

Senators Wilson and White are such committee on the part of the Senate.

S. P. JENNISON,  
Secretary of the Senate.

Messages from the Senate being under consideration, the Senate having non-concurred in the House amendment to

S. F. No. 15, A bill to encourage higher education,

On motion of Mr Hicks, the Speaker appointed as a committee of conference to meet the committee appointed by the Senate on the disagreement, Messrs. Daniels, Mott and Sheardown.

On motion of Mr. Hicks the House took a recess until 8 o'clock this evening.

## EVENING SESSION.

The House met at 8 o'clock P. M., and was called to order by the Speaker.

A quorum present.

### EXECUTIVE COMMUNICATIONS.

The following communications were received from his Excellency, the Governor :

STATE OF MINNESOTA,  
EXECUTIVE DEPARTMENT,  
ST. PAUL, February 28, 1881. }

*Hon. L. Fletcher,*

*Speaker of the House of Representatives.*

Sir:—I have approved and signed the following House Files, and have deposited the same in the office of the Secretary of State:

H. F. 564, An act to locate and establish a State road from the village of Herman, in Grant county, to the village of Lowell, in Big Stone county.

H. F. 405, An act to provide for establishing a workhouse in the city of Red Wing, and provide for the employment of vagabonds, beggars, tramps and criminals, while undergoing sentence of imprisonment.

H. F. 487, an act for allowing a clerk to the county treasurer of Dakota county.

H. F. 246, An act to establish a deputy clerkship in the clerk of supreme courts office, and fixing the salary thereof.

Very respectfully,

J. S. PILLSBURY,  
Governor.

STATE OF MINNESOTA,  
EXECUTIVE DEPARTMENT  
ST. PAUL, February 28, 1881. }

*Hon. Loren Fletcher,*

*Speaker of House of the Representatives:*

SIR:—I reluctantly return House File No. 15, "An act to punish tramps," to the House, in which it originated.

The bill does not make sufficient discrimination between the unfortunate person who is seeking for work, and the vicious vagabond who seeks to live upon the voluntary bounty of honest men. Some of its provisions contravene well understood principles of constitutional law.

The punishment is unequal. Section 5 is objectionable, in that it punishes one class of persons in a different manner than persons not of that class for committing the same offense, and for this reason is unconstitutional. Section 3 is open to similar objections, for the reason that pardoning power is vested elsewhere than in the executive, as provided by the constitution.

For these reasons I withhold my approval of this act. I regret that I feel obliged to do this, as I am thoroughly in favor of an act for the protection of the public against this class of persons.

Very respectfully,

J. S. PILLSBURY,

Governor.

On motion of Mr. Smith, the vote whereby

H. F. No. 15, A bill to punish tramps.

Was passed, was reconsidered, and

On motion of Mr. Sanborn, the bill with the Governor's Message, relating thereto.

Was referred to the committee on judiciary for recommendation as to whether the bill shall pass notwithstanding the Governor's veto.

The House resumed the consideration of

H. F. No. 229. A bill to provide for the adjustment of the Minnesota State Railroads Bonds

The question being taken on the adoption of the amendment offered by Mr. Wilson, and the yeas and nays being called for and ordered,

There were yeas 39, and nays 60, as follows:

Those who voted in the affirmative were—

Messrs. Andrus, Asleson, Boser, Bohland, Bookwalter, Buckman, Burger, Butterfield, Caine, Churchill, Collins, Colquhoun, Dean, Flom, Gould, Hall, Hayes, Hanscom, Hawkins, Henry, Herberger, Hulebak, Kohlmier, Lewis, Loveland, McCracken, Peterson P. A., Porter T. C., Redding, Roberts, Rosebrock, Sheardown, Snure, Southard, Stedjee, Thompson J., Tether, Wagner and Wilson.

Those who voted in the negative were—

Messrs. Allen, Amundson, Armstrong, Baker, Baldwin, Baxter J. Baxter L. L. Braley, Callender, Child, Comstock, Cornish, Cutts, Daniels, Denny, Denby, Dodge, Donahue, Dunn, Gardner, Griggs, Halgren, Hicks, Hill, Hoyt, Huhn, Ives, Kendall, Klossner, Kneeland, Linnell, McAndrews, Moore, Mott, McMaster, Norrish, Northness, Peterson A., Plaisance, Porter O. S., Post, Purrington, Putnam, Rice, Sabin, Sanborn, Schmidt, Searles, Smith, Stewart, Stone, Tharalson, Thornton, Thompson J. Jr., Tone, Washburn, Wiley, Zieske and Mr. Speaker.

So the amendment was lost.