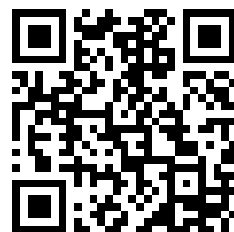

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF MINNESOTA, *Ter.*

DURING THE SEVENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY,

Exchange Duplicate, L. C.

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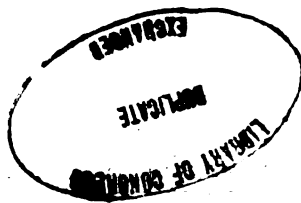
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JOURNAL OF THE HOUSE OF REPRESENTATIVES.

WEDNESDAY, JANUARY 2, 1856.

The Legislative Assembly of Minnesota Territory commenced its Seventh Session in the Capitol at St. Paul, the seat of government, on Wednesday the 2d day of January, A. D. 1856, on which day, at 12 o'clock meridian, the House was called to order by James C. Shepley, Chief Clerk of the last House of Representatives.

Prayer was offered by Rev. Mr. Torbet.

The members elect from the several Council Districts, in attendance, presented their certificates of election, from which the roll of members was made up, and it appeared that the following members were duly elected and in attendance:

From the first Council District—James S. Norris, Abram Van Vorhes, Henry A. Jackman, N. C. D. Taylor.

From the Second Council District—Wm. H. Nobles, B. W. Lott, Ferdinand Knaust, Ross Wilkinson, Reuben Haus.

From the Third Council District—Sumner W. Farnham, C. W. LeBoutillier.

From the Fourth Council District—Charles Gardiner.

From the Fifth Council District—John L. Wilson, Wm. Sturgis.

From the Sixth Council District—Morris T. Murphy, O. C. Gibbs, John C. Ide, Thomas J. Galbraith, John M. Holland.

From the Seventh Council District—Carlisle Burdick.

From the Eighth Council District—William B. Gere, Samuel Hull, William F. Dunbar, Martin G. Thompson.

From the Ninth Council District—John H. Hartenbower, Cornelius F. Buck, James Kirkman.

From the Tenth Council District—Parsons K. Johnson, Aurelius F. DeLaVergne, George A. McLeod.

From the Eleventh Council District—James F. Bradley, Thomas W. Pierce, Arba Cleaveland, Thomas B. Hunt, Francis Thorndike.

Pending the examination of certificates, the following protest of William H. Kingsbury, claiming the seat of N. C. D. Taylor, was presented:

To the Honorable the Legislative Assembly of the Territory of Minnesota:

William W. Kingsbury hereby protests against Hon. N. C. D. Taylor taking his seat as member of the Legislative Assembly for the first Council District, composed of the counties of Washington, Chicago, Superior and Doty, as the certificate was unjustly awarded to him, said Kingsbury having received a majority of the votes cast at said election.

WILLIAM W. KINGSBURY.

St. Paul, M. T., January 2, 1856.

H.—1

Also, the following certificates of election of A. B. Cornell :

I, the undersigned, one of the registers of the Representative District, composed of the following counties: Nicollet, Faribault and Steele, do hereby declare that A. B. Cornell received the highest number of votes in the District above mentioned.

T. W. FISK,

Deputy Register.

Dated at Traverse des Sioux, Nicollet county, Oct. 29th, A. D. 1855.

Which, for informality, was laid on the table by the Clerk,

Mr. Vaughan presented the following certificate of the judges of election of the town of Austin, in the county of Mower:

We, the undersigned, Judges of Election, do hereby certify that Alanson B. Vaughan was duly elected member of the House of Representatives for the county of Mower, Minnesota Territory, at an election held at the house of Charles Leverich, in the town of Austin, in said county, on Tuesday the 9th day of October, A. D. 1855, in pursuance of a public notice given to the electors of said county.

SILAS DUTCHER,
GEORGE W. JORDAN, } Judges of Election.
SAMUEL CLAYTON.

Attest,

WASHINGTON MASON, }
LEVI W. WATROUS, } Clerks of Election.

Which was also laid on the table by the Clerk.

Mr. Norris moved,

That in cases of contested seats, those persons holding certificates, and in districts composed of several counties, those persons having their certificates from the Clerk of the Board of County Commissioners of the senior county in such districts should be placed upon the roll of members by the Clerk.

Which motion was adopted.

Mr. Norris moved,

That the oath of office be administered to the members elect, by the Hon. Moses Sherburne, one of the Justices of the Supreme Court.

Judge Sherburne appeared and administered the oath, which was subscribed to by the members as follows:

UNITED STATES OF AMERICA, }
TERRITORY OF MINNESOTA. } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Organic Act of the Territory of Minnesota, so long as I shall continue a citizen thereof.

I solemnly swear that I will faithfully discharge the duties incumbent on me as a member of the Legislative Assembly of the Territory of Minnesota, to the best of my judgment and ability. So help me God.

G. A. M'Leod,
N. C. D. Taylor,
Parson K. Johnson,
T. W. Pierce,
C. F. Buck,
A. F. De La Vergne,
M. T. Murphy,
James Kirkman,
Jno. L. Wilson,
M. G. Thompson,
W. F. Dunbar,
J. S. Norris,

O. C. Gibbs,
J. H. Hartenbower,
C. W. LeBoutillier,
Wm. H. Nobles,
A. Van Vorhes,
T. J. Galbraith,
F. Thorndike,
Ross Wilkinson,
Samuel Hull,
B. W. Lott,
R. Haus,
Wm. Stargis.

Wm. B. Gere,
R. C. Burdick,
Henry A. Jackman,
John M. Holland,
Thomas B. Hunt,
F. Knauff,
Arba Cleaveland,
John C. Ide,
Charles Gardiner,
J. F. Bradley,
S. W. Farham.

On motion of Mr. Lott,
Samuel Hull was elected Speaker, *pro tem*.

On motion of Mr. Haus,
J. C. Shepley was chosen Chief Clerk, *pro tem*.

On motion of Mr. Hunt,
Mr. Pierce was appointed Assistant Clerk, *pro tem*.

Mr. Buck moved,

That Mr. Dahl be appointed Enrolling Clerk, *pro tem*.

And the yeas and nays being called for and ordered, there were yeas 28, and nays 4,
as follows:

Those who voted in the affirmative were,

Messrs. McLeod, Taylor, Pierce, Johnson, Buck, De La Vergne, Murphy, Kirkman, Thompson, Dunbar, Norris, Gibbs, Hartenbower, Nobles, Van Vorhes, Galbraith, Thorndike, Wilkinson, Lott, Haus, Sturgis, Gere, Burdick, Jackman, Hunt, Knauff, Bradley and Farnham—28.

Those who voted in the negative were,

Messrs. Wilson, Boutillier, Gardner and Holland—4.

Mr. Gibbs moved, that W. F. Frost be appointed Sergeant-at-Arms, *pro tem*.

Which motion was lost.

On motion of Mr. Lott, D. F. Brawley was appointed Sergeant-at-Arms, *pro tem*.

Mr. Norris moved that Mr. Odell be Messenger, *pro tem*.

Which motion was not adopted.

On motion of Mr. Johnson, Henry Jackson was appointed Messenger *pro tem*.

On motion, Mr. Griffiths was appointed Fireman, *pro tem*.

On motion of Mr. Norris, the Rev. Mr. Torbet was appointed Chaplain, *pro tem*.

Mr. Norris moved that the Rules of the last House of Representatives be adopted temporarily, as the Rules of this House.

Which motion was adopted.

On motion of Mr. Haus, the House adjourned until to-morrow morning at ten o'clock.

S. HULL, Speaker *pro tem*.

J. C. SHEPLEY, Chief Clerk, *pro tem*.

THURSDAY, JANUARY 3, 1856.

The House met pursuant to adjournment.

And was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Boutillier, Buck, Burdick, Cleaveland, Dunbar, Farnham, Gardner, Gere, Gibbs, Hartenbower, Holland, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Murphy, Nobles, Pierce, Sturgis, Taylor, Thorndike, Wilkinson and Mr. Speaker.

Prayer by the Rev. Mr. Torbet.

The Journal of yesterday was read and approved.

Mr. John Hubbell presented his certificate of membership.

On motion of Mr. Holland,

The Chief Clerk was directed to request the attendance of some person authorized to administer the oath of office to members and officers of the House.

Mr. Nobles moved that the officers *pro tem*, also be sworn, which motion was adopted.

His Excellency the Governor of the Territory, being in attendance, administered the oath of office to Mr. Hubbell, and also to the Speaker *pro tem*, Chief Clerk, *pro tem*, Assistant Clerk, *pro tem*, and the Enrolling Clerk, *pro tem*.

On motion of Mr. Gardiner,

The House adjourned until to-morrow morning at ten o'clock.

Attest:

S. HULL, Speaker, *pro tem*.

J. C. Shepley, Chief Clerk, *pro tem*.

FRIDAY, JANUARY 4, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker, *pro tem*.

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

Messrs. Boutillier, Buck, Burdick, Cleaveland, De LaVergne, Dunbar, Farnham, Galbraith, Gardner, Gere, Gibbs, Hartenbower, Holland, Hubbell, Hunt, Ide, Jackman, Johnson, Kirkman, Knauft, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Prayer by Rev. Mr. Torbet.

The Journal of yesterday was read and approved.

Mr. Johnson moved that some person authorized to administer oaths to the members and officers of this House, be requested to be present and administer the oath of office to the Messenger *pro tem*, and the Fireman *pro tem*.

His Excellency, the Governor of the Territory, being in attendance administered the oath of office to Mr. Jackson, Messenger *pro tem*, and to Mr. Griffin, the Fireman *pro tem*.

Mr. Hunt offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to investigate the matter in relation to the seat claimed by Mr. Albert Wolf, with the power to subpoena witnesses.

Which resolution was adopted.

The chair appointed the following persons as said committee:

Messrs. Wilkinson, Buck and Hartenbower.

Mr. Nobles moved that the reporters of the different presses of the Territory be admitted to seats within the bar of this House.

Which motion was adopted.

Mr. Norris presented the following certificate from the Hon J. Travis Rosser, Secretary of the Territory:

SECRETARY'S OFFICE,

St. Paul, M. T.

I, J. Travis Rosser, Secretary of Minnesota Territory, do hereby certify that, according to the report of the Select Committee of the Legislature of M. T., apportion-

ing the members of the Legislature for its seventh session, and filed in my office, August 21st, 1855, the county of Mower is entitled to one member.

Given under my hand and the great seal of the Territory, the 4th day of January, 1856.

{ L. S. }

J. TRAVIS ROSSER,
Secretary of Minnesota Territory.

The Clerk read the certificate, and the certificate of the Judges of Election of the town of Austin, in the county of Mower.

Mr. Norris moved,

That Mr. Vaughan be admitted to take his seat as a member of this House.

Which motion was adopted.

Mr. Holland moved that a committee be appointed by the Chair, to inform the Council that the House is now temporarily organized.

Which motion was adopted.

The Chair appointed the following persons as said committee :

Messrs. Norris, Dunbar and Gardner.

Mr. De La Vergne offered the following resolution :

Resolved, That the Chief Clerk of this House be, and is hereby authorized to subscribe for such newspapers printed in the Territory, as the respective members of this House may direct, to the number of ten copies Daily, or the same amount in Weekly copies, for each member and officer of the House, during the session of the Legislature, to be paid for out of the moneys appropriated to defray the expenses of the Legislative Assembly.

Which resolution was adopted.

Mr. Norris from the committee appointed to inform the Council of the temporary organization of the House, reported that they had performed the duty assigned them.

Mr. Holland moved that the House do now proceed to the election of permanent Speaker.

Which motion was adopted.

The roll being called, the Speaker announced the following result:

Messrs. Boutillier, Holland and Murphy voted for Mr. Norris.

Messrs. Bradley, Cleveland, Galbraith, Gibbs, Ide, Kirkman, Kaasf, Nobles, Pierce, Thompson, Thorndike and Vaughan voted for Mr. Van Vorhes.

Messrs. Buck and Gardner voted for Mr. Nobles.

Messrs. Burdick, De La Vergne, Dunbar, Farnham, Gere, Hartenbower, Hans, Hubbell, Hunt, Jackman, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker voted for Mr. Gardner.

Messrs. Norris and Van Vorhes voted for Mr. Holland.

Whole number of votes cast, 37.

Necessary to a choice, 19.

Mr. Norris had 3 votes ; Mr. Van Vorhes, 13 votes ; Mr. Nobles, 2 votes ; Mr. Gardner, 18 votes and Mr. Holland 2 votes.

The Speaker then announced, that in consequence of none of the candidates having a majority of all the votes cast, there was no choice.

Mr. Hans moved that the House adjourn until Monday morning at 10 o'clock.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 19, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Dunbar, Farnham, Gardner, Gere, Hartenbower, Hans, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—18.

Those who voted in the negative were;

Messrs. Boutillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Holland, Ide, Jack-

man, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes and Vaughan—19.

So the motion was lost.

