

Statutes
1878

THE
GENERAL STATUTES
OF THE
STATE OF MINNESOTA,

As Amended by Subsequent Legislation.

PREPARED BY
GEORGE B. YOUNG.

EDITED AND PUBLISHED UNDER THE AUTHORITY OF CHAPTER 67 OF THE LAWS
OF 1878, AND CHAPTER 67 OF THE LAWS OF 1879.

FOURTH EDITION.

WITH SUPPLEMENTS,
CONTAINING ALL THE GENERAL LAWS IN FORCE UP TO THE END OF
THE LEGISLATIVE SESSION OF 1883.

SAINT PAUL:
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1883.

the time when it shall go into operation, shall take effect throughout the state on the thirtieth day next after that on which it is approved by the governor, or otherwise becomes a law; but no general law shall take effect until published.

13 M. 163; 21 M. 22.

§ 3. **Effect of repeal.** Whenever a law is repealed which repealed a former law, the former law shall not thereby be revived, unless it is so specially provided; nor shall such repeal affect any right which accrued, any duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the law repealed.

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*§ 1. **Commissioners of public printing.** The secretary of state, state treasurer and state auditor, shall be *ex officio* commissioners of public printing during their terms of office respectively. (1874 c. 7, § 1.)

*§ 2. **Printing to be divided into five classes.** The printing of the state is divided into classes, to be let in separate contracts, as follows: The printing and binding of all bills for the two houses of the legislature, together with such resolutions and other matters as may be ordered by the two houses, or either of them, or the officers thereof, other than in pamphlet form, constitute the first class, and shall be let in one contract; the printing and binding of the journals of the senate and house of representatives, and of such reports, communications, and other documents as enter into and make a part of the journals, constitute the second class, and shall be let in one contract; the printing and binding of all reports, communications, and other documents ordered by the legislature, or either branch thereof, or by the executive departments, to be printed in pamphlet form, together with the volumes of executive documents, and the legislative manual, constitute the third class, and shall be let in one contract; the printing and binding of the general and special laws, and joint resolutions, constitute the fourth class, and shall be let in one contract; the printing of all blanks, circulars, and other work necessary for the use of the executive departments, other than such as are printed in pamphlet form, and all printing not included in the foregoing classes, constitute the fifth class, and shall be let in one contract. (*Id.* § 2, as amended 1875, c. 138, § 1.)

*§ 3. **Advertisement for bids for public printing, &c.—maximum prices—requisites of bids.** The commissioners of printing shall, during the first week in May, A. D. one

*An act in relation to the printing and distribution of laws and documents, approved March 9, 1874. (Laws 1874, c. 7.) This act supersedes and repeals Laws 1868, c. 46, which superseded and repealed Gen. St. c. 5.

†An act to provide for the purchase of paper and stationer's supplies for the public printing, and for use in the legislature and state offices, approved March 9, 1874. (Laws 1874, c. 8.)

thousand eight hundred and seventy-five, and every year thereafter, give notice in two newspapers printed in the city of St. Paul, and in such other newspapers in the state, not exceeding four, as they may deem necessary, for thirty days, that sealed proposals will be received at the office of the secretary of state, until a day specified in the said notice, for the execution of the several classes of the state printing, in separate contracts, as specified in section two of this act, for the term of one year from the first day of November next ensuing; said advertisement shall contain the maximum list of prices established by law, and such other information as the said commissioners may deem necessary. The following prices are hereby established as the maximum prices for doing said work:

Composition.—First class, fifty cents per one thousand ems; second, third and fourth class, seventy cents per one thousand ems for plain matter; fifth class, one dollar per one thousand ems.

Presswork.—For the first one hundred impressions of a form, one dollar; for each additional one hundred impressions of the same form, twenty-five cents. In book work the form is hereby determined to consist of eight pages octavo, or twelve pages duodecimo, or fraction thereof, whenever said fraction is made necessary. In all other work, the form shall consist of one side of the sheet upon which the job is printed and delivered.

Folding.—When no charge is made for binding, per one hundred sheets of eight pages, or fraction thereof, eight cents.

Stitching.—Including collating, stabbing and cutting, per one hundred copies, one dollar.

Binding.—Including folding, collating, stabbing, stitching, sawing, sewing, and trimming brochure covering, for books of eight pages or less, for one hundred copies, one dollar and fifty cents; brochure covering, for each additional eight pages or fraction thereof, per one hundred copies, twenty cents. Quarter binding, per one hundred copies, forty-five dollars; half binding, per one hundred copies, seventy-five dollars; full cloth binding, cut flush, per one hundred copies, fifty-five dollars; full cloth binding, with squares, per one hundred copies, sixty dollars; full roan leather, with squares, per one hundred copies, eighty dollars; full law, per one hundred copies, one hundred and fifty dollars.

