

Mr. Babcock moved to take from the committee of the whole S. F.

254,
Which motion prevailed.

Mr. Babcock, moved that the bill be amended by striking out the following:

Strike out of section 5 the following words: And in case the sum be paid in any county is so large that the board of county commissioners deem it too much to levy and collect in any one year, the said board may in such case issue bonds on such terms as they may deem advisable for the purpose of raising the money with which to pay such liabilities,

Which motion prevailed, and the bill was so amended.

And the bill was placed on file for its third reading.

The following communication was received from His Excellency, the Governor:

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT. }

ST. PAUL, March 5th, 1874.

Hon. A. R. Hall,

Speaker of House of Representatives:

House File No. 223, entitled "An act to provide for the assessment of damages for domestic animals killed or injured on the railroads of this State," is hereby returned.

I have given to the measure most careful consideration, and have availed myself of the counsel of the Attorney General. There is between us no difference of opinion that this act is unconstitutional.

Time does not permit any elaboration of the considerations which have brought me to this conclusion further than to state that section five confers upon the arbitrators judicial authority both as to questions of law and fact and makes the court the mere clerk of a tribunal appointed by itself. Besides, the terms of the act do not restrict the justice within the constitutional limits of jurisdiction as to the amount in controversy.

Respectfully,

C. K. DAVIS, Governor.

Mr. Berry, from the committee on engrossment, reports that they have examined H. F. No. 222, and find the same correctly engrossed.

THIRD READING OF HOUSE BILLS.

S. F. No. 222, A bill to appropriate money to build a bridge across St. Francis river in Sherburn county,

Was read the third time and put upon its final passage.

The question being taken upon the passage of the bill, there were yeas 57, and nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Adams, Adley, Auge, Barron, Barnes, Brown L. M., Buell, Clarke, Daniels, Denny, Dodsall, Fletcher, Gilmore, Gillick, Greer, Groetsch, Halvorson, Hanson J. N., Hanson A. K., Hechtman, Healey, Hill, Howe, Hoyt, Hughes, Hyslop, James, Jones, Kenworthy, Lawrence, Langley, Lafond, Loomis, Martin H. B., Martin J., Manning, McDermid, Melrose, Metcalf, Morgan, Morse, Nelson,