Mr. Lott moved that the House do now adjourn.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 19, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, De LaVergne, Dunbar, Farnham, Gardner, Gere, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—18.

Those who voted in the negative were,

Messrs. Bontillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes and Vaughan.

The motion was lost.

Mr. Hunt moved that the House adjourn until to-morrow afternoon at 2 o'clock.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 19, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, De LaVergne, Dunbar, Farnham, Gardner, Gere, Hartenbower, Haus, Hunt, Hubbell, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Bontillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes and Vaughan.

So the motion was lost.

Mr. Wilkinson moved that the House do now adjourn until Monday afternoon at 2 o'clock.

And the yeas and nays being called for and ordered, there were yeas 22, and nays 15, as follows :

Those who voted in the affirmative were,

Messrs. Buck, Burdick, De LaVergne, Dunbar, Farnham, Gardner, Gere, Hartenbower, Haus, Hubbell, Hunt, Johnson, Kirkman, Knauff, Lott, McLeod, Nobles, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker.

Those who voted in the negative were

Messrs. Bontillier, Bradley, Cleveland, Galbraith, Gibbs, Holland, Ide, Jackman, Murphy, Norris, Pierce, Thompson, Thorndike, Van Vorhes and Vaughan.

Which motion was adopted.

Pending the motion of Mr. Wilkinson, a message from the Council was announced, and the Hon. Mr. Setzer appeared and delivered the following message :

MR. SPEAKER :—

I have been instructed to inform the House that the Council is permanently organized and ready to proceed to business.

So the House adjourned until Monday afternoon at 2 o'clock.

S. HULL,

Speaker pro tem.

Attest :—

JAMES C. SHEPLEY,

Chief Clerk, pro tem.

January 7, 1856.]

HOUSE OF REPRESENTATIVES.

7

MONDAY, JANUARY 7, 1856.

The House met pursuant to adjournment,

And was called to order by the Speaker, *pro tem.*

The roll being called all the members answered to their names.

Prayer by the Rev. Mr. Torbet.

Mr. Grant presented his certificate of election and was sworn in by the Speaker, *pro tem.*

Mr. Coville also presented his certificate of election and was also sworn in by the Speaker, *pro tem.*

The Journal of Friday was read and approved.

Mr. Knauff moved that the House now proceed to the election of permanent Speaker.

Mr. De La Vergne offered the following resolution:

Resolved, That, whereas, the county of Mower is entitled to but one member in this House, and, whereas, Mr. Coville has presented his certificate of election as member of the Legislative Assembly from that county, legally attested, therefore, Mr. Vaughan is not at this time entitled to a seat in this House.

Mr. Holland moved to lay the Resolution on the table.

And the yeas and nays being called for and ordered, there were yeas 17, and nays 20, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike and Van Vorhes.

Those who voted in the negative were,

Messrs. Boutillier, Burdick, De La Vergne, Dunbar, Farnham, Gardner, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker.

Pending the calling of the roll, Mr. Lott rose to a point of order.

The point of order being that Mr. Vaughan being interested in the question before the House, was not entitled to a vote.

Mr. Holland called for the reading of the rule excluding Mr. Vaughan.

The Speaker decided in favor of the point of order.

The question then recurring on the resolution of Mr. De La Vergne,

Mr. Van Vorhes moved the following amendment:

Strike out all after the words attested, and insert, "that the subject be referred to a committee of three, with power to send for persons and papers."

And the yeas and nays being called for and ordered, there were yeas 18, and nays 19 as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike and Van Vorhes—18.

Those who voted in the negative were,

Messrs. Burdick, De La Vergne, Dunbar, Farnham, Gardner, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—19.

So the amendment was lost.

The question again recurring on the resolution of Mr. De La Vergne.

And the yeas and nays being called for and ordered, there were yeas 19 and nays 18, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, De La Vergne, Dunbar, Farnham, Gardner, Gere, Grant, Harten-

bower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson and Mr. Speaker—19.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike and Van Vorhes—18.

So the resolution was adopted.

Mr. Hunt moved that the House do now proceed to election of permanent Speaker. Which motion was adopted.

The roll being called, the Speaker *pro tem.* announced the following as the result:

Messrs. Burdick, Coville, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker, voted for Gardner.

Messrs. Bradley, Cleaveland, Galbraith, Gibbs, Ide, Jackman, Kirkman, Knauff, Nobles, Pierce, Thompson and Thorndike, voted for Van Vorhes.

Messrs. Boutillier, Buck, Holland, Murphy and Van Vorhes, voted for Norris.

Mr. Norris voted for Holland.

Mr. Gardner voted for Nobles.

Whole number of votes, 18; Necessary to a choice, 20.

Mr. Norris received 5 votes; Mr. Van Vorhes 12; Mr. Gardner 19, Mr. Holland 1; and Mr. Nobles 1—Total 38.

No one having a majority of all the votes cast, there was no election.

Mr. Nobles moved that the House adjourn.

And the yeas and nays being called for and ordered, there were yeas 15, and nays 22, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Buck, Cleaveland, Galbraith, Gibbs, Holland, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson and Van Vorhes—15.

Those who voted in the negative were,

Messrs. Bradley, Burdick, De La Vergne, Dunbar, Farnham, Gardner, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Ide, Johnson, Lott, McLeod, Sturgis, Taylor, Thorndike, Wilkinson, Wilson and Mr. Speaker—22.

So the motion was lost.

The house proceeded to ballot a third time for permanent Speaker.

Messrs. Burdick, Coville, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker voted for Gardner.

Messrs. Bradley, Cleaveland, Galbraith, Gibbs, Ide, Jackman, Johnson, Knauff, Nobles, Pierce, Thompson, and Thorndike voted for Van Vorhes.

Messrs. Boutillier, Holland, Buck, Kirkman, Murphy and Van Vorhes, voted for Norris.

Mr. Norris voted for Holland.

Whole number of votes, 37; Necessary to a choice 19.

Mr. Norris had 6 votes; Van Vorhes 1; Gardner 19; and Holland 1. Total 37.

Mr. Gardner having received a majority of the whole number of votes was declared duly elected by the Speaker *pro tem.*

Mr. Lott moved that a committee of two be appointed, to conduct the Speaker elect to the chair.

The chair appointed Messrs. Gere and Lott, who conducted the Speaker elect to the chair.

Mr. Gardner, on taking the chair, spoke as follows:

GENTLEMEN: For the kindness extended in selecting me to preside over the deliberations of this House, please except my sincere thanks. I am not unmindful of the responsibility reciprocally incurred. Gentlemen, while I promise you on my part, my best

January 8, 1856.] HOUSE OF REPRESENTATIVES.

endeavour, to serve you faithfully in my place, allow me to claim at your hands, that kindness which overlooks faults of an unintentional character. Gentlemen, it is my sincere desire that by industry and harmony in all our legislation, we may secure the best interests of the whole of Minnesota.

Mr. Hunt moved that the House do now proceed to ballot for Chief Clerk.

Which motion was adopted.

The roll being called, the Speaker announced the following as the result.

Messrs. Bontillier, Galbraith, Gibbs, Holland, Murphy and Norris, voted for Shepley.

Messrs. Bradley, Buck, Cleaveland, Ide, Jackman, Kirkman, Knauff, Nobles, Pierce, Thompson, Thorndike and Van Vorhes, voted for Abbott.

Messrs. Burdick, Coville, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Edwards, Taylor, Wilkinson, Wilson and Mr. Speaker, voted for Edwards.

Whole number of votes, 38; Necessary to a choice, 20.

Mr. Shepley had 6 votes; Abbott 12; Edwards 20—Total 38.

Mr. Edwards having a majority of all the votes was declared duly elected.

Mr. Norris moved, that the House adjourn.

And the yeas and nays being called for and ordered, there were yeas 21, and nays 17, as follows:

Those who voted in the affirmative were,

Messrs. Bontillier, Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Van Vorhes—21.

Those who voted in the negative were,

Messrs. Burdick, Coville, De La Vergne, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Hull, Johnson, Lott, McLeod, Sturgis, Wilkinson, Wilson, and Mr. Speaker—17
So the House adjourned until to-morrow at ten o'clock.

CHARLES GARDNER

Speaker.

Attest:

J. O. SHEPLEY, Chief Clerk *pro tem*.

TUESDAY, JANUARY 8, 1856.

The House met pursuant to adjournment,

And was called to order by the Speaker.

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

Messrs. Bontillier, Bradley, Buck, Burdick, Cleaveland, Coville, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hunt, Hull, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Wilkinson, Wilson and Mr. Speaker.

Prayer by the Rev. Mr. Torbet.

The Journal of yesterday was read.

Mr. Norris moved,

H.—2.

To amend the Journal of yesterday by inserting in the sixth line of the first page, after the word was, the words, "inadvertently and without the order of the House."

And the yeas and nays being called for and ordered, there were yeas 18, and nays 19, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, DeLaVergne, Galbraith, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson and Thorndike—18.

Those who voted in the negative were,

Messrs. Burdick, Coville, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr Speaker—19.

So the motion was lost.

Mr. Hunt moved.

That the House do now proceed to an election of Assistant Clerk.

And the roll being called, the Speaker announced the following as the result:

Messrs. Boutillier, Burdick, Coville, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hunt, Hull, Ide, Johnson, Lott, McLeod, Nobles, Pierce, Sturgis, Thorndike, Wilkinson, Wilson and Mr. Speaker, voted for Mr. Pierce.

Messrs. Bradley, Buck, Cleaveland, Gibbs, Jackman, Kirkman, Knauff, Norris, Taylor and Thompson, voted for Mr. Franklin.

Mr. Murphy voted for Frankin Pierce.

Whole number of votes, 31; necessary to a choice, 19.

Mr. Pierce had 26; Mr. Franklin had 10; Franklin Pierce had 1.

Mr. Pierce having a majority of all the votes cast was declared duly elected Assistant Clerk.

Mr. DeLaVergne moved,

That the House now proceed to the election of Enrolling Clerk.

Mr. Nobles moved a call of the House

The Clerk called the roll, and reported Mr. Van Vorhes as the absent member.

Mr. Lott moved that all further proceedings under the call be dispensed with.

And the yeas and nays being called for and ordered, there were yeas 31, and nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, Coville, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Knauff, Lott, McLeod, Norris, Pierce, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—31.

Those who voted in the negative were,

Messrs. Holland, Kirkman, Murphy, Nobles, Thompson and Thorndike—6.

So all further proceedings under the call were dispensed with.

The question recurring on the motion to proceed to the election of Enrolling Clerk, It was determined in the affirmative.

The roll being called the Speaker announced the following as the result:

Messrs. Boutillier, Burdick, Coville, DeLaVergne, Dunbar, Farnham, Farnham, Grant, Gere, Hartenbower, Haus, Hunt, Hull, Johnson, Lott, McLeod, Sturgis, Wilkinson, Wilson and Mr. Speaker voted for Mr. Wilson.

Messrs. Bradley, Buck, Cleaveland, Galbraith, Nobles, Pierce, Taylor and Thorndike, voted for Mr. Staples.

Messrs. Holland, Jackman, Kirkman, Murphy, Norris and Thompson, voted for Mr Creek.

Mr. Knauff voted for Mr. Steele.

Mr. Gibbs voted for Mr. Shepley.

Mr. Ide voted for Mr. Abbott.

Whole number of votes cast, 37; necessary to a choice, 19.

Mr. J. P. Wilson had 20; Mr. Staples had 8; Mr. Creek had 6; Mr. Steele had 1; Mr. Shepley had 1; Mr. Abbott had 1—Total, 37.

Mr. J. P. Wilson having received a majority of all the votes cast, was declared duly elected Enrolling Clerk.

Mr. Hunt moved,

That the House now proceed to the election of Sergeant-at Arms.

Which motion was adopted.

And the roll being called the Speaker announced the following as the result:

Mr. Boutillier voted for Mr. Stone.

Mr. Bradley voted for Mr. Draper.

Messrs. Buck and Cleaveland voted for Mr. Bailey.

Messrs. Burdick, Coville, DeLaVergue, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hunt, Hull, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker, voted for Mr. McDonough.

Whole number of votes, 35; Necessary to a choice 18.

Mr. Draper had 1; Mr. Stone had 1; Mr. Bailey had 2; Mr. McDonough had 31; Total, 35.

Mr. McDonough having received a majority of all the votes cast was declared duly elected Sergeant-at-Arms.

Mr. Wilson moved,

That the House now proceed to the election of Messenger.

Which motion was adopted.

The roll being called the Speaker announced the following as the result:

Mr. Boutillier voted for Mr. Low.

Messrs. Bradley, Cleaveland, Galbraith, Gibbs, Jackman, Pierce, Thorndike and Van Vorhes, voted for Mr. Staples.

Messrs. Buck and Norris voted for Mr. Patten.

Messrs. Burdick, Coville, DeLaVergue, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Hull, Ide, Johnson, Lott, McLeod, Murphy, Sturgis, Taylor, Thompson, Wilkinson, Wilson and Mr. Speaker, voted for Mr. LaBonne.