Each proposal shall be in writing, sealed, and addressed to the secretary of state, and it shall be accompanied by a bond executed in due form, by the bidders, with at least two good and sufficient sureties, satisfactory to the commissioners, in the penal sum of eight thousand dollars, conditioned for the faithful performance, pursuant to this chapter, of such class or classes of the state printing as may be adjudged to him, and for the payment, as liquidated damages, by such bidder to the state, of any excess of cost over the bid or bids of such bidders which the state may be obliged to pay for such work, by reason of the failure of such bidder to complete his contract; said bond to be null and void if no contract is awarded to him. No bid unaccompanied by such bond shall be entertained by the commissioners of printing. The contract shall be let to the person who shall bid to execute the work at the greatest per centum of discount from the maximum prices established by law, such per centum of discount to be uniform on every item of work: *provided further,** that all printing and binding for which provision is made in this act, shall be performed within the state of Minnesota. (1874, c. 7 § 3, as amended 1875, c. 138, § 2.)

*§ 4. Commissioners to act upon bids. The commissioners of printing, or any two of them, shall, within two days after the expiration of the term for receiving proposals as aforesaid, proceed to open in public all such proposals by them received, and they shall award the contract for each class of printing to the lowest bidder

*A proviso relating to the printing of the laws of 1875 is omitted as obsolete.

therefor: *provided*, that nothing herein contained shall be construed so as to prevent the same person from becoming contractor for two or more classes of the printing, if he shall be the lowest bidder therefor. If two or more persons bid the same and the lowest price for any class or classes of the printing, the commissioners shall award the contract to such one or more of them as, in their opinion, will best subserve the interest of the state, having reference, however, to a division of the work, as far as practicable, among the several bidders aforesaid. If any of the aforesaid printing shall be executed without the city of St. Paul, all transportation of paper, copy, proof, or printed sheets, shall be at the expense of the contractor or contractors for such printing. (1874, c. 7, § 4, as amended 1875, c. 138, § 3.)

*§5. *Bills and resolutions, how printed.* The bills and resolutions specified in the first class of printing shall be printed in folio foolscap form on long primer type, each page to contain not less than thirty-two lines of solid matter of forty-five ems in length, with a great primer reglet only in each space between the lines; and in counting the composition on bills and other matter embraced in this class the same shall be measured as solid long primer matter: *provided*, that any necessary fraction of a page shall be measured as a full page. For all matter in the first class the same rule of measurement shall be adopted as is provided in section nine relative to the fifth class. (*Id.* § 5, as amended 1875, c. 138 § 4.)

*§6. *Journals, how printed.* The journals of the two houses of the legislature specified in the second class shall be printed in medium octavo form, on good long primer type, with at least nineteen hundred ems on a page, without any unnecessary leads, blank or broken lines or pages: *provided*, that if the journal of either house be printed daily for the use of the legislature, double the contract price may be allowed for composition upon the journals so printed, but nothing shall then be charged or allowed for composition or re-composition of the same matter for the bound journals. (*Id.* § 6, as amended 1875, c. 138, § 5.)

*§7. *Public documents and reports.* The volumes of public documents and reports, communications and other matters specified in the third class, shall be printed in medium octavo form, on good long primer type, with at least sixteen hundred and fifty ems in a page: *provided*, that so much of the annual reports of the officers of the executive department, and of the superintendents of the public institutions, as contains the remarks of those officers, may be single leaded with leads not exceeding in thickness six to pica: *provided further*, that subordinate reports and appendixes may be printed in brier, when deemed advisable by the superintendent of printing. The volumes of the public documents shall contain nothing that is to be inserted in the laws and journals of the same year; and the various reports, communications and other documents inserted therein, shall follow each other in as close compact order as is consistent with good workmanship, without intervention of unnecessary blanks or separate title or half title pages; and the paging thereof shall be consecutive, and at the conclusion there shall be an index referring to the particular page at which each separate document commences. In all cases when, by order of the legislature or either branch thereof, any document is printed in pamphlet form by the contractor for the printing of the journals, which shall also be printed in the daily journals, but one charge shall be made or allowed for the composition thereof: *provided*, the order for the pamphlets is made before the type has been used on the daily journals or distributed. (*Id.* § 7, as amended 1875, c. 138, § 6.)

*§8. *How laws to be printed.* The laws specified in the fourth class shall be printed in medium octavo form, on good long primer type, the pages to be of the same size and form as those of the documents specified in the preceding section, with marginal notes to the general laws, in nonpareil type, similar to those heretofore inserted. (*Id.* § 8.)

