

ite.

RESOLUTION.

Senators answered to their

Naplin,  
Nolan,  
Nord,  
Orr,  
Palmer,  
Peterson.,  
Putnam,  
Rask,  
Reed,  
Ribenack,  
Rockne,  
Romberg,  
Sageng,

Schmechel,  
Stepan,  
Sullivan,  
Swanson,  
Turnham,  
Van Hoven,  
Vibert,  
Ward,  
Widell,  
Wilcox,  
Wold,

proceedings under the call

ty report as printed in the  
nd appearing on pages 36-44  
y report.

option of the substitution of  
ort,

re yeas 31, and nays 31, as

were:

Nolan,  
Orr,  
Palmer,  
Peterson,  
Romberg,  
Sageng,  
Schmechel,

Stepan,  
Turnham,  
Wold,

were:

Rask,  
Reed,  
Ribenack,  
Rockne,  
Sullivan,  
Swanson,  
Van Hoven,

Vibert,  
Ward,  
Widell,

ared that the minority report

amendment to the majority

George H. Sullivan of Stillwater, Minnesota, having duly filed with the State Senate a notice of contest of the election of W. W. Wilcox to the office of State Senator for the 43d Legislative District, and the matter having been duly referred to the Elections Committee, and the said committee having duly presented to the Senate two reports, one finding the contestant entitled to a seat as State Senator from the said 43d District, the other report finding that the contestee, W. W. Wilcox, is entitled to said seat from the said 43d District, and the Senate having duly considered both of said reports.

Now Be It Resolved, by the Senate of the State of Minnesota, that:

The contestee, W. W. Wilcox, by reason of serious and important violations of the Statutes of Minnesota governing the conduct of candidates for election to the office for which he was a candidate, is not entitled to hold and keep the office of State Senator from the said 43d Legislative District of Minnesota.

That the vacancy thereby created be filled by calling a special election forthwith, in accordance with the Statutes of Minnesota governing special elections for filling vacancies.

That a copy of this Resolution be transmitted to the Governor and that he is hereby requested to call such special election in the usual manner in accordance with the Statutes of the State of Minnesota.

The question being taken on the adoption of the amendment to the majority report.

And the roll being called, there were yeas 35, and nays 27, as follows:

Those who voted in the affirmative were:

Boylan,	Dwyer,	Hopp,	Loonam,	Romberg,
Carley,	Erickson,	Jackson,	Madigan,	Sageng,
Cashel,	Gandrud,	Johnson,	Naplin,	Schmechel,
Cliff,	Gillam,	Kuntz,	Nolan,	Stepan,
Conroy,	Guilford,	Larson,	Orr,	Swanson,
Cumming,	Hall,	Lee,	Palmer,	Turnham,
Devold,	Hamer,	Lindsley,	Peterson,	Wold,

Those who voted in the negative were:

Adams,	Brooks,	Hegnes,	Rask,	Vibert,
Baldwin,	Callahan,	Kingsbury,	Reed,	Ward,
Benson,	Denegre,	McGarry,	Ribenack,	Widell,
Bessette,	Fowler,	Millett,	Rockne,	
Blomgren,	Gjeraset,	Nord,	Sullivan,	
Bonniwell,	Handlan,	Putnam,	Van Hoven,	

So the amendment to the majority report was adopted.

Mr. Guilford moved that the vote whereby the amendment to the majority report was adopted be now reconsidered.

Which motion prevailed.

Mr. Guilford offered the following as a substitute to the motion to adopt the majority report, and moved its adoption—

Whereas, George H. Sullivan of Stillwater having duly filed with the State Senate a notice of contest of the election of W. W. Wilcox to the office of State Senator for the 43rd Legislative District, and the matter having been duly referred to the Election Committee and the said committee having duly presented to the Senate two reports, one finding the contestant entitled to the seat as State Senator from said 43rd District, and the other report finding that the Contestee W. W. Wilcox is entitled to said seat from the said 43rd District, and the Senate having duly considered both of said reports;

Now Therefore, Be it Resolved by the Senate of the State of Minnesota:

1. That the said George H. Sullivan did not receive a majority of the votes cast at said election and was not elected.

2. That the Contestee, W. W. Wilcox, by reason of deliberate, serious and material violations of the Statute of Minnesota governing the conduct of candidates for election to the office for which he was a candidate, did not receive a legal majority of the votes legally cast at such election and is not entitled to hold and retain his seat as Senator, and said seat is hereby declared vacant.

3. That the vacancy thereby created be filled by calling a special election forthwith in accordance with the Statutes of the State of Minnesota governing special elections for filling a vacancy in the office of state senator.