Messrs. Holland, Knauff and Nobles voted for Mr. Hill.

Whole number of votes cast, 36; Necessary to a choice, 19.

Mr. Low received 1 vote; Mr. Staples received 8 votes; Mr. Patten received 2 votes; Mr. LaBonne received 22 votes; Mr. Hill received 3 votes; Total 36.

Mr. LaBonne having received a majority of all the votes cast was declared duly elected Messenger.

Mr. Haus moved,

That the House now proceed to the election of Fireman.

Which motion was adopted.

And the roll being called, the Speaker announced the following as the result:

Messrs. Boutillier and Coville voted for Mr. Boucher.

Mr. Bradley voted for Mr. Draper.

Messrs. Buck, Cleaveland, Galbraith, Kirkman, Knauff, Nobles, Norris, Pierce, Thompson and Thorndike, voted for Mr. Snider.

Messrs. Burdick, DeLaVergue, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Lott, McLeod, Sturgis, Wilkinson, Wilson and Mr. Speaker, voted for Mr. Poucher.

Mr. Gibbs voted for Mr. Larpenteur.

Messrs. Holland and Murphy voted for Mr. Griffin.

Whole number of votes cast, 36; necessary for a choice, 19.

Mr. Boucher received 2 votes; Mr. Draper received 1 vote; Mr. Sneider received 10 votes; Mr. Poucher received 20 votes; Mr. Larpenteur received 1 vote; Mr. Griffin received 2 votes—Total, 36.

Mr. Poucher having received a majority of all the votes cast, was declared duly elected Fireman.

Mr. DeLaVergne moved that the House now proceed to the election of Chaplain. Which motion was adopted.

And the roll being called, the Speaker announced the following as the result:

Messrs. Boutillier, Bradley, Cleaveland, Gibbs, Jackman, Kirkman, Knauff, Nobles, Norris and Pierce, voted for Mr. Torbet.

Messrs. Buek, Holland, Ide, Lott, Murphy and Thompson voted for Mr. Van Ingen.

Messrs. Burdick, Coville, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker voted for Mr. Neill.

Whole number of votes cast 36; Necessary to a choice, 19.

Mr. Torbet had 10 votes; Mr. Van Ingen had 6 votes; Mr. Neill had 20 votes; Total, 36.

The Rev. E. D. Neill having received a majority of all the votes cast, was duly elected Chaplain.

Mr. Murphy moved that the House adjourn.

And the yeas and nays being called for and ordered, there were yeas 20, and nays 17, as follows:

Those who voted in the affirmative were,

Messrs. Buck, Burdick, Cleaveland, Coville, DeLaVergne, Galbraith, Gibbs, Grant, Holland, Hubbell, Ide, Johnson, Kirkman, Knauff, McLeod, Murphy, Nobles, Norris, Thompson and Thorndike—20.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Dunbar, Farnham, Gere, Hartenbower, Haus, Hull, Hunt, Jackman, Lott, Pierce, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—17.

So the House adjourned until to-morrow morning at 10 o'clock.

CHARLES GARDNER, Speaker.

Attest:

JAMES C. SHEPLEY,

Chief Clerk, *pro tem.*

WEDNESDAY, JANUARY 9, 1856.

The House met pursuant to adjournment, And was called to order by the Speaker.

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

Messrs. Buck, Burdick, Cleaveland, Coville, De LaVergne, Dunbar, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Boutillier, Holland, Thorndike, Wilkinson, Wilson and Mr. Speaker.

Mr. Johnson moved

That a committee of two be appointed to wait upon Mr. Neill and inform him of his election as Chaplain of the House.

Which motion was adopted.

The Speaker appointed Messrs. Buck and Hartenbower said committee.

The committee reported that they had performed the duty assigned them.

Mr. Neill then appeared and performed his duty as Chaplain of the House.

Mr. Gere moved,

That the officers elect be now sworn in.

Which motion was adopted.

The officers elect then came to the Clerk's Desk and were sworn in by His Excellency, the Governor.

Mr. Hunt moved,

That a committee of three be appointed to inform the Council that the House is now permanently organized.

The Chair appointed Messrs. Hunt, Johnson and Ide as said committee.

Mr. Hunt, from the committee, reported that they had performed the duty assigned them.

Mr. Holland gave notice that on to-morrow, or some future day of the session, he should ask leave to introduce

A bill entitled an act to provide for locating a territorial road from Spring Lake in Scott county, to intersect the Dodd Road.

Also, a bill locating a territorial road from the forks of Crow River, via the head of Buffalo lake, to intersect the territorial road running from Minneapolis to St. Cloud.

Also, a bill granting to John Hare the right to establish and maintain a ferry across the Minnesota river.

Also, a memorial to the Postmaster General of the United States, praying farther mail facilities on the Minnesota river.

Also, a memorial to the Congress of the United States of America, praying the passage of a Homestead Law.

Also, a memorial to the Congress of the United States, praying for the construction of a military road from Winona via St. Peter to Fort Ridgely, and from thence to Pembina.

Mr. Gere offered the following resolution:

Resolved, That the Chief Clerk of the House be instructed to make an arrangement with the Postmaster in this city, by which envelopes or postage stamps may be obtained for the use of the members, or the postage on letters and papers to and from the members may be charged, to be paid by the Secretary of the Territory out of the monies appropriated to defray the expenses of the Legislative Assembly.

Which motion was adopted.

Mr. Wilson gave notice

That on to-morrow or some future time he would introduce a bill for the division of Benton county.

Mr. Boutillier gave notice

That he would ask leave to introduce a bill on to-morrow or some future day, entitled a bill organizing a Territorial Medical Society and a Medical Dissecting Bill.

Mr. Hunt gave notice

That on Monday next he should ask leave to introduce a bill to amend an act entitled an act to incorporate the Pittsburgh Mining Company.

Mr. Galbraith gave notice

That on to-morrow or on some future day, he should ask leave to introduce a bill granting to Sophia M. Brown, the right to establish and maintain a ferry over the Minnesota River, at the town of Shakopee, in Scott county.

A message from the Council being announced, W. Colville, Esq., the Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed the following resolution :

Resolved, That a committee of two be appointed by the President to act in conjunction with a similar committee of the House, to wait on the Governor to ascertain when he will be ready to meet the two Houses in Joint Convention.

The President has appointed Messrs. Flandrau and Bailly said committee.

Mr. Lott offered the following resolution :

Resolved, That a committee of two be appointed by the Chair to act in concert with a similar committee, to be appointed by the Council, to wait on His Excellency, the Governor, and inform him that the two Houses of the Legislative Assembly are organized and ready to receive any communication he may be pleased to make.

Which resolution was adopted.

The Chair appointed Messrs. Lott and Hull said committee.

Mr. Galbraith gave notice, that on to-morrow or some future day he should ask leave to introduce

A bill to authorize the Register of Deeds of Scott county to record a plot of Shakopee City and legalizing the same.

Mr. Buck gave notice, that on to-morrow or some day thereafter, with the permission of the House, he would introduce

A memorial to Congress for an appropriation to continue the Mendota and Wabashaw road, by the line of the Mississippi river, to the southern boundary of the Territory of Minnesota.

Mr. Wilson gave notice, that on to-morrow or some future day he should ask leave to introduce

A bill granting the right to establish and maintain a ferry across the Mississippi river at St. Augusta.

Mr. Hunt gave notice,

That on Monday or some future day, he will ask leave to introduce

A bill granting to Samuel Allen the right to establish a ferry across the Minnesota river at or opposite Chaska, Carver county.

Mr. Lott offered the following resolution :

Resolved, That each member of the House be allowed to purchase twenty dollars worth of stationery for the use of his desk.

Mr. Wilson offered the following as an amendment :

That each member and officer of the House be allowed twenty dollars, and the chairman of each Standing Committee be allowed in addition, five dollars extra, for the use of said Committees for stationery, to be paid out of monies appropriated for legislative expenditures.

The question then recurring on the adoption of the resolution as amended,

It was adopted.

Mr. Hunt gave notice that on to-morrow, or some future day, he should ask leave to introduce

A bill to amend an act entitled an act for the establishing of a Commissioner of Emigration.

Mr. Johnson gave notice that at some subsequent day he would ask leave to introduce

A bill to change the boundaries of Blue Earth county.

Also, a bill granting to Ephraim Cole and associate, the right to establish and maintain a Ferry across the Minnesota River, at Mankato.

Also, a bill to incorporate the town of Mankato, and for other purposes.

Mr. Sturgis gave notice that on to-morrow, or some future day, he would ask leave to introduce

A bill to divide the Northern and Western portions of the Territory into counties, and establish the boundaries.

Mr. Ide gave notice that on to-morrow, or some future day, he would ask leave to introduce

A bill for the appointment of Commissioners to locate a Territorial Road from Reed's Landing, or some point at the foot of Lake Pepin, via. Faribault, Rice county, to some point on the road known as the Dodd road.

Mr. Thompson gave notice that on to-morrow or some future day, he should ask leave to introduce a memorial, praying Congress to grant an appropriation for the construction of a road across the Mississippi bottoms, on the Wisconsin side, opposite the town of Brownsville, in the county of Houston, Minnesota Territory.

Mr. Lott, from the Joint Committee appointed to wait on his Excellency the Governor, and inform him of the organization of the two Houses,

Reported, that the committee had performed the duty assigned them, and laid before the House the following communication from the Governor :

EXECUTIVE DEPARTMENT,
Saint Paul, January, 9th, 1856. }

GENTLEMEN—In reply to the Joint Committee of the Council and House of Representatives, as to when it will be convenient to make my annual communication to the two Houses, I would inform you that I will meet them this day, at 2 o'clock, P. M.

I have the honor to be,

Your most obedient servant,

W. A. GORMAN.

To Messrs. Flandrau, Lott and others, Committee.

Mr. Lott offered the following resolution:

Resolved, (The Council concurring,) That the House of Representatives will meet in Joint Convention to-day, at 2 o'clock, P. M., in the Representative Hall, to receive the Governor's Message.

Which resolution was adopted.

Mr. Johnson offered the following resolution:

Resolved, That the Messenger be instructed to request the publishers of newspapers the members may order, to be put up in proper wrappers, at the office of publication, and that the Messenger place them on the desks of the members of this House.

Which was adopted,

Mr. Sturgis gave notice that he would ask leave on to-morrow, or on some future day to introduce a memorial to Congress asking an appropriation for a Military Road from the head of Lake Superior to Puget's Sound, in Washington Territory.

Mr. Sturgis moved,

That a Committee of three be appointed to draft rules for the government of the House.

Which was adopted.

The Chair appointed Messrs. Sturgis, Galbraith, and De La Vergne, as said committee.

Mr. Kirkman gave notice that on Monday or some future day, he would ask leave to introduce a memorial to Congress, for the establishment of a Mail Route from Wabashaw to High Forest, via., Greenwood and Rochester.

Mr. Sturgis moved

That the House adjourn until half past one o'clock, this afternoon.

Which motion was lost.

Mr. Norris moved,

That the House adjourn until two o'clock this afternoon.

Which motion was adopted.

So the House adjourned until this afternoon at two o'clock.

AFTERNOON SESSION.

The House met pursuant to adjournment,

And was called to order by the Speaker.

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

Messrs. Bontillier, Bradley, Buck, Cleveland, Coville, De La Vergne, Dunbar, Faraham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haas, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Pierce, Sturgia, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

The Speaker laid before the House the following communication from Mr. Vaughan, which was read by the Clerk.

To the Hon. Speaker of the House of Representatives of the Territory of Minnesota:

DEAR SIR: Please have the goodness to notify your Hon. body, through the Clerk of the same, that I shall contest the seat of the Hon. Mr. Coville of Mower county, in said Territory, who is now occupying the same, contrary to the vote and wishes of a majority of the electors of said county.

Your most obedient servant,

ALANSON B. VAUGHAN.

St. Paul, January 8th 1856.

Mr. Nobles gave notice that on Monday next or some future day of this session he should ask leave to introduce a bill to grant a charter to the Fort Snelling Bridge Company.

A message from the Council being announced, Wm. Colville, Esq., the Secretary thereof, appeared and delivered the following message:

I am instructed by the Council to inform the House that it will meet them in Joint Convention at 2 o'clock.

The Secretary then withdrew.

The Honorable Council was then announced, and took their seats in the Representatives Hall in Joint Convention of the two Houses.

JOURNAL OF THE JOINT CONVENTION.

Mr. Hanson moved,

That the officers of the House be considered the officers of this Convention, and the rules of the Council be adopted as the rules of the Convention.

Which motion was adopted.

Mr. Norris moved,

That a committee of three be appointed to wait on his Excellency, the Governor, and inform him that the House and Council are met in Joint Convention and are now ready to hear any communication that he may have to make.

Which motion was adopted.

The Council appointed Messrs Nobles, Hanson and Gere.

The Governor was introduced by said committee, and having taken a place between the Speaker of the House and the President of the Council, delivered his annual Message. (see appendix.)