*§9. *Printing for executive department.* The printing embraced in the fifth class shall be

executed in a style consistent with good workmanship, and with due reference to economy. In estimating the composition, all work in script type, or of which script is the chief kind used, shall be estimated as pica, and measured by the surface actually covered, and not by the size of the sheet used. All open work, such as letter heads, blank deeds, and the like, shall be estimated in the same manner: *provided*, no job shall be counted at less than one thousand ems. All work in other than script type shall be estimated according to the type actually used: *provided*, that when different kinds are used in a single job, it may be measured and estimated proportionately for the different kinds used. (1874. c. 7, § 9, as amended 1875, c. 138, § 7.)

*§ 10. **Rule for estimating composition.** In estimating the composition of all pamphlets, laws, journals and volumes of public documents, every necessary fraction of a page will be counted as a full page, but no entire blank page shall be counted or charged for; and if, in any branch of the printed [printing], tabular statements occur, which it shall be impracticable to print on the ordinary sized pages, the same shall be printed on tabular sheets of the necessary size, and the amount of composition on the same shall be ascertained by measuring the printed surface, and thereby ascertaining the number of ems. In any class, all figure work requiring additional justification in each line, and all rule work requiring the fitting in of rules, shall be allowed one price and a half, and for all rule and figure work, double price for composition shall be allowed, the same to be ascertained by strict measurement and count. But one charge shall be made for the composition of all documents ordered to be printed by both branches of the legislature, and no charge or allowance shall be made for composition, when extra or additional copies are ordered to be printed: *provided*, such subsequent order shall be made before the type contained therein shall be distributed. (*Id.* § 10, as amended 1875, c. 138, § 8.)

*§ 11. **Notice of acceptance of proposals—cancelling contract.** It shall be the duty of the secretary of state to give prompt notice to each successful bidder that his proposals are accepted: If from death, or any unforeseen cause, there be a failure on the part of any successful bidder to execute his contract, the commissioners of printing, or a majority of them, may enter into a contract with the next lowest bidder. If any contractor, after commencing upon his contract, fails to execute the work embraced therein with reasonable expedition and in a suitable manner, the commissioners of printing may notify him that, [for] reasons they shall specify, his contract is cancelled, and they may then contract with some other person to do the work at the lowest practicable rate. (*Id.* § 11.)

*§ 12. **Binding of laws, journals and documents.** The laws and journals required by this chapter to be printed and put up in book form, shall be bound with brochure covering, and each journal and appropriate appendix shall be bound in the same volume, unless, in the opinion of the commissioners of printing, the same will make a volume too large for convenience, in which case each journal shall be bound separately, and the appendix shall be bound separately, or together, as the said commissioners shall direct. The volumes of executive documents shall be bound in quarter binding. (*Id.* § 12, as amended 1875, c. 138, § 9.)

*§ 13. **Work included in binding.** In accounting under this act, when a charge is made and allowed for binding, no charge shall be made or allowed for folding, collating, stabbing, stitching, drying or pressing sheets, or for lettering volumes. (*Id.* § 13, as amended 1875, c. 138, § 10.)

*§ 14. **Work to be executed without delay.** All contractors under the provisions of this chapter shall promptly and without any unnecessary delay execute all orders to them issued by the legislature, or either branch thereof, or by the secretary of state [as] superintendent of public printing, on behalf of the executive officers of the state; and the laws and volumes of public documents shall be delivered to the secretary of state within seventy days, and the journals of the two houses of the legislature within thirty days, after the manuscript copy

shall have been received by the contractor for printing and binding the same: *provided, however*, that the commissioners of printing may, on good cause shown by any such contractor, extend the time, not exceeding twenty days, for the execution of his contract. (1874, c. 7, § 14.)

*§ 15. **Secretary to inspect printing and binding, and keep record.** The secretary of state shall examine the work executed under the provisions of this chapter, and see that the printing and binding is executed correctly and in a suitable and workmanlike manner, and in accordance with law; and he shall keep an accurate account of all paper delivered to the contractors for printing, and that it is used properly and without unnecessary waste. All work to be executed for the executive departments shall be ordered through the secretary of state, and he shall see that the full number of copies of each job is received from the printer and delivered to the proper department. He shall audit all accounts for printing and binding executed under the provisions of this act, and shall keep a record of the cost of printing and binding, the amount of paper used, and the entire expense of each document or item; and a copy of each document shall be duly filed and preserved by him, with the cost endorsed upon it. (*Id.* § 15.)

*§ 16. **Specimen copies and itemized accounts.** Every contractor for any class of the public printing shall file and preserve one copy of each document or other matter by him printed for the state, which he shall deliver to the secretary of state, with his account for the same, in which account shall be specifically stated the various jobs performed, the number of copies of each job, the number of ems of composition in each, the extra charge, if any, for rule or figure, or rule and figure work, the number of impressions of presswork in each, the cost of folding and binding of each job, designating whether ordered by the senate, the house of representatives, or jointly by both, or by the other officers or agents of the state, together with the kind and quantity of paper used for each job. (*Id.* § 16, as amended 1875, c. 138, § 11.)

