

Due, Lommen, McHale, McMillan, Mayo, Morse, Mott, O'Brien, Peterson J. W., Peterson S. D., Phillips, Probstfield, Sanborn, Smith E. R., Smith John Day, Stevens, Stockton, Streissguth, Tawney, Wood.

So the motion was lost and the amendment was not adopted.

Mr. Leavitt offered the following amendment:

Strike out of line 4 and 5 of section 5, printed bill, the words and figures "one hundred and seventy-five thousand dollars (\$175,000)," and insert the words and figures "one hundred and fifty thousand dollars (\$150,000)."

The question being taken on the adoption of the amendment.

And the roll being called, there were yeas 11 and nays 36, as follows:

Those who voted in the affirmative were:

Messrs. Borchert, Brown, Canestorp, Dedon, Donnelly, Erickson, Glader, Grafe, Hammer, Leavitt, Streissguth.

Those who voted in the negative were:

Messrs. Ayers, Barr, Bell, Burkhart, Craig, Crandall, Craven, Daugherty, Davis, Day, Dean, Guderian, Hompe, Keller, Kelly, Kiester, La Due, Little, Lommen, McHale, McMillan, March, Mayo, Morse, O'Brien, Peterson J. W., Peterson S. D., Phillips, Probstfield, Sanborn, Smith E. R., Smith John Day, Stevens, Stockton, Tawney, Wood.

So the amendment was lost.

On motion section 5 was adopted.

Mr. Dedon offered the following amendment:

Amend section 6 by striking out the 16th to 21st lines inclusive in printed bill and moved its adoption.

Which amendment was lost.

On motion section 6 was adopted.

Mr. Dedon offered the following amendment:

Amend section 2, by striking out the eighteenth, nineteenth and the first two words "this act, in twentieth line.

Which was not adopted.

On motion section 7 was adopted.

EXECUTIVE COMMUNICATION.

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

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT,
St. Paul, April 13th, 1893. }

Hon. D. M. Clough, President of the Senate:

DEAR SIR:—I return herewith, without my approval, Senate File No. 467, "An act to provide for the manner of electing trustees and directors of certain educational corporations."

This bill authorizes the Board of Trustees or Directors of an educational corporation, without any authority or direction from the corporation whose officers they are, to permit a separate and distinct religious corporation to supply their places as such trustees or directors, and practically, for all purposes, to place the control and management of the educational corporation into the power and hands

of the religious corporation. This manifestly amounts to a merger of the educational corporation in the religious corporation and substantially results in the dissolution of the former.

Such a procedure tends to divest the incorporators of the educational institution of their property, without due process of law, and practically amounts to a dissolution of the corporation without the consent of the incorporators, a policy highly arbitrary, unwarranted and dangerous. No Board of Trustees or Directors of any corporation ought to be armed with any such power or authority. It might be that in some particular case, such power would be exercised without creating any friction or injustice, but in many cases arbitrary and reckless men might perpetrate gross injustice upon private rights.

For these reasons, I cannot give my assent to this bill.

Yours respectfully,

KNUTE NELSON,

Governor.

Mr. Tawney moved that the communication and S. F. No. 467 be referred to the Committee on Corporations.

Which motion prevailed.

STATE OF MINNESOTA, }
EXECUTIVE DEPARTMENT, }
ST. PAUL, April 13, 1893. }

Hon. D. M. Clough, President of the Senate.

DEAR SIR: I have approved and signed Senate File No. 328, "An act to protect the people of the State of Minnesota against the importation of acute contagious diseases by the regulation of inter-state immigration," and have deposited the same in the office of the Secretary of State.

Yours respectfully,

KNUTE NELSON,

Governor.

The following communication was received from the Attorney General:

STATE OF MINNESOTA, }
ATTORNEY GENERAL'S OFFICE, }
ST. PAUL, April 7, 1893. }

Hon. D. M. Clough, President of the Senate:

SIR: I have the honor to acknowledge receipt of a resolution of the Senate adopted on the 30th ult., calling for an opinion by me upon the several questions therein raised, which are substantially as follows:

1. Have the provisions of chapter 54 of the Special Laws of 1875 been complied with by the Duluth & Iron Range Railroad Company?

2. If not, what effect does such non-compliance have upon the validity of the said company to the land grant under the said law?

3. Does chapter 69 of the Special Laws of 1883 carry with it any additional land grant, or any land grant whatever?

4. Was not the said act of 1883 virtually an attempted new land