Mr. Kirkman moved that a committee of two be appointed to confer with the Secretary of the Territory in regard to how many papers and how much stationery is allowed to each member of this House by the Department, and report the same to this body as soon as possible.

Which motion was adopted.

Mr. Nobles offered the following resolution:

Resolved, That all matters of a local nature coming before this House, shall be referred to the member introducing a Motion or Resolution relating thereto, to act as a committee to report to the House by bill or otherwise, (unless objected to) any Rule now in force to the contrary notwithstanding.

And the yeas and nays being called for and ordered, there were yeas 27, and nays 9, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Coville, De La Vergue, Farnham, Galbraith, Gibbs, Hartenbower, Haus, Holland, Hubbell, Ide, Jackman, Kirkman, Knauf, Lott, Murphy, Nobles, Pierce, Thompson, Thorndike, Van Vorhes, Wilkison, and Mr. Speaker.

Those who voted in the negative were,

Messrs. Burdick, Dunbar, Gere, Grant, Hull, Hunt, Johnson, Sturgis and Wilson.

Which motion was adopted.

Mr. Gere offered the following resolution:

Resolved, That the Messenger of this House be instructed to furnish each member of this House with ink, and take measures to prevent the same from freezing. The expenses of the same to be paid out of the moneys appropriated to pay the expenses of the Legislature.

Which motion was adopted.

Mr. Hubbell gave notice that on to-morrow or some subsequent day, he should ask leave to introduce

A bill to appoint commissioners to locate a Territorial road from the Cannon Falls via. Mantorville, Dodge county, to a point on the Iowa State line, at or near the line between the ranges of No. 11 and 12 west, to intersect a road leading from that point to Fort Atkinson, Iowa.

Mr. Hull gave notice that on to-morrow or some future day, he should ask leave to introduce

A bill asking for the appointment of three commissioners to locate a Territorial road, commencing at Brownsville, in Houston county, by the way of Caledonia, Preston, Carimona, Forestville, and Pearsons by the most direct route to Faribault, and from there to Mankato.

Also, a memorial to Congress, asking an appropriation for building said road.

Mr. Gere gave notice that on to-morrow or some future day of the session he should ask leave to introduce

A bill entitled an act to provide for locating a Territorial road from a point on the Iowa State line, at or near the town of Elliota via. Preston and Chatfield in Fillmore county, to intersect the government road at or near Wabashaw, in Wabashaw county.

Also, a bill to provide for locating a Territorial road from a point on the Mississippi river, opposite or nearly opposite La Crosse, via. Hokah, Houston, Rushford, Chatfield and High Forest to Mankato, at or near the mouth of the Blue Earth river.

Mr. Holland, on leave granted, introduced

No. 1, H. of R.,

An act to provide for laying out a Territorial road from the forks of the Crow river, opposite Greenwood, via. the head of Buffalo Lake, to intersect the Territorial road, running from Minneapolis to St. Cloud.

Which was read the first and second times, and laid on the table to be printed.

H.—4

Mr. Thompson gave notice, that on to-morrow or some future day, he should introduce

A bill granting E. A. Goodell, the right to establish and maintain a ferry across the Mississippi river at the town of Brownsville, in the county of Houston, Minnesota Territory.

Mr. Sturgis gave notice, that he would on to-morrow or some future day, ask leave to introduce

A bill for an act to incorporate the Lake Superior, Mississippi and Northern Pacific Railroad Company.

Mr. Nobles gave notice, that on to-morrow or some future day, he would ask leave to introduce

A bill to amend the charter of the city of St. Paul.

Mr. Hunt gave notice, that on to-morrow or some future day of the present session, he would ask leave to introduce

A bill establishing a Territorial Road from Chaska to Clear Water Lake, Carver county.

Mr. Boutillier gave notice, that on to-morrow or some future day, he should present a bill to this House.

An Act entitled an Act, for the punishment of depredators and trespassers of, and on public school lands.

Mr. Grant gave notice, that on to-morrow or some future day, he should ask leave to introduce

A bill for the construction of a dam across Pembina River.

Mr. De La Vergue gave notice, that on to-morrow or some future day, he should ask leave to introduce the following bills, viz :

To attach a certain portion of the county of Sibley to Le Seur county.

To lay out a Territorial road from Le Seur to Faribault.

To amend the Revised Statutes in relation to the issuing of process in Justices' Courts

To amend the Revised Statutes in relation to the Stay of Execution, and the rate of interest on judgments in Justices' Courts.

Mr. Bardick gave notice, that on to-morrow or some future day, he should ask leave to introduce

A bill for the construction of a Territorial Road from St. Cloud, on the Mississippi river, to Pembina, on the Red River of the North.

Mr. Kirkman gave notice, that he would amend the notice given by him yesterday, so as to read as follows :

That on to-morrow or some future day of the session, I will ask leave to introduce

A memorial to Congress for the establishment of a mail route from Wabashaw to Austin, Mower county, via Greenwood, Rochester and High Forest.

Also, a bill to establish a Territorial Road from Wabashaw to Austin, Mower county, via Rochester, on the most direct and feasible route.

Mr. Van Vorhes gave notice, that he should on to-morrow or some subsequent day of the session, ask leave to introduce

A bill to amend the first section of the act in relation to the election of Justices, passed March 31st 1851.

Mr. Sturgis gave notice, that he should on to-morrow or some future day, introduce

A bill granting A. C. Riggs and G. W. Riggs the right to keep and maintain a ferry across the Mississippi river, at or near the residence of the said Riggs.

Mr. Knauff offered a resolution relative to printing the Governor's message in the English, French, German and Norwegian languages, which was referred.

Upon motion of Mr. Van Vorhes, with the several amendments, to a committee of three. The Speaker appointed Messrs. Van Vorhes, Wilson and De La Vergue said committee.

January 10, 1856.] HOUSE OF REPRESENTATIVES.

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The Sergeant-at-Arms announced a message from the Governor.

EXECUTIVE DEPARTMENT,
St. Paul, Jan. 10, 1856. }

Hon. CHARLES GARDNER, Speaker of the House of Representatives:

Sir:—I have the honor to inform the House of Representatives, that Robert A. Smith, Richard Walker and J. J. McCullough, or either of them, are authorized to bear messages from the Executive to either branch of the Legislature, during the present session.

Respectfully your obedient servant,

W. A. GORMAN.

Pending the reading of the above communication, a message from his Excellency, the Governor, being announced, R. A. Smith, Esq., appeared and presented a communication in writing to the Speaker.

The Speaker laid before the House the following message from his Excellency, the Governor.

The Clerk commenced the reading of the message.

Mr. Holland moved that the further reading of the message be dispensed with, and that it be printed in the Journal.

Which motion prevailed.

A communication was received from the Governor, W. A. Gorman, submitting the Report of the Territorial Auditor.

EXECUTIVE DEPARTMENT,
St. Paul, Jan. 10, 1856. }

Hon. CHARLES GARDNER,

Speaker of the House of Representatives:

Sir:—I have the honor to lay before the House of Representatives the Annual Report of the Territorial Auditor.

Respectfully,

Your obedient servant,

W. A. GORMAN.

OFFICE OF THE TERRITORIAL AUDITOR,
St. Paul, Jan. 10, 1856. }

To the honorable the Legislature of the Territory of Minnesota:

In obedience to the requirements of the Statutes, I have the honor to report to you the condition of the financial department of the Territory as exhibited by the books of this office; for a statistical detail of which you are referred to Schedules A, B, C., herunto annexed.

The amount of Territorial tax, assessed for the year ending December 31, 1855, is nine thousand and twenty-five dollars and ten cents; for the details of which see schedule marked A.

The salaries of the officers of the Territory for the year ending 1855, amounts to \$2691.

This amount includes the sum of seven hundred and fifty dollars, or three quarters salary, and four hundred and twenty-five dollars for office rent, Clerk, etc. of the Commissioner of Emigration, which office was created since the making of the last Annual Report.

The amount of drafts drawn on said Territory during said year, is four thousand one hundred and fifty-six dollars and seventy-five cents: for a detail of which see schedule marked B.

The amount of taxes assessed for the year 1854, and applicable to the above liabili-

ties was four thousand seven hundred and twenty-eight dollars and two cents; to this sum might be added as assets, the delinquent taxes, amounting on the first day of January, 1854, to the sum of four thousand three hundred and ninety-eight dollars and forty-three cents.

Only fourteen counties, to-wit: Ramsey, Washington, Benton, Hennepin, Dakota, Fillmore, Houston, Chisago, Goodhue, Nicollet, Stearns, Le Seur, Blue Earth and Sibley have made return to this office of the taxable property of their respective counties, as required by law. Whether farther legislation is necessary to secure a more prompt discharge of duty, is respectfully submitted to the wisdom of the Legislature.

The taxable property of the counties for the year 1855, amounts in the aggregate to \$9,025,157, showing an increase over the preceding year of \$4,297,000.

An estimate of the ordinary expenses for the present year will be found in schedule marked C. All of which is respectfully submitted,

JULIUS GEORGI, Territorial Auditor.

SCHEDULE A.

Amounts of Territorial tax for the year ending December 31, 1855:

Counties.	Amount of taxable property.	Tax.
Ramsey	\$4,544,117	\$1,544 11
Washington	1,362,854	1,362 85
Benton	658,471	658 47
Hennepin	505,781	505 78
Dakota	494,424	494 42
Fillmore	355,889	355 88
Houston	335,453	335 45
Goodhue	144,521	144 52
Nicollet	119,721	119 72
Chisago	259,096	259 09
Stearns	102,545	102 45
Le Seur	55,850	55 85
Blue Earth	43,609	43 60
Sibley	42,826	42 82
Total	\$9,025,157	\$9,025 10

Those counties from which there were no returns were,

Scott, Davis, Wabashaw, Carver, Wright, Doty, Pierce, Superior, Todd, Brown, Olmsted, Winona, Dodge, Mower, Freeborn, Faribault, Steele, Renville and Rice.

SCHEDULE B.

Amount of drafts drawn on the Treasury during the year ending December 31, 1855:

Attorney General, one years' salary,	\$250,00	
" " extra services,	997,34	\$1,247,34
Superintendent of Common Schools, salary in part,		50,00
Adjutant General, one year and a half's salary,		225,00
Warden of Penitentiary, one year's salary,	600,00	
Inspector, " " "	312,00	912,00
Sheriff, Supreme Court,		114,90
Expenses Lake Pepin, St. Peters road,		197,43
Commissioner of Emigration,		1,175,00
C. A. Tuttle, for warrant No. 117 returned,		50,00
Territorial Treasurer, one and three-quarter years' salary,		1,175,00
" Auditor, one years' salary,		100,00
Stationery, Auditor's Office,		10,00
Total,		\$4,156,67

SCHEDULE C.

Drafts on the Treasury for the year ending December 31, 1855.

1st. Salaries of officers.

Territorial Treasurer,	\$100,00	
" Auditor,	100,00	
Attorney General,	250,00	
Adjutant General,	150,00	
Warden of Penitentiary,	600,00	
Inspectors,	216,00	
Superintendent of Common Schools,	100,00	
Commissioner of Emigration, salary,	1000,00	
" " office rent, Clerk, etc.	850,00	
		\$3,366,00

2d. Miscellaneous.

Salaries of Inspector of Prison for 1855,	69,00	
Adjutant General for 1855, one quarter,	37,50	
Sup't of Common Schools, salary in part for 1854-5,	125,00	
		\$231,50

Total, \$3,597,50

REVENUE FOR 1856.

Estimated valuation of taxable property,	\$15,000,000
Tax, one mill on a dollar,	15,000

JULIUS GEORGII.
Territorial Auditor

Mr. Wilson gave notice that he should on to-morrow or some future day, beg leave to introduce a bill to incorporate the St. Cloud Bridge Company.

Also a bill to incorporate the Mille Lac and Saint Cloud Mining Company.

Mr. De La Vergne moved that the House do now adjourn.

And the yeas and nays being called for and ordered, there were yeas 8, and nays 25, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, De La Vergne, Dunbar, Galbraith, Hartenbower, Gere, Haus and Lott.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Cleaveland, Coville, Farnham, Gibbs, Grant, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Thorndike, Van Vorhes, Wilson and Mr. Speaker.

Which motion was lost.

Mr. De La Vergne moved that the House do now adjourn until to-morrow at 10 o'clock.

Mr. Bradley moved an amendment that the House adjourn until two o'clock this afternoon.

And the yeas and nays being called for and ordered, there were yeas 14, and nays 22, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Cleaveland, Gibbs, Hull, Ide, Jackman, Johnson, Kirkman, Norris, Pierce, Thompson, Thorndike, and Van Vorhes.

Those who voted in the negative were,

Messrs. Burdick, Coville, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hunt, Knauff, Lott, Murphy, Nobles, Sturgis Taylor, Wilkinson, Wilson and Mr. Speaker.

Which amendment was lost.