*§ 17. **Auditing of accounts—warrants—certificates.** All accounts filed under the preceding section shall be carefully examined by the secretary of state, aided by a disinterested practical printer, if necessary, employed for that purpose at the expense of the state, and compared with the vouchers therefor, and the orders for the same. If any errors be found in such account by said secretary of state, he shall immediately correct the same, and return it to the contractor who rendered it; and when the account is finally corrected and adjusted, he shall certify the same to the state auditor, who, on the receipt therefor, shall give his warrant upon the treasurer of the state for the amount thereof, payable out of any moneys appropriated for that purpose: *provided*, that in the current execution of such contract, the secretary of state is hereby empowered, in his discretion, to deliver to said contractor a certificate for an amount not exceeding seventy-five per cent. of completed work, for which amount the state auditor shall give his warrant upon the treasurer of the state to said contractor: *provided further*, that if, when any portion of the said work is completed by the contractor, there should be no funds in the treasury appropriated for the payment of said work, the said contractor shall be entitled to interest on his account from the date of completion of said work to the date of payment for same, at the rate of ten per centum per annum. (*Id.* § 17 as amended, 1875, c. 138, § 12.)

*§ 18. **Work to be delivered in good order.** The contractor for any class of state printing shall deliver over to the secretary of state or to the proper department, in good order, all copies of work ordered to be printed by him, the legislature or other branch thereof, or other officers or agents of the state. (1874, c. 7, § 18.)

*§ 19. **Paper to be provided by state.** The paper for the state printing aforesaid shall be provided by the state, and the secretary of state shall from time to time, as the same may be needed, deliver over to each contractor suitable paper for the printing which he is required by his contract to do; he shall take and preserve

from each contractor a receipt for all paper so delivered, and, at the annual settlement on or before the first day of November, each contractor shall deliver to the secretary of state all paper which has not been used in the state printing; or if any such paper has been wasted or converted to any other use, the contractor to whom the same has been delivered shall be charged with the value thereof, together with a penalty of fifty per cent., and the amount shall be deducted from his account: *provided*, the contractor shall be allowed ten per cent. for waste on all jobs of ten quires or less, and five per cent. on all jobs of more than ten quires. (1874, c. 7, § 19.)

*§ 20. **Copy of laws and journals, how furnished.** The secretary of state shall furnish a true and accurate copy of the laws as they may be demanded by the printer thereof, and the clerks of the respective branches of the legislature shall each furnish to the printer who is bound by his contract to print the same, copies of the journals, bills, reports and other papers and documents, without unnecessary delay; and no contractor shall be accountable for any delay occasioned by the want of such copy. (*Id.* § 20.)

*§ 21. **Indexes to journals.** In printing the journals of the senate and house of representatives, as specified in the sixth session of this chapter, the secretary of the senate and clerk of the house of representatives of the respective sessions of the legislature, shall make out indexes to the printed and recorded journals of said senate and house of representatives, and attend to reading proof sheets of the same, whenever required to do so by the commissioners of printing. (*Id.* § 21.)

*§ 22. **Laws to be published with one general certificate.** All laws printed or published by authority of this state shall be printed or published without any certificates or additions to the same, except the word "approved," and the date of said approval; and in each volume of the session laws hereafter published, there shall be a general certificate, made by the secretary of state, to the effect that all laws, memorials and resolutions contained therein, have been compared by him with the original thereof in his office, and that they are correct copies thereof. (*Id.* § 22.)

*§ 23. **Journals, how kept and printed.** The secretary of the senate and the chief clerk of the house of representatives shall keep a journal of the proceedings of their respective houses, and deliver a copy, immediately upon each daily adjournment, to the contractor for printing the same, who shall print two hundred copies of each, and deliver the same at the commencement of the next day's session, for the use of the members of the legislature. After being read in the house to which the journals respectively belong, and examined and compared with the minutes of the record clerk, or the clerk having charge of the record of bills, memorials and joint resolutions, and in the presence and with the sanction of the house corrected, or found and declared to be correct, the proceedings of each day shall be attested by said secretary and chief clerk, and immediately thereafter delivered to the printer of the journals, who shall make the authorized correction, if any, and print the sheets for the bound volumes of the journals. Each journal shall be recorded in books to be furnished by the secretary of state for that purpose. After the journals are recorded, said books shall be deposited with the secretary of state, who shall carefully preserve the same, and said records shall be considered the true and authentic journal. (*Id.* § 23.)

*§ 24. **What shall be omitted from journals.** No executive message, address or communication of any state officer or board of officers, no report of the superintendent or other officers of any institution or building, no petition or memorial, no argumentative or voluminous report of any standing or select committee of either house, or joint committee of both houses, no special report of any officer or board of officers, made in reply to any joint resolution of both houses, nor any other long or voluminous document, except amendments to the constitution and to bills and resolutions, and the protests of members of either house against any act or resolution thereof, shall be entered at length

upon the journals, or recorded in the record provided for in the foregoing section. (1874, c. 7, § 24.)

