

Mr. Stephens moved to amend H. F. No. 1136 as follows:

By striking out the words "and directed" where they occur in section one (1) at the top of the second (2nd) page of the type-written bill.

Also amend by striking out the word "expeditiously" where it occurs in the same line of said section one (1).

The question being taken on the adoption of the amendment,

And the roll being called there were yeas 12 and nays 32, as follows:

Those who voted in the affirmative were:

Bedford,	Canfield,	Johnson, C. A.,	Moonan,	Robinson,
Calhoun.	French,	Laybourn,	Nelson,	Stephens,
Campbell,	Hinton,			

Those who voted in the negative were:

Ahmann,	Dutoit,	Johnson, V. L.,	Sageng,	Weis,
Canestorp,	Elwell,	McColl,	Schaller,	White,
Carpenter,	Farrington,	Naeseth,	Sullivan,	Wilson,
Clague,	Fosseen,	Pauly,	Swanson,	Witherstine,
Coller,	Gunderson,	Pugh,	Thorpe,	Works,
Dale,	Hall,	Putnam,	Vail,	Wright,
Donaldson,	Hanson, A. L.,			

So the amendment was lost.

The question being taken on the passage of the bill.

And the roll being called there were yeas 33 and nays 17, as follows:

Those who voted in the affirmative were:

Ahmann,	Donaldson,	Hall,	Sageng,	Vail,
Briggs,	Dunn,	Hanson, H. E.,	Schaller,	Weis,
Canestorp,	Dutoit,	McColl,	Seward,	Wilson,
Carpenter,	Elwell,	McGowan,	Sullivan,	Witherstine,
Clague,	Farrington,	Naeseth,	Swanson,	Works,
Coller,	Fosseen,	Pauly,	Thorpe,	Wright,
Dale,	Gunderson,	Putnam,		

Those who voted in the negative were:

Bedford,	Glitzbach,	Johnston,	Nelson,	Robinson,
Calhoun.	Hanson, A. L.,	Laybourn,	Peterson,	Stephens,
Campbell,	Johnson, C. A.,	Moonan,	Pugh,	White,
French,	Johnson, V. L.,			

So the bill passed and its title was agreed to.

#### MESSAGES FROM THE GOVERNOR.

STATE OF MINNESOTA,  
EXECUTIVE DEPARTMENT.  
ST. PAUL, April 21, 1909.

*Hon. A. O. Eberhart, President of the Senate:*

SIR—I have the honor to return herewith—

S. F. No. 473, A bill for an act to amend section sixty-seven (67) of the Revised Laws of one thousand nine hundred five (1905) relating to compromise of claims of the state.

The purpose of this act is to make adjustments of certain cases of timber trespass which were fairly considered by the Timber Board, tried in the District Courts, where judgments were ordered and these sustained by the highest judicial tribunal in the state.

The principle involved in these cases is not different from that in many other claims which have also been considered and promptly paid by the persons against whom claims were had.

In previous messages to the Legislature I have advised legislation, giving to the Timber Board wider discretionary power to adjust just such claims as are involved in this measure, and this, it seems to me, is the only proper course to pursue, rather than to establish a court of equity to adjust causes which, having been tried in the courts, have resulted in judgments under the law in favor of the state. The creation of a tribunal like this would have the effect of overturning not only the actions of the Timber Board but of the courts themselves.

I very seriously question the moral effect of legislation of this character upon those who in the future shall purchase timber from state lands.

Another serious objection to the measure is in the fact that upon petition of any person feeling aggrieved by the decisions of the courts, the Governor is arbitrarily compelled to appoint an equity board, consisting of the Attorney General and two judges of the Supreme Court, the latter not being obliged to serve under the Constitution, which provides that they shall hold no other office under the state government.

For the reasons above recited I cannot approve of S. F. No. 473.

ST. PAUL, April 21, 1909.

*Hon. A. O. Eberhart, President of the Senate:*

SIR—I have the honor to advise you that I have approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 47, an act to amend section two thousand eight hundred fifty-nine (2859) of the Revised Laws of one thousand nine hundred five (1905), and to legalize and make valid certain corporations heretofore organized in this state.

S. F. No. 56, an act to authorize County Commissioners to erect sockets on soldiers' graves.

S. F. No. 73, an act validating certain acts and claims arising under chapter four hundred fifty-eight (458) of the Laws of Minne-