The question then recurring upon the adoption of the resolution to adjourn, was carried. So the House then adjourned until to-morrow at 10 A. M.

CHAS. GARDNER,

Speaker.

Attest:—

H. L. EDWARD,

Chief Clerk.

FRIDAY, JANUARY 11, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs Bontillier, Buck, Burdick, Cleaveland, Coville, Dunbar, Farnham, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Jackman, Johnson, Kirkman, Lott, Murphy, Nobles, Norria, Pierce, Sturgia, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Prayer by Rev. E. D. Neil.

The Clerk commenced reading the Journal, when Mr. Haus moved, that the further reading of the Journal be dispensed with.

Which motion was lost.

The Clerk then proceeded to the reading of the Journal.

Mr. Buck moved that all further reading of that portion of the Journal referring to Mr. Kingsbury's petition be dispensed with.

Which motion was lost.

Mr. Van Vorhes moved that that portion of the Journal relating to the adoption of the resolution offered by Mr. McLeod, asking that the officers of the Minnesota Historical Society be requested to furnish information concerning the early history of Minnesota, and that 1000 copies be printed, be amended as follows, viz:

Which resolution was read first and second time and laid on the table to be printed.

Which amendment was adopted.

Mr. Kirkman, on leave introduced a petition from Frank Clark, and other citizens of Wabashaw county, praying for the establishment of a District Court.

Mr. Ide presented a petition of Mr. Vaughan praying to be admitted to a seat in the House.

Which petition was referred to a committee of three.

Mr. De La Vergue offered the following resolution.

Resolved, That a committee of three be appointed to investigate the facts and circumstances in the contested seat of Mr. Coville by Mr. Vaughan, with full power to send for persons and papers, and report the same to the House.

Which motion was adopted.

The Speaker appointed Messrs. Ide, Lott and De La Vergue said committee.

Mr. Bradley introduced the following petition.

To the Legislative Assembly of the Territory of Minnesota:

The undersigned respectively represents that she is a minor orphan child—thus for the last year and a half her home has been in the family of Rev. Charles G. Ames, of

Minnesota, where she has enjoyed all the care and kindness she could ask from maternal parents—that she has asked, and obtained the consent of Mr. and Mrs. Ames that she might be fully adopted as a member of their family, bearing their name. Wherefore she prays your honorable body to legalize her adoption, and change of name by special enactment, that she may hereafter be recognized as sustaining the relation and owing the duties of a daughter to the said family under the name of Serena Maria Ames.

SERENA M. HUNTLEY.

MINNEAPOLIS, Nov. 29, 1855.

We, the undersigned do cordially join in the foregoing petition of Serena M. Huntley, and respectfully ask that she may be legally declared to be our adopted daughter to all intents and purposes.

CHARLES G. AMES.
SARAH JANE AMES.

Which was read and referred to a committee of one.

A message from the Governor was announced.

Mr. Bradley moved that the rules be suspended so as to hear the reports from Committees.

Which motion was adopted.

Mr. Norris moved that the Committee to which was referred the printing of the Governors message be now taken up.

Mr. Van Vorhes, Chairman of said Committee, presented the following :

The Committee to which was referred the resolution and pending amendments, in relation to printing the Governors message, have had the same under consideration, and recommend the adoption of the following Resolution :

Resolved, That there be printed in pamphlet form, under the direction of the Clerk of this House, for the use of the members and officers thereof ; two thousand copies of the Governors message in the English ; five hundred copies in the German, and five hundred in the French Language, and that the same be paid for out of the moneys appropriated for defraying ; the Legislative expenses of the Territory.

A. VAN VORHES,
Chairman.

Mr. Nobles moved that the report of the Committee be accepted.

Carried.

Mr. McLeod offered the following amendment :

Also five hundred Copies each in the Swedish and Norwegian Languages, if the same can be printed in this Territory or Wisconsin.

Which amendment was adopted.

Then the question recurring on the adoption of the report, Mr. Dunbar moved that the report be adopted.

Which was carried.

Mr. Starges from the Select Committee, appointed to draft rules for the government of the House during the present session made the following report.

The Committee appointed to draft rules for the government of the House during the present session would respectfully report that they have examined the standing rules of the House adopted at the last session, and respectfully recommend the adoption of said rules with the following amendment, to wit :

In 37th Rule, first line, strike the word fifty and insert 100.

In 34th Rule, and second and third lines, strike out the words the first reading shall be at length and add to the standing committees.

A committee on County Boundaries,
 " " University Lands,
 " " Elections,
 " " Lumbering Interests,
 " " Science and Literature,
 " " Mineral Interests,
 " " Indian Affairs.

In 30th Rule, 12th line, strike out the word printing, and insert buildings.

Your committee also recommend the adoption of Joint Rules of the last session of the House.

And the following Rule, No. 59.

All bills, memorials, &c, of a general character shall be referred to the appropriate committees unless the House otherwise direct.

WM. STURGIS, Chairman.

Mr. Nobles asked for the reading of the Report the second time, which was read by the Clerk.

Mr. Dunbar moved, That the House adopt the Report.

Mr. Norris objected.

Mr. Johnson moved, That the amendment of the 37th rule be adopted as reported by the Committee.

Which motion was lost.

A message from the Council being announced, Mr. Colville, Esq., Secretary thereof, delivered the following message.

Mr. Speaker :

The Council has passed the following Joint Resolution, No. 1, C. F. A Joint Resolution of the the Legislative Assembly, directing our delegate in Congress to attend to certain matters. In which the concurrence of the House is respectfully requested.

Mr. Nobles moved, That the report of the Committee be acted upon.

Which motion was adopted.

Mr. Boutillier moved, that the House adjourn.

Mr. Haus moved to amend, to two, Monday P. M.

Mr. Gibbs moved to amend the amendment, that the House do adjourn until two o'clock this afternoon.

And the yeas and nays being called for and ordered, there were yeas 15, and nays 15, as follows:

Those who voted in the affirmative were,

Messrs. Bontillier, Bradley, Cleaveland, Gibbs, Hull, Ide, Johnson, Kirkman, Nobles, Norris, Pierce, Sturgis, Thorndike, Van Vorhes, Wilson—15.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Dunbar, Grant, Hartenbower, Haus, Holland, Hubbell, Knauft, Lott, McLeod, Murphy, Thompson, Wilkinson and Mr. Speaker—15.

So the amendment was lost.

Mr. Nobles moved that the House adjourn until two o'clock this afternoon.

So the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, De La Vergne, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Jackman, Johnson, Kirkman, McLeod, Murphy, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Mr. De La Vergne moved that the report of the committee to draft rules for the government of this House be accepted.

Which motion was carried.

Mr. De La Vergne moved that the House adopt the first 29 rules as reported by the committee.

Which motion was carried.

Mr. De La Vergne moved that the 30 rules be adopted as amended.

Which motion was also carried.

Mr. Lott moved that the 31st, 32nd and 33rd rules be adopted.

Which motion was carried.

Mr. Lott moved to amend the 34th rule by inserting in the second line after the word passage, the words—"the first reading shall be at length."

Which was adopted.

Mr. Lott also moved, that the remainder of the rules presented by the committee be adopted.

Which motion was carried.

Mr. Bradley moved that the 50th rule as reported by the committee be adopted.

And the yeas and nays being called for and ordered, there were yeas 21, and nays 8, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleaveland, De La Vergne, Dunbar, Farnham, Gibbs, Hartenbower, Haus, Hubbell, Hull, Lott, McLeod, Nobles, Pierce, Sturgis, Thompson, Van Vorhes, Wilkinson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Buck, Grant, Jackman, Kirkman, Murphy, Norris and Wilson.

So the motion was carried.

On motion of Mr. Lott the rules as amended were adopted.

The Chair announced the following standing committees :

ON INTERNAL IMPROVEMENTS—Messrs. De La Vergne, Buck and Lott.

ON TERRITORIAL AFFAIRS—Messrs. Wilson, Pierce and Hull.

ON JUDICIARY—Messrs. Lott, Galbraith and De La Vergne.

ON AGRICULTURE AND MANUFACTURES—Messrs. Hull, Ide and Kirkman.

ON MILITIA—Messrs. Hartenbower, Thorndike and McLeod.

ON SCHOOLS—Messrs. Johnson, Bradley and Knauff.

ON INCORPORATIONS—Messrs. Wilkinson, Nobles and Wilson.

ON TERRITORIAL ROADS—Messrs. Sturgis, Thompson and Wilkinson.

ON PRINTING—Messrs. Dunbar, Holland and Haus.

ON PUBLIC BUILDINGS—Messrs. Burdick, Bradley and Haus.

ON ENGROSSED BILLS—Messrs. Nobles, De La Vergne and Grant.

ON ENROLLED BILLS—Messrs. Gere, Norris and Hubbell.

ON LEGISLATIVE EXPENDITURES—Messrs. Hunt, Van Vorhes and Hubbell.

ON TERRITORIAL EXPENDITURES—Messrs. Taylor, Cleaveland and McLeod.

ON ESTATES AND ESCHENTS—Messrs. Coville, Gibbs and Murphy.

ON COUNTY BOUNDARIES—Messrs. Ide, Hartenbower and Johnson.

ON UNIVERSITY LANDS—Messrs. Galbraith, Farnham and Van Vorhes.

ON LUMBER INTEREST—Messrs. Farnham, Jackman and Taylor.

ON SCIENCE AND LITERATURE—Messrs. McLeod and Holland.

ON MINERAL INTERESTS—Messrs. Grant, Bradley and Hunt.

ON ELECTIONS AND ELECTION LAWS—Messrs. Hubbell, Buck and Burdick.

ON INDIAN AFFAIRS—Messrs. Buck, Burdick and Norris.

Mr. Nobles asked to be excused from acting as chairman of the committee on Engrossed Bills.

The Chair laid before the House the following communication from his Excellency, the Governor.

MINNESOTA DEMOCRATS,
St. Paul, Jan'y 10, 1856.

Hon. CHARLES GARDNER,

Speaker of the House of Representatives.

Sir:—I have the honor to lay before the House of Representatives the Annual Report of the President and Treasurer of the Minnesota and North Western Railroad Company, for the year ending 31st December, 1855.

Respectfully,

Your Obedient Servant,
W. A. GORMAN.

To his Excellency Willis A. Gorman, Governor of the Territory of Minnesota:

Sir:—The Minnesota and North Western Railroad Company have the honor to make the following statement:

First, The said company has not yet expended any sum whatever, in the construction of the railroad contemplated in and by its charter, or in the machinery therefor, or the appurtenances belonging thereto.

Second, No sum whatever has been received by the said company during the present year.

Third, The said company has expended during the current year, the sum of seven thousand nine hundred and five dollars and twenty-six cents.

In witness whereof the said company has caused this instrument to be signed by Robert W. Lowber, its acting President, and attested by its corporate seal, this seventeenth day of December, eighteen hundred and fifty-five.

{ L. S. }

ROBERT W. LOWBER,

Acting President of the Minnesota and North Western Railroad Company.

State of New York,

City and County of New York. } ss.

Robert W. Lowber the acting President and Treasurer of the Minnesota and North Western Railroad Company, being duly sworn says, that the foregoing statement is in all respects correct and true.

ROBERT W. LOWBER.

Sworn and subscribed this 17th day of December, 1855, before me,

JAMES P. HYATT,

Commissioner of Deeds.

Pending the reading of the above communication Mr. Wilkinson moved that the further reading of said communication be dispensed with.

Which motion was adopted.

Mr. Kirkman offered the following resolution:

Resolved, That the petition of Frank Clarke and other citizens of Wabasha County, be referred to a select committee of two, with power to report by Bill or otherwise.

Which resolution was adopted, and the Chair appointed Messrs. Kirkman and Pierce.

Mr. Hubbell gave notice that on to-morrow or some future day of this session, he would ask leave to introduce a bill, for the establishment of a Territorial road from Winona, on the Mississippi river, via, Rochester Mantorville, Owatonia and Waterville, to St. Peter, and traverse De Sioux, on the Minnesota river.

Also, a joint resolution, asking Congress to adopt the same as a Military road, and to grant an appropriation for its construction.

Mr. Lott offered the following resolution:

Resolved, That the Chief Clerk of the House, be directed to procure the printing of

100 copies of the Rules of the House and the Joint Rules of the Council and House, together with a list of the names of members of the several standing committees for the use of the members of this House.

Which was adopted.

Mr. Burdick gave notice that on Monday or some future day he should ask leave to introduce a bill to incorporate the Watab Bridge Company.

Mr. Norris gave notice that on to-morrow or on some future day of the session he would ask leave to introduce a bill to provide for the election of Superintendent of Common Schools in the several counties of the Territory.

Mr. Bradley gave notice that on to-morrow, or some future day, he should ask leave to introduce a Bill to amend Section first, Chapter fifth, page forty-five (45) of the Revised Statutes.

Mr. Wilson gave notice that he would on to-morrow or at some future day of the session beg leave to introduce a Bill asking for the establishment of a Territorial road from Winona via Chatfield to the following point, viz: the South half of the S. W. one-fourth of Section 13, Township 103 north, Range 14 west 5 P. M.