* § 25. **Appendix to journals.** The journals of each house shall be printed as kept and recorded, and each journal shall have an appendix, in which shall be printed all such petitions and memorials, reports of committees, special reports and communications of all officers or boards of officers, as are laid before either or both houses, and all such other papers and documents as are laid before either or both houses in writing, unless the printing thereof is otherwise provided for herein: *provided*, that no paper or document shall be printed in either appendix unless the house before which such paper or document is laid expressly order the same to be printed in the appendix of the journal of such house; and if any paper or document be laid before both houses, and ordered to be printed by both houses, the same shall be printed only in the appendix to the senate journal. The abstracts of votes when canvassed by the legislature in joint convention shall be printed in the appendix to the house journal. (*Id.* § 25.)

* § 26. **Number of copies of reports in pamphlet form.** There shall be printed in pamphlet form, and covered in brochure covers, the following number of each of the following documents, to-wit: Of the report of the state auditor, two thousand copies; of the report of the state treasurer, seven hundred and fifty copies; of the report of the secretary of state, seven hundred and fifty copies; of the report of the attorney general, five hundred copies; of the report of the adjutant general, five hundred copies; of the report of the librarian, five hundred copies; of the report of the warden of the state prison, six hundred copies, of which two hundred shall be delivered to the warden; of the report of regents of the state university, one thousand copies, of which five hundred shall be delivered to the president of the university; of the report of the trustees of the state normal board, one thousand copies, of which five hundred shall be at the disposal of the president of the board; of the report of the directors for the institution for the deaf and dumb and the blind, one thousand copies, of which six hundred shall be at the disposal of the directors; of the report of the historical society, one thousand copies; of the report of the trustees of the Minnesota reform school, seven hundred and fifty copies, of which two hundred shall be at the disposal of the trustees; of the report of the trustees of the hospital for the insane, twelve hundred and fifty copies, of which seven hundred shall be at the disposal of said trustees; of the report of the insurance commissioner, seven hundred and fifty copies; of the report of the state board of health, seven hundred and fifty copies, three hundred of which shall be at the disposal of the president of the board; of the report of the superintendent of public instruction, four thousand copies; of the report of the railroad commissioner, one thousand copies; of the report of the commissioner of statistics, three thousand copies.* (*Id.* § 26 as amended 1877, c. 52, § 1, c. 59, § 1; 1878, c. 30, § 1.)

* § 27. **Report of geological survey.** One thousand copies of that portion of the annual report of the board of regents of the university of Minnesota which embraces the report of the state geologist on the progress of the geological and natural history survey of the state, shall hereafter be paged and bound separately, and shall be subject to the disposition of the said board of regents. (1876, c. 99, § 1.)

* § 28. Whenever, in the progress of said survey, a full and final report shall be made on the geology of any of the counties of the state, five hundred extra copies of each county report so made by the board of regents, shall be printed for the use of the counties so reported on; said copies being subject to the order of the county commissioners of said county. (*Id.* § 2.)

* § 29. **Governor's message, number of copies.** All regular messages of the governor, and all inaugural messages of the governor elect, shall be printed in pamphlet form;

* See Laws 1873 c. 36, § 2, 3, providing for the printing and distribution, annually, of two thousand copies of the report of the Minnesota State Horticultural Society, at an expense not exceeding five hundred dollars in any one year.

and there shall be printed in such form, for the governor's use, five hundred copies thereof, and for the use of the legislature two thousand copies, without any order by either or both houses for the printing thereof. (1874, c. 7, § 27.)

*§ 30. **Executive documents, number of copies.** At the same time that the documents mentioned in the two preceding sections* are printed in pamphlet form, there shall be printed on the same type four hundred copies of each document named in said two preceding sections, which shall be bound together in volumes of convenient size, and styled "executive documents." The paging of said documents shall be consecutive. The secretary of state shall make out an index of said volumes of executive documents, which he shall deliver to the printer, who shall print the same at the close of the said volumes. There shall be no charge for composition for printing the number of copies of said executive documents necessary for the volumes herein provided for, and none of them shall be printed otherwise than is provided in this and the two preceding sections of this chapter. (*Id.* § 28.)

*§ 31. **Laws, number of copies.** There shall be four hundred (400) copies of each journal and an appendix printed; there shall be eight thousand (8,000) copies of the general laws and joint resolutions printed in one (1) volume, and two thousand (2,000) copies of the special laws in another volume. (*Id.* § 29, as amended 1877, c. 52, § 2.)

