

Those who voted in the negative were:

Messrs. Allen, Ayers, Barr, Bell, Burkhart, Crandall, Davis, Dean, Eaton, Geissel, Grafe, Hompe, Keller, Kiester, La Due, Mayo, Morse, Nelson, O'Brien, Peterson J. W., Peterson S. D., Phillips, Sanborn, Smith John Day, Streissguth.

So the amendment was not adopted.

Mr. LaDue offered the following amendment:

Amend Section 9 by adding a new subdivision

"For publication of the proceedings of the good roads convention five hundred dollars \$500."

The question being taken on the amendment offered by Mr. LaDue.

And the roll being called there were yeas 6 and nays 25, as follows:

Those who voted in the affirmative were:

Messrs. Daugherty, Day, Keller, La Due, Mayo, O'Brien.

Those who voted in the negative were:

Messrs. Allen, Borchert, Brown, Burkhart, Craig, Crandall, Craven, Donnelly, Eaton, Erickson, Glader, Hammer, Hompe, Kelly, Kiester, Little, Lommen, McHale, Morse, Peterson J. W., Peterson S. D., Probstfield, Sanborn, Sevaton, Smith John Day.

So the amendment was lost.

Mr. Little offered the following amendment:

That all the appropriations be cut down twenty-five per cent.,

Which was not adopted.

Mr. Stevens offered the following amendment:

Add at end of section 9.

For the erection of monuments in the old soldiers' burial plats in Oakland, Calvary and Lutheran cemeteries in St. Paul, the sum of \$6000—\$2000 to be expended on each monument. Such sum to be paid out of the treasury of the state, out of any moneys not otherwise appropriated upon vouchers for said work, to be approved and certified by the Governor.

Which was not adopted.

Mr. Sevaton offered the following amendment:

Strike out section 9, printed bill, all of lines 4, 5, 6.

Which amendment was not adopted.

Mr. Day offered the following amendment:

Add to the end of section 1 the following:

Sixteenth. For additional salary for clerk in auditor's office, three hundred dollars for one thousand eight hundred and ninety-three, annually thereafter.

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, S. F. No. 387, An act to amend sections 1, 3 and 5 of chapter 15 of the General Laws

of one thousand eight hundred and seventy-two, relating to the appointment of the members of the State board of health and vital statistics, and the management of its business.

Under existing law, the board of health and vital statistics consists of seven members who hold their office for the term of four years. This bill extends the term of office to seven years and is somewhat vague and indefinite as to whether the present incumbents shall continue to hold their office until the expiration of their several terms. Not only is the term of office lengthened from four to seven years, but the terms of the several incumbents are so adjusted that no governor can appoint more than two members during his term, thus crippling him as to the make up of a board, for which, to a large extent, his administration will be held responsible.

Under the law now in force, the secretary of the board of health is the executive officer of the board and is the only member who is entitled to any compensation, beyond his actual expenses, and since March, 1885, has been allowed a salary of \$2500 a year. This bill divests the secretary entirely of the salary now given him by the law, and makes the president of the board a joint executive with the secretary and leaves the compensation of these two executive officers to be fixed by the board, thus putting the two on a par as to compensation and leaving it with the board, instead of with the legislature, to fix this compensation. While the secretary is thus divested of his salary, he is not divested of the special work entailed upon him under existing laws, for section four (4) of chapter fifteen (15) of the General Laws of one thousand eight hundred and seventy-two would be still in force after the passage of this bill, which section reads as follows, to-wit: "The secretary shall perform and superintend the work prescribed in this act and shall perform such other duties as the board may require. He shall furnish to the legislature, when in session, such information cognate to this act as from time to time they may deem necessary." The proposed innovation, it seems to me, will lead to no reform and be productive of no good, but, on the contrary, it will be a great wrong and injustice to an efficient and worthy public officer.

Dr. Hewitt, of Red Wing, has been a member and secretary of the board ever since it was created and organized in 1872. As such he has been the executive officer and has been very zealous and efficient in the performance of his duties. At first he served for a salary of only \$200 a year. This was increased in 1873 to \$500 a year, in 1881 to \$1,000 a year and in 1885 to \$2,500 a year. The entire executive work of the board and the administration of our health laws have been committed to his charge and direction and I think it will be conceded by all that he has been an efficient and faithful public officer. He is at present in New York attending a meeting of medical men, for the purpose of devising ways and means to protect this country against the possible inroads of the Asiatic cholera, and it seems a cruel irony of fate, while he is away engaged on such a mission, to have the legislature of the State of Minnesota divest him entirely of his salary and emoluments and to degrade him, as it were, from the position that he has heretofore occupied on the board.

I call your attention to this matter, as I believe that the real change

attempted to be effected by this bill must have been overlooked by members in passing the bill.

For these reasons, I cannot approve of this bill.

Yours respectfully,

KNUTE NELSON,

Governor.

Mr. Tawney moved that S. F. No. 387 and accompanying report be referred to the Committee on Sanitary Affairs,

Which motion prevailed.

The consideration of H. F. No. 902 being under consideration,

Mr. Crandall moved that section 9 be adopted.

Mr. Crandall moved the previous question.

The question being taken on the ordering of the previous question,

And the roll being called, there were yeas 11 and nays 32, as follows:

Those who voted in the affirmative were:

Messrs. Barr, Burkhart, Crandall, Dean, Dedon, Geissel, Guderian, Keller, Kiester, Peterson J. W., Peterson S. D.

Those who voted in the negative were:

Messrs. Allen, Ayers, Bell, Borchert, Brown, Daugherty, Davis, Day, Donnelly, Eaton, Erickson, Glader, Grafe, Hammer, Hompe, Kelly, La Due, Leavitt, Lommen, McHale, McMillan, Mayo, Morse, Mott, Nelson, Probstfield, Sanborn, Sevaton, Smith John Day, Stevens, Stockton, Streissguth.

So the motion did not prevail.

Mr. Donnelly offered the following resolution:

WHEREAS, the special joint Committee on Coal Combination have reported to the Senate and House that an unlawful conspiracy *does exist* within the state to advance the price of coal to the consumer, and that one John J. Rhodes is the manager thereof, and

WHEREAS, the said committee has in its possession a letter impression book used by said Rhodes in connection with the business of said combination, and

WHEREAS, said book contains copies of letter and communications necessary to secure the conviction of said Rhodes and his fellow conspirators,

Now, therefore, be it resolved by the Senate (the House concurring), that the Sergeant-at-Arms of the House of Representatives, in whose possession said book now is, be instructed to deliver the same to the Attorney General of the State of Minnesota, to be held by him as evidence in the prosecution of the members of said combination for conspiracy to defraud under the laws of said state or the laws of the United States of America.

Adopted.

Mr. Sanborn moved that

S. F. No. 567 be returned to the House,

Which motion prevailed.

On motion the Senate took a recess until 2:30 P. M.

AFTERNOON SESSION.

Upon reassembling

The consideration of H. F. No. 902 Special Order was taken up.

Mr. Leavitt offered the following amendment,