Mr. De La Vergue gave notice that on to-morrow or some future day, he should ask leave to introduce a Bill, changing the time of holding courts in Le Sueur county.

Mr. Sturges, on leave granted, introduced a Bill, No. 2. H. of R., granting to A. C. Riggs and others, the right to establish and maintain a ferry across the Mississippi river.

Which motion was read the first and second time and laid upon the table to be printed.

Mr. Holland, on leave granted, introduced No. 3, H. of R., a bill to provide for laying out a Territorial road from Spring Lake in Scott county to intersect the road known as the Dodd road.

Which motion was read the first and second time, and laid on the table to be printed.

Mr. Thompson, on leave granted, introduced a memorial, (No. 1. H. of R.) to Congress for fifteen thousand dollars for the construction of a road across the Mississippi Bottoms on the Wisconsin side opposite the village of Brownsville in the county of Houston, M. T.

Which was read the first and second times, and laid on the table to be printed.

Mr. Hull, on leave granted, introduced No. 4. H. of R.,

A bill to incorporate the Minnesota Life, Fire and Marine Insurance Company.

Which was read the first and second time and ordered to be printed.

Mr. Sturges, on leave granted, introduced No. 5. H. of R.,

A bill to incorporate the Lake Superior, Mississippi and Northern Pacific Railroad Company.

Which was read the first and second time, and laid upon the table to be printed.

Pending the reading of the said bill,

Mr. Lott moved

That the 34th Rule of this House be so far suspended that the bill now before the House may be read a first and second time by its title only.

Which motion was adopted.

Mr. Burdick moved that the House do now adjourn until Monday afternoon at 2 o'clock, P. M.

And the yeas and nays being called for and ordered, there were yeas 5, and nays 29 as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Cleveland, Grant, Hans and Dunbar—5.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, DeLaVergue, Farnham, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker—29.

So the motion was Lost.

The Speaker laid before the House the following communication, which was read by the Clerk.

St. Paul, Jan. 11th, 1853.

To the Honorable Charles Gardner,

Speaker of the House of Representatives.

Sir:—

The members of your Honorable Body are respectively invited to attend a Lecture before the Minnesota Historical Society, at the First Presbyterian Church of this city, this evening, by the Rev. E. D. Neill.

Subject:—“The Heroic Age of American Commerce.”

Very Respectfully

Your obedient servant,

D. A. ROBERTSON,

Chairman of Com. on Lectures.

Mr. Back from the select Committee to which was referred the petition of A. Cole and others, offered an act granting Mathew Hwing the right to establish and maintain a Ferry across the Mississippi River.

Which was read the first and second time and laid on the table to be printed.

Pending the reading of the Bill, Mr. Noble moved that the rules be suspended so far as to dispense with the reading of the Bill at length.

Which motion was carried.

Mr. Gibbs moved that the House do now adjourn.

Mr. Wilkinson moved as an amendment, that the House adjourn until Monday next at 2 o'clock, p. m.

Which was carried.

So the House adjourned until Monday next, at 10 o'clock, p. m.

CHARLES GARDNER, Speaker.

Attest:

H. L. EDWARDS,

Chief Clerk.

MONDAY, JANUARY 14, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Bradley, Buck, Burdick, Coville, De La Vergne, Dunbar, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Thorndike, Van Vorhes, Wilkinson, Speaker.

The Journal of Friday was read, corrected and approved.

Pending the reading of the Journal, Mr. Lott moved that the further reading of the Journal be dispensed with. Which motion was lost.

The Speaker then announced the following alterations of the standing Committees.

On Enrolled Bills. Mr. Gere, instead of Mr. Wilson. Mr. Hubbell instead of Gere.

On Territorial Affairs, Mr. Wilson was substituted instead of Mr. Gere.

Prayer by the Chaplain, Rev. E. D. Neill.

Mr. Van Vorhes offered the following Resolution.

Resolved, That the use of the Hall of the House of Representatives, be granted to the Minnesota Historical Society this evening, for the purpose of holding their annual meeting.

Which was adopted.

Mr. Bradley presented the petition of H. S. Norton and 39 others for a Territorial road from Minneapolis to St. Cloud.

Also, a petition from Wm. E. Evans and 88 others for a Territorial road from St. Cloud to Minneapolis.

Also, a petition of W. Gatchell and 75 others for a Territorial road from Minneapolis to St. Cloud.

Referred to committee on Territorial roads.

Mr. Burdick gave notice,

That on to-morrow or some future day he should ask leave to introduce a bill granting to R. M. and J. P. Richardson a right to establish and maintain a ferry across the Sauk river in Stearns county, Minnesota Territory.

Mr. Lott gave notice,

That on to-morrow or some future day of the session he would introduce a bill granting an extension of time to the Minnesota and Northwestern Railroad Company.

Mr. Holland gave notice.

That on to-morrow or on some future day of the session, he would introduce a bill granting to Thomas A. Holmes, the right to establish and maintain a ferry across the Minnesota river at or near Shakopee, in the county of Scott.

Mr. Wilson gave notice,

That he would to-morrow or some future day beg leave to introduce a bill to increase the salary of Territorial Treasurer and Auditor.

Mr. Ide gave notice,

That on to-morrow or some subsequent day of this session he should ask leave to introduce a bill to appoint commissioners to locate a Territorial road from the Iowa line via Autin, Owatonia, Faribault, thence north to the Dodd road leading to St. Paul.

Mr. McLeod gave notice,

That on to-morrow or some future day he would introduce a memorial to Congress for the establishment of a land office at Traves des Sioux in the county of Nicollet.

Also, a notice,

That on to-morrow or some future day he should introduce a bill for the appointment of commissioners to lay out a Territorial road from the old Sioux. Crossing opposite Traves des Sioux by a point known to the Dakotas as the Dogs Lodge and Vermillion to intersect the Mendota and Big Sioux road at some point near Mendota.

Also, gave notice, that on to-morrow, or some future day, he would introduce a Bill

for the appointment of Commissioners to lay out a Territorial Road from Traverse des Sioux to the Town of Glencoe.

Also, gave notice, that on to-morrow, or some future day, he should introduce a Bill for the appointment of Commissioners to lay out a Territorial Road from some point near the Town of Le Seur, to a point opposite Traverse des Sioux, known as the old Sioux crossing.

Also, gave notice, that on to-morrow, or some future day, he should introduce a Bill granting to Martin McLeod a right to establish and maintain a Ferry on the Minnesota River at a point known as the old Sioux Crossing.

Mr. De La Vergne gave notice that he would on Monday or some future day, ask leave to introduce a Bill to establish the corporate limits of the Town of Henderson in Sibley county.

Mr. Buck presented a memorial [No. 2 H. of R.] to Congress for the appropriation of \$15,000 for the construction of the Mendota and Wabashaw Road.

The memorial was read the first and second time and laid on the table to be printed.

Mr. Holland on leave, presented a memorial to Congress, praying the passage of Homestead Law.

Which was read the first and second time and laid on the table to be printed.

Mr. Hull presented a Bill [No. 1 H. of R.] to locate a Territorial Road from Brownsville in the county of Houston to Mankato, in the county of Blue Earth.

Which was read the first and second time and laid on the table.

Mr. Ide presented a Bill [H. of R.] for laying out a Territorial Road from Wabashaw by Ide's settlement, to Faribault, and from thence west to intersect the Dodd Road.

Which was read the first and second time and laid on the table to be printed.

Mr. Wilson presented a Bill [No. 9 H. of R.] to provide for the laying out of a Territorial Road from Winona to Austin, Mower County.

Which was read the first and second time and laid on the table to be printed.

Mr. Kirkman asked leave to introduce a Bill [No. 10 H. of R.] to provide for laying out a Territorial Road from Wabashaw to Austin, Mower county.

Which was also read the first and second time and laid on the table to be printed.

Mr. Burdick presented a Bill [No. 11 H. of R.] to provide for laying out a Territorial Road from St. Cloud to Pembina.

Which was read the first and second time and laid on the table to be printed.

Mr. Kirkman presented a memorial [No. 4, H. of R.] to Congress for the establishment of a mail route from Wabashaw by the way of Greenwood, Rochester, and High Forest to Austin, Mower county.

Which was read the first and second time and laid on the table to be printed.

Mr. De La Vergne presented a Bill [No. 12 H. of R.] for the changing of the time of holding courts in Le Seur county.

Which was read the first and second time and laid on the table to be printed.

Mr. Johnson presented a bill, (H. of R. No. 12) to amend an act to define the boundaries of certain counties, approved Feb. 20, 1858.

Which was read the first and second time, and was laid on the table to be printed.

Mr. Bradley gave notice,

That on to-morrow or some future day he should ask leave to introduce a bill for an act entitled "An Act to incorporate the town of Minneapolis in the county of Hennepin.

Mr. Murphy gave notice that on to-morrow or some future day of the session he would introduce a bill to amend Sec. nine (9), Chapter eight (8), page seventy-eight (78) of the Revised statutes and other purposes.

Mr. Sturgis gave notice,

That on to-morrow or some future day he would ask leave to introduce a bill granting S. B. Lowry the right to establish a ferry across the Mississippi river.

Mr. Gibbs offered the following resolution:

Whereas, By an act of a former Legislative Assembly of the Territory of Minnesota, the power to grant ferry charters has been vested in the County Commissioners of the several counties.

Resolved, That no bills granting ferry charters shall be entertained by this House during the present session.

Mr. Galbraith moved that the resolution be laid upon the table.

Which was carried.

Mr. Wilson gave notice,

That on to-morrow or some future day he would introduce a bill granting to Taylor Dudley and others the right to establish and maintain a ferry across the Mississippi river at or near the mouth of Sauk River.

Mr. Lott moved that the House do now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 18, and Nays 15, as follows:

Those who voted in the affirmative were:

Boutillier, Buck, Burdick, Coville, DeLaVergne, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hull, Hunt, Ide, Lott, McLeod, Thompson, Speaker—18.

Those who voted in the negative were:

Bradley, Galbraith, Jackman, Johnson, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Sturgis, Thoradike, Van Vorhes, Wilkinson and Wilson.

So the motion was carried.

CHARLES GARDNER,

Speaker.

H. L. EDWARDS,

Chief Clerk.

TUESDAY, JANUARY 15, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Boutillier, Bradley, Buck, Burdick, Cleveland, Coville, DeLaVergne, Galbraith, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Jackman, Johnson, Kirkman, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Van Vorhes, Wilson and Speaker.

Prayer by Rev. E. D. Neil.

The Journal of yesterday was read, corrected and approved.

A message from the Council being announced, Wm. Colville, Esq., Secretary of the Council, appeared and delivered the following message:

Mr. Speaker, the Council has passed a Joint Resolution No. 2, (C. F.) for the relief of A. J. Morgan.

Mr. Van Vorhes was called to the Chair.

Mr. Taylor presented the following petition of O. Walker and others, Board of Directors of the St. Croix Boom Company, and moved that it be referred to a committee of two.

Which motion was adopted.

And the Chair appointed Messrs. Taylor and Jackman said committee.

Mr. Norris offered the following petition and moved that the reading be dispensed with and the same ordered to be printed in the Journal.

Which motion was adopted,

And the petition was referred to a committee of one.

To the Honorable Council and House of Representatives of the Territory of Minnesota :

We the undersigned would respectfully recommend Wm. Felten as a suitable person to have and maintain a ferry at Hastings, Dakota county and Territory of Minnesota, and we the undersigned would solicit your aid for a charter to the said William Felten, not exceeding ten years.

Hastings, Dec. 25, 1855.

George Mayor, George Laird, J. Coburn, Archibald Calander, George C. Chamberlin J. B. Stevens, Barney Steven, Samuel Harinden, J. Y. Woods, William More, Martin Brookman, E. J. Jones, Peter Agott, George Van Slyke, David Harrice, Joseph Harrice, Henry Huffman, Colman Bennet, Martin Poor, Henry Itherington, George Legg, Ghoff Antonie, W. C. Herndon, James White, Thomas Foster, Patrick Horgan, William E. Allison, G. Bartholomew, J. W. Dekay, John Rush, Rudolf Fillmore, Edward Dickenson, Joseph Freas, Jacob Schmitt, Tohney Little, Alois Zeiler, Barney White, D. H. Gallin, Josiah Torrence, Lelas Baldwin, Charles Price, William Lee, J. Hasting, N. O. Robinson, Alonzo Huff, C. Corcoran, and twenty-five others.

Mr. Galbraith gave notice,

That, on to-morrow, or some future day of this session of the Legislative Assembly, he should ask leave to introduce a Bill entitled "A Bill, to incorporate the Minnesota Immigration League.

Mr. Farnham gave notice,

That, on to-morrow or some future day, he should ask leave to introduce a Bill for the right to establish a Ferry, at or near the mouth of Rum River, in this Territory.