*§ 32. **Distribution of laws, journals, etc.** Every member and officer of the legislature, for himself, and every clerk of a court of record, and every county auditor, for the use of their offices respectively, is entitled to one copy of each journal and appendix, and the volumes of executive documents. Every university, college, academy, or other literary institution, is entitled to one copy of the laws passed at each session of the legislature, and also to one copy of each journal and appendix, and the volumes of executive documents. (*Id.* § 30.)

*§ 33. **Distribution of laws to officers; to be delivered over to their successors.** Every member and officer of the legislature, for himself, shall have a copy of the laws; every judge and clerk of court of record, every justice of the peace, constable, chairman of the board of township supervisors, township clerk, every mayor, auditor, treasurer, clerk, recorder, alderman or trustee of any ward in any city or incorporated village, every county auditor, treasurer, sheriff, register of deeds, court commissioner, county attorney, surveyor, coroner and county commissioner, is entitled to receive one copy of the general laws passed at each session of the legislature for their use while filling such offices; but every such officer, except members and officers of the legislature, shall deliver the same to his successor in office, for his use while filling such office; and if any person refuse, on demand being made, to make such delivery, he shall forfeit and pay not less than five nor more than fifteen dollars, to be recovered in any action brought by the successor in office of such person, in the name of the state of Minnesota for the use of the county where such action is brought, before any justice of the peace in such county. (*Id.* § 31.)

*§ 34. **Distribution of laws, etc., continued.** The secretary of state shall deliver to the governor, for his own use, two copies of the laws and one copy of the journals and documents; to the auditor and treasurer of state, each, three copies of the laws and one of the journals and documents; to the attorney general, the adjutant general, the railroad commissioner, the commissioner of insurance, the commissioner of statistics, the clerk of the supreme court, the superintendent of public instruction, the superintendent of every state benevolent institution, the warden of the state prison, to the United States circuit judge, to the United States district judge, to the clerk of each of the United States courts, and to the United States marshal, one copy of the same. He shall furnish the governor with such number of copies of each as will be necessary to supply each state, and each of the departments and territories of the United

*That is, § 26 and § 29, in this edition.

States, and the general government of the United States with a copy; he shall, furnish the library with five copies of the general and special laws, both journals and the volumes of executive documents; and shall deliver to the secretary of the historical society twenty copies of the general laws, ten copies of the special laws and journals, and fifty copies of the executive documents. (1874, c. 7, § 32.) *§ 34a and *§ 34b. See slip.

*§ 35. **Secretary to distribute laws, etc., to county auditors.** The secretary of state shall, as soon as the laws, journals and executive documents of each session are printed and ready for distribution, box up the number of each to which each county is entitled, together with such number of extra copies of laws as he may deem sufficient for the local demand, and forward the same by public conveyance to the auditor of the county. If any county seat be so situated that the laws, journals and documents cannot be sent to the same by public conveyance, they shall be forwarded to a secure place as near such county seat as practicable, and the secretary of state shall notify the county auditor in writing of the delivery of the same at such point, and the county auditor shall contract with some person to convey the same to the county seat. (*Id.* § 33.)

*§ 36. **County auditors to distribute laws, &c.** The county auditor shall deliver the journals and documents to such persons and institutions as are entitled to receive them, when requested so to do, and shall take receipts therefor and file the same in his office subject to inspection. All other copies of the laws which are forwarded to any county for sale, shall be delivered by the auditor to the clerk of the district court for distribution to such persons and on such terms as the county commissioners may prescribe. (*Id.* § 34.)

*§ 37. **Special laws to be sold.** All copies of the special laws not distributed by the secretary of state according to the foregoing provisions of this act shall be retained by him for sale in the following manner: The secretary of state shall from time to time deliver such number of copies of any volume of special laws as may be required, to the treasurer of state, and take and file his receipt therefor; and he shall notify the said treasurer what is the actual cost price of any such volume. The state treasurer shall sell such copies of the special laws on demand at the stated cost price, and all moneys received from such sales shall be by him paid into and shall become part of the general revenue fund of the state. (*Id.* § 35 a.)

*§ 38. **Credit to be given to publications as official.** All laws, journals and documents printed and published by any contractor under the provisions of this chapter, and duly certified by the secretary of state, as provided herein, shall be deemed to be officially printed and published, and full faith and credit shall be given to them as such. (*Id.* § 35 b.)

*§ 39. **Copies not distributed to be preserved.** All copies of the journals, executive documents and laws, which are not distributed under the provisions of this chapter, shall be preserved in the office of the secretary of state, subject to future distribution by law. (*Id.* § 36.)

*§ 40. **Annual reports to be made by Nov. 5th.** All county, township, city and village officers, and all officers and boards of officers of all state institutions and buildings, and all offices connected with the public works of the state, and all corporations (except such as by their charter are required to make their reports at some other specified time) which are required by law to make annual reports for any purpose to any state officer, shall make out and transmit the same on or before the fifth day of November of each year, to the proper officer. For the purpose of making out all such reports the year shall begin on the first day of November of each year, and end on the last day of October of the succeeding year. (*Id.* § 37.)

