and also, it is understood, better accommodate the people residing in the territory affected.

When the bill providing for a uniform system of indexing county records (introduced at the instance of the public examiner) was reached, Mr. Hicks, of Hennepin, followed by Jas. Smith, Jr., of Ramsey, asked to have their counties excepted from the provisions of the bill, stating as a reason that their counties were now operating under a very similar law. Instantly representatives of other counties began to count trouble, and to ask to have their counties excepted also, until finally a friend of the measure moved to lay the bill on the table, which was done.

Routine Report.

It was 9:15 when a quorum was secured and business proceeded with in the regular order.

INDEFINITELY POSTPONED.

House bill amending the statutes of 1878 relating to roadways and bridges. Mr. Daniels' bill.

House bill amending the statutes of 1878

relating to attachments. Judiciary committee.

House bill relating to the jurisdiction of probate courts.

House bills declaring void notes, etc., obtained by fraud.

House bill amending the statutes of 1878, authorizing building associations and other organizations to loan money to other than their own members.

Senator bill amending the statutes of 1878, relating to actions concerning real property.

Senator bill amending the statutes of 1878, relating to the organization of counties.

Senator bill to amend section 138, chapter—general laws of 1878, relating to platting lands.

House bill relating to the marriage of female guardians.

House bill amending the statutes of 1878 relating to homesteads.

House bill authorizing town meetings, etc., to be held in villages.

House bill relating to sale of real estate of wards.

House bill amending statutes of 1878 relating to appraisal and collection of taxes.

ANNA J. BAZILLE.

Attorney General Hahn, to whom had been referred the bills making appropriations in favor of Anna J. Bazille, widow of Charles Bazille, in consideration of the grant to the state of Capitol square, and to John Bowler, for injuries received while the blasting was in progress for the basement of the new capitol, asking his opinion if, waiving its sovereignty, the state was liable, reported to the contrary. After the communication of the attorney general had been read Mr. Turrell moved to re-consider the bills to the committee of the whole, the bills were supported by Mr. Gurnshaw, and it was opposed by Messrs. Brown and Randall. Upon a viva voce vote the Bazille bill was indefinitely postponed and the Bowler bill placed on general orders.

DEFERRED OUT.

Upon motion of Mr. Hicks, his committee of investigation of the temperance committee was discharged without compensation as the speaker remarked, whereupon Mr. Collins, chairman of the committee, reported the bill back without recommendation.

BILLS INTRODUCED.

By Mr. Frank—To repeal the special laws relating to the town of Taopi, Mower county.

By Mr. Hartley—To change the boundary lines of Crow Wing, Morrison and Cass counties.

By Mr. Hartley—To amend the charter of the city of Brainerd.

SENATE BILLS PASSED.

Authorizing the issue of \$50,000 for the St. Paul workhouse.

Amending and consolidating the acts of incorporation of the city of St. Paul.

Authorizing the city of Red Wing to issue bonds for water works, etc.

Relating to the compensation of the treasurer of Renville county.

Relating to cattle running at large in town of Camp Lake, Swift county.

Authorizing the lowering of the waters of lakes in Waseca county.

Relating to the treasurer of Nicollet county.

Creating special school district No. 1 in Sibley county.

HOUSE BILLS PASSED.

Appropriating \$600 for bridge in Isanti county.

Setting aside certain territory in Le Sueur county to be incorporated as Elysian.

Appropriating \$1,000 for bridges in Grant county.

Appropriating \$600 for a bridge in Traverse county.

Appropriating \$400 for a bridge over the Des Moines river, Murray county.

Amending the act relating to the organization of a school district in Cass county.

Appropriating \$300 for a bridge over the Lac qui Parle river, Yellow Medicine county.

GENERAL APPROPRIATION BILL.

Upon motion of Mr. Collins the general appropriation bill was taken from general orders and reported to the house to be considered in committee of the whole, and put upon its passage. Several amendments were offered by the chairman of the finance committee and adopted, supplying some items omitted when the bill was introduced, providing for the payment of an additional clerk for the superintendent of public instruction as provided by law, adding to the general appropriation some \$3,000 for each year favored by the bill as heretofore given in the Globe, which were adopted. The bill was then read in sections and the different items concurred in, and the bill recommended to pass, and the committee rose, and upon the bill being put upon its passage Mr. Child moved that item 34 in section 3, appropriating \$10,000 for wolf bounties in 1883, be stricken out, but the amendment was lost, and the roll called upon the passage of the bill and it was passed.

Recess until 3 o'clock.

AFTERNOON SESSION.

Upon being called to order for the afternoon session the order of bills in third reading was proceeded with as follows:

Appropriating \$300 for a bridge over Crow river, Wright county.

Incorporating the village of Croquet, Carlton county.

Relating to the salary of the judge of probate of Crow Wing county.

Authorizing the commissioners of Ramsey county to issue \$5,000 certificates of indebtedness for the improvement of Bald Eagle road.

Authorizing the commissioners of Hennepin county to issue \$10,000 bonds for a bridge across the Mississippi river opposite Anoka.

Authorizing the village of Glencoe to issue \$4,000 bonds for water works.

To amend sec. 125, ch. 66, gen. stat. 1878, relating to title in real estate.

Amending statutes of 1878 relating to county commissioners.

Making liens upon real property.

To detach certain territory from the county of Cass and attach the same to the county of Wadena.

Authorizing school district clerks to subscribe for the Minnesota Journal of Education.

Relating to commitments to the insane hospital.

Amending the statutes relating to money deposited in banks.

Amending the statutes of 1878 relating to bonds of county treasurers.

Providing for the levying of taxes for state government for the years 1883 and 1884.

To drain sloughs or mud lakes in Meeker county.

To enable fire underwriters to incorporate under the laws of the state.

Fixing the salary of the clerk of the secretary of state at \$1,200.

Amending the statutes of 1875 relating to the Minnesota Central Railroad company.

Amending the statutes of 1878 relating to scarlet fever, diphtheria and small-pox.

Relating to terms of court in Wadena county.

Relating to terms of court in Lincoln county.

Relating to the fees of officers of Goodhue county.

Relating to the fees of officers of Rice county.

Amending the act incorporating the village of Waterville, Le Sueur county.

Amending the charter of the village of Glencoe, McLeod county.

Reducing the toll for sluicage on Snake river from ten to six cents.

Recess until 7:30.

EVENING SESSION.

Upon assembling for the evening session, Mr. Gregory moved the appointment of a committee on conference on the senate bill relating to the relocation of county seats,