Mr. Ide presented, on leave granted, [No. 14, H. of R.] an Act to provide for laying out a Territorial Road from the Iowa line past Austin, Owatonia, Faribault, to the Dodd Road.

Which was read the first and second time and laid upon the table to be printed.

Mr. McLeod presented a Bill [No. 15, H. of R.] to locate a Territorial Road from the old Sioux Crossing, opposite the town of Traverse des Sioux, by the Dogs Lodge and Vermillion Prairie, to the Mendota and Big Sioux Road, at some point near Mendota.

Which was read the first and second time and laid upon the table to be printed.

Mr. McLeod also presented [No. 16, H. of R.] a Bill to locate a Territorial Road from Stone Point, near the town Le Seuer, to the old Sioux Crossing at Traverse des Sioux.

Which was read the first and second time and laid on the table to be printed.

Mr. Gere presented [No. H. of R.] a Joint Resolution relative to the United States Land office in the Brownville, Land District.

Which was read the first and second time and laid on the table to be printed.

Mr. Burdick presented (No. 26, H. of R.) A Bill for an act to incorporate the Westab Bridge Company.

Which was read the first and second time, and laid on the table to be printed.

Pending the reading, Mr. Lott moved, that the rules be suspended so that the further reading of the said Bill at length be dispensed with.

Which carried.

Mr. De La Vergne presented a Bill (No. 17, H. of R.,) to extend the corporate limits of the town of Henderson.

Which was read the first and second time, and laid upon the table to be printed.

Mr. Burdick presented (No. 19, H. of R.,) a bill for an act granting to R. M. and P. Richardson the right to establish and maintain a ferry at Richmond, Sank Rapids, Stearns county, Minnesota.

Which was read the first and second times, and laid on the table to be printed.

Mr. Sturgis presented (No. 20, H. of R.) an act, granting to S. B. Lowry the right to establish and maintain a ferry across the Mississippi river, at St. Cloud.

Which was read the first and second time and laid upon the table to be printed.

Mr. Bradley presented (No. 21, H. of R.) A Bill for an act to change the name of Serena M. Huntley.

Which was read the first and second time, and laid on the table to be printed.

Mr. Bradley presented a (No. 23, H. of R.) Bill for an act to incorporate the town of Minneapolis, in the county of Hennepin.

Which was read the first and second time and laid on the table to be printed.

Pending the reading of the bill Mr. Lott moved to suspend the Rules so as to dispense with the further reading of the bill at length.

Which was carried.

Mr. Sturgis presented (No. 23, H. of R.) a Bill granting to George Houghton, and Christopher Davis, the right to establish and maintain a ferry across the Mississippi river.

Which was read the first and second time, and laid upon the table to be printed.

Mr. Hunt, on leave granted, presented an act, (No. 24, H. of R.) for an act granting to Samuel Allen, the right to establish and maintain a ferry across the Minnesota river, at the town of Chaska, county of Carver.

Which was read the first and second time, and laid on the table to be printed.

Mr. McLeod gave notice, that on to-morrow or some future day, he should introduce a bill for the appointed of commissioners to lay out and locate a Territorial road from the ferry at Traverse des Sioux, to a point where the Strait river intersects the Mendota and Big Sioux road.

Mr. Hunt gave notice that on to-morrow or at some future day of the session, he should ask leave to introduce a memorial of the Legislative Assembly of Minnesota Territory to Congress, asking for the establishment of a mail route from St. Paul, Minnesota, to West Union, Iowa.

Mr. Wilson offered the following Resolution :

Resolved, That for want of *secrec*-ability, J. L. Wilson be, on the passage of this resolution, discharged from the several standing committees on which he has been appointed.

Mr. Sturgis moved that the resolution be laid upon the table,

Which was adopted.

Mr. Lott gave notice that on to-morrow or on some future day of the session he would ask leave to introduce.

A memorial to Congress, praying for the establishment of a daily mail route between the cities of Dubuque and St. Paul ; also,

A memorial to Congress asking an appropriation for the construction of Bridges across certain streams in the Territory ; also,

A bill creating the office of Auditor of Ramsey county in this Territory.

Mr. Taylor gave notice that to-morrow or some future day he should ask leave to introduce a bill to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes.

A Joint Resolution from the Council, No. 1, C. F., instructing our Delegate in Congress to inform the Government of the increase of representatives and expenses, was taken up and read a first and second times, and upon motion of Mr. Nobles, it was read a third time and passed without amendment.

A Joint Resolution from the Council No. 2, C. F., for the relief of A. J. Morgan, was read a first and second times.

Mr. Norris moved that the rules be suspended so that the resolution be read a third time—which was carried.

So the resolution was read a third time and passed.

Mr. Lott moved that the House do now resolve itself into committee of the whole, for the purpose of taking into consideration the Governor's message, which motion was adopted.

The House resolved itself into a committee of the whole, Mr. Lott in the chair.

After some time passed therein, the committee rose, and by their chairman reported progress and asked leave for further sitting. Leave granted.

Mr. Nobles moved that the House do now adjourn until two o'clock this afternoon, which motion was adopted.

And the House adjourned till two o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

The Roll being called, the following members answered to their names :

Messrs. Boutillier, Cleaveland, De LaVergne, Dunbar, Galbraith, Gere, Gibbs, Hartenbower, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Nobles, Pierce, Sturgis, Thorndike, Van Vorhes, Wilson, Speaker.

Mr. Van Vorhes presented a petition of the Trustees of School District No. 1, Township 30, Range 20, praying the passage of a law authorizing said Trustees to levy an additional tax for school purposes, and moved that it be referred to a committee of one.

The Chair appointed Mr. Van Vorhes as said committee.

Mr. Nobles offered the following Resolution :

Resolved, That the House resume its former position in committee of the whole for the further consideration of the Governor's Message. Which was adopted.

The House then resolved itself into a committee of the whole, Mr. Lott in the Chair.

After some time passed therein, the committee rose, and, by their Chairman, reported as follows :

The committee have had under consideration the Governor's Message, and have directed me to report the same back to the House, with certain references in which they ask the concurrence of the House.

Mr. Lott moved, That the references of the Governor's Message made in committee of the whole, be taken up and acted upon separately. Which was adopted.

The following references were then taken up separately, and adopted.

That so much of the Message as relates to the Territory becoming a State, be referred to the Committee on Territorial Affairs.

That so much of the Governor's message, as relates to the Indians, be referred to the committee on Indian affairs.

That so much of the Governor's message as relates to Schools and School Funds, be referred to the committee on Territorial Expenditures.

That so much of the Governor's message as relates to a modification of the Revenue, be referred to the committee on Judiciary.

That so much of the Governor's message as relates to the county of Carver, be referred to a special committee of three, to be appointed by the Speaker.

That so much of the message as refers to salaries of Auditor, Treasurer, and Superintendent of Common Schools, be referred to the committee on Territorial Expenditures.

That the portion of the Governor's message relative to the appointment of county officers, be referred to the Committee on Judiciary.

That so much of the Governor's message as refers to the amendment of laws on the subject of unorganised counties, be referred to the committee on Judiciary.

That so much of the Governor's message as relates to the University, be referred to the committee on University lands.

That so much of the Governor's message as relates to rail roads, be referred to the

committee on Internal Improvements.

That portion of the Governor's message that relates to Territorial roads, be referred to the committee on Territorial roads.

That so much of the Governor's message as relates to the Swamp lands be referred to the committee on Territorial affairs.

That so much of the Governor's message as relates the Commissioner of Emigration, be referred to the committee of Territorial expenditures.

That so much of the message as relates to the Know Nothings be referred to the committee on Militia.

That so much of the Governor's message as refers to the financial condition of the Territory, be referred to the committee of Territorial affairs.

That the division referring to Militia be referred to the committee on the Militia.

That so much of the Governor's message as relates to the sale of public lands be referred to the committee on Agriculture and Manufactures.

That so much of the message as relates to Literature and Science, be referred to the committee on Science and Literature.

That so much of the Governor's message as relates to the Homestead law be referred to the committee on Agriculture and Manufactures.

That so much of the message as relates to the subject embracing only one subject matter in the same bill be referred to the committee on Judiciary.

That so much of the Governor's message as relates to slavery and the passage of the Kansas and Nebraska bill be referred to select committee of three, to be appointed by a majority of the House.

Mr. Van Vorhes offered the following resolution:

Resolved, That so much of the Governor's Message as relates to the condition of our common country, be referred to a select committee, consisting of Messrs. Farnham, Jackman and Holland.

Mr. Lott moved to lay the resolution on the table.

Which motion was lost.

Mr. Lott moved that the House now adjourn.

And the yeas and nays being called for and ordered, there were yeas 13 and nays 17, as follows:

Those who voted in the affirmative were,
Messrs. DeLaVergne, Dunbar, Farnham, Gers, Grant, Hartenbower, Hubbell, Hull, Hunt, Jackman, Lott, McLeod, Sturgis,

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Cleveland, Coville, Galbraith, Gibbs, Ide, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thornkike, Van Vorhes, Wilson, Mr. Speaker.

So the motion was lost.

Mr. De La Vergne moved that the House adjourn until to-morrow at two o'clock P. M.

And the Yeas and Nays being called for and ordered, there were Yeas 9, and Nays 21, as follows:

Those who voted in the affirmative were,

Messrs. De La Vergne, Dunbar, Gers, Grant, Hubbell, Hunt, Lott, McLeod, Sturgis,

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Cleveland, Farnham, Galbraith, Gibbs, Hartenbower, Hull, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thorndike, Van Vorhes, Wilson, and Speaker.

So the motion was lost.

Mr. Dunbar asked for a call of the House.

The Clerk reported Messrs. Buck, Burdick, Haus, Holland, Johnson, Taylor, Thompson and Wilkinson, as the absent members.

Mr. Farnham moved that further proceeding under call of the roll be dispensed with,

And the yeas and nays being called for and ordered, there were yeas 10, and nays 19, as follows:

Those who voted in the affirmative were Messrs. Boutillier, Coville, Farnham, Hunt, Jackman, Kirkman, Murphy, Norris, Sturgis, Van Vorhes—10.

Those who voted in the negative were Messrs. Bradley, Cleveland, De La Vergne, Dunbar, Galbraith, Gere, Gibbs, Grant Hartenbower, Hubbell, Hull, Ide, Knauff, Lott, McLeod, Pierce, Thorndike, Wilson, Speaker—19.

Which motion was lost.

The Sergeant-at-Arms was instructed by the Speaker to notify the absent members to appear in their seats.

Mr. Gere moved,

To reconsider the vote by which the House refused to dispense with further proceedings under the call.

And the Yeas and Nays being called for and ordered, there were 5, and nays 24, as follows:

Those who voted in the affirmative were:

Dunbar, Gere, Grant, Hartenbower, Hull—5.

Those who voted in the negative were:

Boutillier, Cleveland, Coville, DeLevergne, Farnham, Galbraith, Gibbs, Hubbell, Hunt, Ide, Jackman, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Thorndike, Van Vorhes, Wilson, Speaker.—24.

So the motion was lost.

Mr. Dunbar moved that all further proceedings under the call of the House be dispensed with.

And the Yeas and Nays being called for and ordered, there were yeas 10 and nays 19 as follows:

Those who voted in the affirmative were:

Coville, De La Vergne, Dunbar, Gear, Gibbs, Grant, Hartenbower, Hubbell, Hull, Sturgis.

Those who voted in the negative were:

Boutillier, Bradley, Cleveland, Galbraith, Hunt, Ide, Jackman, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Thorndike, Van Vorhes, Wilson, Speaker.

So the motion was lost.

The Sergeant-at-Arms appeared and reported that he had been unable to find any of the absent members except Messrs. Haus and Wilkinson, who were unwell and unable to attend.

Mr. Lott moved that the report of the Sergeant-at-Arms be accepted.

Which motion was adopted.

Mr. Wilson moved that the House do now adjourn.

Which was carried.

So the House then adjourned until to-morrow at 10 A. M.

Attest

H. L. EDWARDS,
Chief Clerk.

CHAS. GARDNER,
Speaker.

WEDNESDAY, JANUARY 16, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Bradley, Buck, Burdick, Cleveland, Coville, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Speaker.

Prayer by the chaplain, Rev. E. D. Neil.

The Journal of yesterday was read, corrected and approved.

Mr. Sturgis asked leave to introduce No. 5, (H. of R.) a memorial to Congress for an appropriation to construct a road from the head of Lake Superior to Little Falls &c.

Which was read a first and second time, and laid on the table to be printed.

Mr. Lott presented a petition of G. A. Brown, and 86 others for the continuation of a certain Territorial Road through the counties of Nicolet and Blue Earth.

Mr. Farnham presented No. 26, (H. of R.) a bill granting to J. B. Shaw the right to establish and maintain a ferry across Rum River, at or near the mouth of Rum River.

Which was read the first and second time and laid on the table to be printed.

Mr. McLeod gave notice that he would on to-morrow or some future day, ask leave to introduce a bill to provide for laying out a Territorial Road, from Shakopee, in Scott County, to intersect the road from Minneapolis to Fort Ridgely, at Henderson, Sibley County.