*§ 41. **When reports of state officers to be made.** All state officers and boards of officers, and the officers of all such institutions and buildings as are required to make annual report to the legislature or to the governor, shall make such report to,

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*§ 34*a*. Same—standing appropriation. That the sum of three hundred dollars, or so much thereof as may be necessary, be appropriated annually out of any money in the state treasury not otherwise appropriated, for the payment of expressage and postage on books and documents sent to other states, in exchange for similar books and documents of such states. (1878, *c.* 114, § 1.)

*§ 34*b*. Same—statement and warrant. That on the presentation by the secretary of state of a statement of amounts expended by him for the purposes specified in the foregoing section, the state auditor shall draw a warrant on the state treasurer for the amount so expended. (*Id.* § 2.)

the governor on or before the fifteenth day of December of each year; and for the purpose of making out such reports, the fiscal year is declared to begin on the first day of December of each year, and to end on the last day of November of the succeeding year. The governor, upon receiving such reports, shall deliver the same to the commissioners of public printing, to be printed; and the governor shall lay before the legislature all such reports in printed form at the same time with his annual message. (1874, c. 7, § 38.)

*§ 42. **General laws published in newspapers.** All laws of a general nature which shall hereafter be passed by the legislature shall be published once in the several newspapers of the state, within forty days after the close of the session: *provided*, such paper shall have been regularly issued for at least three months previous to the opening of such session. (1867, c. 54, § 1, as amended 1868, c. 47, § 1, and 1873, c. 37, § 1.)

*§ 43. **Secretary to send copy of laws to county auditors.** It shall be the duty of the secretary of state to transmit, in the order in which they are passed, and within thirty days after the close of the session of the legislature, written or printed copies of all laws of a general nature, to the auditor of each county, who shall cause the immediate publication thereof according to the provisions of this act. (1867, c. 54, § 2.)

*§ 44. **Price of publishing, and how paid.** The publishers of each of such papers so designated as aforesaid, shall be entitled to receive for the publication of the laws as above provided, the sum of fifteen cents for each folio of one hundred words. Said publishers must cause proper proof of publication of same to be made to the secretary of state, upon receipt of which the secretary shall deliver a certificate of the same to the state auditor, whose duty it shall be thereupon to draw a warrant for the certified amount upon the state treasurer in favor of said publisher. (*Id.* § 3.)

*§ 45. **Publication of laws in Northwestern Reporter.** That the publication of the laws as made by the secretary of state in the Northwestern Reporter, a legal newspaper published in the city of Saint Paul, Minnesota, is hereby declared to be an official publication of the same, and the laws so published by the secretary of state in said newspaper shall be received as authority in any court of this state. (1878, c. 55, § 1.)

*§ 46. **Publication of special laws affecting counties.** All laws of a special nature which are not by the laws of this state required to be published in the newspapers of the state, which shall hereafter be passed by the legislature of one thousand eight hundred and seventy-seven (1877), or hereafter, may be published once in not more than two (2) of the newspapers of the counties affected by said special laws, as soon as the same are published by the secretary of state: *provided*, such newspapers shall have been regularly issued for at least three (3) months previous to such publication; *and provided further*, that the county commissioners of the counties affected by any special laws passed by legislature, shall cause or order the same to be published. (1877, c. 110, § 1.)

*§ 47. **Commissioners may publish such laws.** The county commissioners of each county may, if they deem it necessary, as soon as the special laws of the state are published by the secretary of state, cause any or all of the special laws relating to their several counties to be published as provided in section one (1) of this act, the cost of which shall be paid out of the treasury of the county where the same are published. (*Id.* § 2.)

*§ 48. **Price of publication.** The price paid by any county for the publication of the said laws shall be forty (40) cents per folio: *provided*, that before payment is made for the publication of any of the special laws as above, publishers who may print such laws shall make proper affidavit of such publication, and file with the county auditor of the county affected by said special laws, (*Id.* § 3.)

*§ 49. **Legislative manual to be prepared.** It shall be the duty of the secretary of state to

cause the legislative manual to be prepared and printed annually hereafter, in advance of the assembling of the legislature. Said manual shall contain the matter usually embraced in such work heretofore, with such other statistical information as may be deemed necessary for the use of the members and officers of the legislature in the performance of their duties. All of said manual shall be printed by the state printer in advance of the beginning of each session, except the rules, list of members and officers, and committees of the two houses, which shall be printed as soon after the assembling of the legislature as the copy of the same can be supplied by the secretary of the senate and the clerk of the house. (1872, c. 20, § 1.)