That a copy of this resolution be transmitted to the Governor and that he is hereby requested to call such special election in accordance with the Statutes of the State of Minnesota.

The question being taken on the adoption of the resolution,

And the roll being called, there were yeas 59, and nays none, as follows:

Those who voted in the affirmative were:

Adams,	Bonniwell,	Cashel,	Devold,	Gillam,
Baldwin,	Boylan,	Cliff,	Dwyer,	Guilford,
Benson,	Brooks,	Conroy,	Erickson,	Hall,
Bessette,	Callahan,	Cumming,	Fowler,	Hamer,
Blomgren,	Carley,	Denegre,	Gandrud,	Hegnes,

Hopp,	Lindsley,
Jackson,	Loonam,
Johnson,	McGarry,
Kingsbury,	Madigan,
Kuntz,	Millett,
Larson,	Naplin,
Lee,	Nolan,

So the resolution was a

Mr. Sullivan moved th  
Tuesday, February 4th,

Which motion prevailed

SEV

The Senate met at 11  
the President.

Prayer by the Chaplai

The roll being called,  
names:

Adams,	Cumming,
Anderson,	Denegre,
Baldwin,	Devold,
Benson,	Dwyer,
Bessette,	Erickson,
Bonniwell,	Fowler,
Brooks,	Gandrud,
Callahan,	Guilford,
Carley,	Hall,
Cashel,	Hamer,
Cliff,	Handlan,
Conroy,	Hegnes,

Quorum present.

The reading of the Jo  
as printed and corrected,

Mr. Vibert was excu  
week.

Mr. Blomgren was ex

Mr. Jackson was exci

PETITIONS,

A petition from resid  
not printed, and referre

A letter from the Far  
and ordered not printed

[16th Day]

17th Day]

TUESDAY, FEBRUARY 4, 1919.

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adoption—

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by reason of delib-  
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election to the office  
a legal majority of  
not entitled to hold  
it is hereby declared

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tted to the Governor  
h special election in  
Minnesota.

f the resolution,  
59, and nays none, as

d, Gillam,  
on, Guilford,  
r, Hall,  
ud, Hamer,  
Hegnes,

Hopp, Jackson, Johnson, Kingsbury, Kuntz, Larson, Lee,	Lindsley, Loonam, McGarry, Madigan, Millett, Naplin, Nolan,	Orr, Palmer, Peterson, Putnam, Rask, Reed, Ribenack,	Rockne, Romberg, Sageng, Schmechel, Stepan, Sullivan, Swanson,	Turnham, Van Hoven, Vibert, Ward, Widell, Wold,
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So the resolution was adopted.

Mr. Sullivan moved that the Senate do now adjourn until next  
Tuesday, February 4th, 11 o'clock A. M.

Which motion prevailed.

GEO. W. PEACHEY,  
Secretary of the Senate.

# SEVENTEENTH DAY.

ST. PAUL, TUESDAY, February 4, 1919.

The Senate met at 11 o'clock A. M., and was called to order by  
the President.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their  
names:

Adams, Anderson, Baldwin, Benson, Bessette, Bonniwell, Brooks, Callahan, Carley, Cashel, Cliff, Conroy,	Cumming, Denegre, Devold, Dwyer, Erickson, Fowler, Gandrud, Guilford, Hall, Hamer, Handlan, Hegnes,	Hopp, Jackson, Johnson, Kingsbury, Kuntz, Larson, Lee, Lindsley, Loonam, McGarry, Madigan, Millett,	Naplin, Nolan, Nord, Orr, Palmer, Peterson, Rask, Reed, Ribenack, Rockne, Romberg, Sageng,	Schmechel, Stepan, Sullivan, Swanson, Turnham, Van Hoven, Ward, Widell, Wold,
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Quorum present.

The reading of the Journal was dispensed with and the Journal,  
as printed and corrected, was approved.

## MEMBERS EXCUSED.

Mr. Vibert was excused for Tuesday and Wednesday of this  
week.

Mr. Blomgren was excused for today.

Mr. Jackson was excused for tomorrow.

## PETITIONS, LETTERS AND REMONSTRANCES.

A petition from residents of Hubbard county was read, ordered  
not printed, and referred to the Committee on Game and Fish.

A letter from the Farmers' Terminal Packing Company was read  
and ordered not printed.

JOURNAL  
OF THE  
SENATE  
OF THE  
FORTY-FIRST SESSION  
OF THE  
LEGISLATURE  
OF THE  
STATE OF MINNESOTA

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St. Paul, Minn.*

ST. PAUL:  
MCGILL-WARNER Co., STATE PRINTERS  
1919