*§ 50. **Printing and distribution of manual.** The secretary of state shall cause to be printed and bound seven hundred copies of said manual, which shall be distributed by him as follows: two copies to each member of the legislature, and one copy to each officer thereof; one copy to each state officer and each employee of the same; one copy to each state institution; twenty copies to the state library and historical society each, for exchanges with other states; and one hundred and fifty copies shall be kept by the secretary of state for the use of the succeeding legislature. (*Id.* § 2.)

*§ 51. **Price of state advertising.** That all advertising done for any of the state departments shall be paid for at the uniform rate of seventy-five cents per square of space (which is declared to be equal to the space occupied by two hundred and fifty ems of solid nonpareil type) for the first insertion, and thirty-seven 50-100 cents for each subsequent insertion. (1867, c. 102, § 1.)

*PAPER FOR PUBLIC PRINTING—STATIONERY, ETC.

*§ 52. **Secretary of state to fix amount, &c.** That annually hereafter, on or before the first Tuesday in August, it shall be the duty of the secretary of state to ascertain and fix the amount and kinds of all paper necessary for the public printing of this state for the period of one year; and the amount and kind of writing paper, envelopes, and all other stationer's supplies necessary for use in both branches of the legislature, and in all the public offices of the state for the same time. (1874, c. 8, § 1.)

*§ 53. **Secretary to advertise for proposals.** That thereupon it shall be the duty of the secretary of state to give public notice for at least four consecutive weeks, by advertisement in four newspapers printed and of general circulation in this state, one of which shall be published in the capital of the state, that sealed proposals will be received at the office of the secretary of state until twelve o'clock at noon of the first day of September following, for furnishing such amounts and kinds of printing-paper, and such quantities and kinds of writing-paper, and other stationer's supplies, describing clearly the several kinds of articles required. (*Id.* § 2.)

*§ 54. **Requisites of proposals—bond of contractor.** Proposals may be made for furnishing either the printing-paper, or the writing-paper and other stationery and stationer's supplies or for both; and such proposals shall be accompanied by samples of the various kinds of paper and other supplies proposed to be furnished, and shall contain the price thereof, accompanied by a clear and certain name for each article. Each proposal shall be accompanied by a bond payable to the state of Minnesota, with good and sufficient security to be approved by the secretary of state, in a penal sum of not less than one thousand dollars, to secure the state that the maker of the proposal will, if his bid be accepted, sign the necessary contracts and enter into the bonds herein-

*An act to provide for the purchase of paper and stationer's supplies for the public printing, and or use in the legislature and state offices. Approved, March 9, 1874. (1874, c. 8.)

after provided, for the faithful performance of the same. Said proposals shall, on said first Tuesday of September, be opened in public by the secretary of state, and the contract for furnishing the printing-paper shall be by him awarded to the lowest bidder or bidders therefor, and the contract [for] furnishing the writing-paper and stationery shall be awarded to the lowest bidder or bidders therefor. And to secure the faithful performance of said contracts, the secretary of state shall take from the contractor or contractors a bond payable to the state of Minnesota, with good and sufficient security, to be approved by the secretary of state, in the penal sum of not less than double the amount to be paid such contractors by virtue of such contracts: *provided*, that the said secretary shall have power, and it shall be his duty, to reject all bids which he may consider exorbitant, or against the interest of the state. (1874, c. 8, § 3.)

*§ 55. **Contractors' bonds to be filed, &c.** Said bonds shall be filed and retained in the office of the secretary of state, and, for any failure to comply with any of the conditions therein contained, may be prosecuted in the name of the state in any court of competent jurisdiction, and the amount of damages, when collected, shall be paid into the state treasury. (*Id.* § 4.)

*§ 56. **Payments to contractors, how made.** The secretary of state shall certify to the state auditor from time to time the amount due to such contractors for stationery and paper when [then] furnished under said contract, who shall issue his warrant upon the state treasury for the amount so certified, to be paid out of mon-^{§§ 50, 61, 61, 62.} eys appropriated for that purpose: *provided*, that said auditor shall not give his warrant for an amount to exceed seventy-five per cent. of the amount certified until said contract shall be fully completed and fulfilled. (*Id.* § 5.)

*§ 57. **Custody of paper and stationery.** The printing-paper of the state shall be kept and issued by the secretary of state, and used and accounted for by the contractor for the public printing, as provided in the laws relating to the public printing. The writing-paper and other stationer's supplies shall be securely kept by the secretary of state, and issued by him for use in any state department or office, upon the requisition and receipt of the chief officer therein; and for use in either branch of the legislature, upon the requisition and receipt of the secretary or chief clerk thereof. (*Id.* § 6.)

*§ 58. **Secretary to report to legislature.** The secretary of state shall annually report to the legislature of the state, at its first meeting in each year, the exact amount of all stationery, printing-paper, etc., contracted for and purchased by him, and the prices paid for the same. (*Id.* § 7.)