Also, a bill to provide for laying out a Territorial Road from Fort Snelling, in Hennepin County, by Murphy's ferry to Shakopee, in Scott County.

Mr. Van Vorhes asked leave to introduce No. 27 (H. of R.) a bill for an act to amend an act in relation to the Justices of the Peace,

Which was read a first and second time and laid upon the table to be printed.

Mr. Dunbar gave notice that on to-morrow or some future day, he would ask leave to introduce a bill to amend an act entitled an act in relation to the eligibility of Sheriffs holding office more than one successive term.

Mr. Hunt gave notice that on to-morrow or some future day of the present Session he should ask leave to introduce a memorial to Congress, praying for the establishment of a mail route from Minneapolis, Hennepin County, by the way of Excelsior, Chanhassan, Chaska, Walker's Landing, to Henderson, Sibley County.

Mr. Grant introduced a bill (No. 28, H. of R.) for an act granting to George A. Billcourt the right to construct a dam across Pembina river, near St. Joseph, Pembina county, M. T.

Which was read the first and second time, and laid on the table to be printed.

Mr. Hubbell gave notice,

That on to-morrow or some subsequent day he would introduce a bill for a Territorial road from some point in Wells prairie, on Lake Pepin, at or near the mouth of Wells Creek, to Pine Island, in Goodhue county, thence to Mantorville, in Dodge county. Thence in a south-westerly direction until it strikes the waters of Big Cedar.

Mr. Holland gave notice,

That on to-morrow or on some future day, he would introduce a bill to grant a charter to the Shakopee and Chaska Plank Road Company.

Mr. Thompson gave notice,

That on to-morrow or some future day he should ask leave to introduce a bill to amend the Charter of the Southern Minnesota and Root River Valley Railroad by establishing a branch road from Hokah to Brownsville.

Mr. Ide gave notice,

That on to-morrow or some subsequent day of this session, he should introduce a bill to grant a charter to Halsey M. Madison to establish and maintain a ferry across the Mississippi at Hastings.

Mr. Lott moved that the Report be laid on the table to be printed.

Which motion was adopted.

REPORT.

The Joint Committee, on Enrolled Bills, have examined and found correctly enrolled the following Joint resolutions:

No 1, Council File, Joint Resolution directing our Delegate in Congress to attend to certain matters,

No. 2, C. F., Joint Resolution for the relief of Andrew Jackson Morgan.

JOS. ROLETTE, Chairman.

WM. B. GERE, Chairman.

Mr. Galbraith asked leave to introduce (No. 29, H. of R.) a bill authorizing the Register of Deeds of Scott county to record a plat of Shakopee city and legalizing the same.

Which was read the first and second time and laid on the table to be printed.

Mr. Hull gave notice,

That on to-morrow or some future day he would introduce a bill for the laying out of a Territorial road, commencing at or near Arnelville on the Territorial line by the way of Forrestville, from thence to Saint Paul.

Mr. Galbraith gave notice,

On to-morrow or some future day of this session he should introduce a bill to re-establish the common boundary line between the counties of Dakota and Scott.

Mr. Farnham presented the Report of the Surveyor General of lumber.

Which, on motion of Mr. Hunt, was laid on the table to be printed.

To the Honorable the Legislative Assembly, of the Territory of Minnesota:

In compliance with Section 14, Chapter 16, of the Session Laws of 1854, I have the honor to transmit for your consideration the second annual report of the Surveyor General of the 2nd District.

The total amount of logs surveyed in this District from January 1st, 1855, to December 31st, 1855, is thirty-eight millions, two hundred and seven thousand, two hundred and seventy-one (38,207,271) feet, board measure.

The total amount of lumber surveyed in this District during the same period, was four millions, two hundred and two thousand, six hundred and fifty-two feet, (4,202,652.)

In connection with the above report, I respectfully submit to your Honorable Body, a statement of the amount of fees resulting from the aforesaid surveys, as established by Legislature, together with the expenses attending the same.

Amount received from surveying 38,207,271 feet logs,	\$1.910 35
------------------------------------------------------	------------

Amount received from surveying 4,202,652 feet boards,	420 26
-------------------------------------------------------	--------

Amount of expenses attending the survey of 38,207,271 feet of logs,	1,518 00
---------------------------------------------------------------------	----------

Amount of expenses attending survey of 4,202,652 feet of lumber.	1,071 00
------------------------------------------------------------------	----------

It will thus appear to your Honorable Body that the expenses of surveying the above quantity of lumber exceed the fees allowed by law, in the sum of six hundred and fifty dollars, and seventy-four cents (\$650.74).

In Section 11, Chapter 16, of the Session Laws of 1854; it is provided that the Surveyor General shall be entitled to receive, and may sue for and collect, the sum of ten cents per thousand feet for surveying and making survey bills for lumber.

Under the laws of Illinois, Maine and New York, a much larger sum is allowed.

In the State of New York, twenty-five cents per thousand.

In the State of Maine, twenty-three cents per thousand.

In the State of Illinois, twenty cents per thousand.

Taking this into consideration, the actual loss experienced by the Surveyor General in surveying lumber, under the laws of this Territory, and the high rates of wages demanded by the laborer, as compared with those allowed in the States above cited, I would most respectfully represent to your Honorable Body the necessity and justice of amending the said Section 11, Chapter 16, of the Session Laws of 1854, so that it shall authorize the collection of at least twenty-five cents per thousand for surveying and making survey bills for lumber.

I would further suggest to your Honorable Body a still further amendment of the aforesaid Section, and one which I respectfully submit to be just and reasonable, viz : that for all services performed by said Surveyors by virtue of their office, there shall be allowed the sum of ten cents per mile travelling fees for every mile actually travelled.

Under the present provision of the law, it being imperative upon, and not optional with the Surveyor to repair to any place within his District to survey logs or lumber when requested so to do, it frequently happens that the expenses far exceed the amount received for services. I would therefore respectfully present to your consideration the amendment as above mentioned.

All of which is respectfully submitted,

DANIEL STANCHFIELD,
Surveyor General of the 2nd District.

St. Paul, January 2, 1856.

Mr. Lott offered the following Resolution:

Resolved, That a Committee of two be appointed by the House to act in conjunction with a similar Committee to be appointed by the Council, to report Joint Rules for the government of the two Houses during the present Session.

Which resolution was adopted.

Mr. Wilson gave notice that on to-morrow or some future day, he would beg leave to introduce a memorial to Congress, for a grant of land for the benefit of a Territorial Lunatic, a Territorial Blind, and a Territorial Deaf and Dumb Asylum.

Also, a bill for an act to incorporate the Minnesota Salt Company.

Also, a bill providing for the laying out and establishing certain Territorial Roads.

Mr. Bradley offered the following Resolution:

Resolved, That so much of the Governor's message as relates to Slavery and the passage of the Kansas and Nebraska Bill, be referred to a select Committee of three; viz: Messrs. Van Vorhes, Norris, and De La Vergne.

Mr. Wilkinson moved to lay the Resolution on the table.

And the Yeas and Nays being called for and ordered, there were Yeas 21, and Nays 13, as follows:

Those who voted in the affirmative were:

Burdick, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Johnson, Kirkman, Knauft, McLeod, Murphy, Nobles, Sturgis, Taylor, Thompson, Wilkinson, and Speaker.

Those who voted in the negative were:

Bradley, Buck, Cleaveland, Coville, De La Vergne, Gibbs, Hunt, Jackman, Lott, Pierce, Thorndike, Van Vorhes, and Wilson.

So the Resolution was laid upon the table.

Mr. Hubbell, asked leave to introduce No. 30, (H. of R.) an act providing for the laying out of a Territorial Road from Winona, to Traverse Des Sioux.

Which was read the first and second time and laid on the table to be printed.

Mr. Wilson asked leave to introduce No. 31, (H. of R.) a bill for an act to incorporate the Mille-Lac Mining Company.

Which was read the first and second time and laid on the table to be printed.

Pending the reading Mr. Wilkinson moved that the Rules be suspended, so as that the bill be read a first and second time by its title only.

Which was carried.

Mr. Sturgis gave notice that on to-morrow or some future day, he should ask leave to introduce a bill to amend an act entitled an act to provide for the survey of logs and lumber in Minnesota Ter.

Mr. Hubbell asked leave to introduce (No. 32 H. of R.) A Bill for laying out a Territorial road from Cannon Falls to the Iowa line.

Which was read the first and second time, and laid on the table to be printed.

Mr. Hunt presented (No. 33 H. of R.) an act to continue in force "An act to provide for the appointment of a commissioner of Immigration for the Territory of Minnesota and amendatory thereto.

Which was read a first and second time and laid on the table to be printed.

Mr. Thompson gave notice that on to-morrow or some future day he should ask leave to introduce a Bill for an act to incorporate the Mississippi and Missouri Railroad Company.

Mr. Pierce moved the House proceed to appoint a select committee of three to report upon that part of the Governor's Message which relates to Slavery and the passage of the Kansas and Nebraska bill.

Mr. Norris moved a call of the House. The roll being called the Clerk reported Messrs. Boutillier and De La Vergne as the absent members.

The Speaker instructed the Sergeant-at-Arms to notify Messrs. Boutillier and De La Vergne to appear in their seats.

Mr. Bradley moved

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

Mr. Van Vorhes moved to lay the resolution upon the table and it be made the special order of to-morrow at eleven o'clock A. M.

And the Yeas and Nays being called for and ordered, there were Yeas 25, and Nays 11, as follows :

Those who voted in the affirmative were :

Messrs. Bradley, Buck, Burdick, Cleaveland, De La Vergne, Dunbar, Farnham, Galbraith, Gibbs, Grant, Holland, Hunt, Ide, Jackman, Kirkman, McLeod, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes and Wilson.

Those who voted in the negative were,

Messrs. Gere, Hartenbower, Hans, Hull, Johnson, Knauff, Lott, Sturgis, Wilkinson, and Mr. Speaker.

So the motion was carried.

Mr. Holland moved that it be ordered,

That the special order of the day for to-morrow be determined without debate. Which was carried.

Mr. Van Vorhes moved,

That the House now take a recess until two o'clock.

Which motion was adopted. So the House took a recess until two o'clock, P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Gere from the Committee on the Enrolled bills, offered the following Report.

The joint Committee on Enrolled Bills have presented to the Governor for his approval and signature, the following Joint Resolutions :

(No. 1. C. F.) Directing our Delegate in Congress to attend to certain matters.

(No. 2 C. F.) For the relief of Andrew Jackson Morgan.

JOSEPH ROLETTE, Chairman, Council.

WM. B. GERE, Chairman, House Representatives.

Mr. Van Vorhes from the select Committee referred the petition of the Trustees of School District No. 1, Township 30, Range 20, reported by bill.

Mr. Galbraith on leave granted, presented the petition of A. B. Cornell, contesting the seat of G. A. McLeod.

Pending the reading of the petition,

Mr. Galbraith moved that the rules be suspended, and the petition be referred to the Committee on elections.

Mr. Holland moved that the House be now resolved into the Committee of the Whole for the purpose of taking up bill No. 1. [H. of R.] and No. 3 [H. of R.]

Mr. Wilson moved, also to take up No. 9 [H. of R.] which motion was adopted.

The House then resolved itself into a Committee of the Whole, Mr. Van Vorhes in the chair.

After some time passed therein,

The Committee rose, and by their Chairman, reported as follows; Mr. Speaker, the Committee of the Whole have had under consideration the following bill, No. 1. 3. and 9 [H. of R.] and reported back the same without amendments.

Mr. Holland moved that the report of the Committee be accepted, which motion was carried.

Mr. Wilson moved to amend Sec. 5, No. 9. [H. of R.] by striking out the words "in force," and inserting the words "from and," also add Sec. 6 as follows. "The above named Commissioners shall cause to be deposited in each of the organized Counties, through which the Road may pass, the map of the survey of said road," which amendments were adopted.

Mr. Holland moved to amend No. 1 [H. of R.] as follows, by adding the following Sections thereto.

Section 3. The Commissioners shall return to the offices of the Registers of Deeds of the Counties through which said road may pass a copy of the map of the survey of said road.

Section 4. This act shall take effect and be in force from and after its passage, which amendments were adopted.

The Bills were then ordered to be engrossed for a third reading.

Mr. Sturgis moved to take up a bill to incorporate the Lake Superior, Mississippi and Pacific Railroad Company, and that said bill be referred to the Committee on Territorial affairs.

Which motion was adopted.

Mr. Buck moved that the House take up Bills, (No. 2, 6 and 24, H. of R.)

Which motion was adopted.

The House then resolved into Committee of the Whole for the purpose of taking into consideration Bill No. 2, H. of R., a bill granting A. C. Riggs and G. A. Riggs the right to establish a ferry across the Mississippi River.

Also, (No. 6, H. of R. a bill granting to Mathew Ewing the right to establish a ferry across the Mississippi river.

Also, (No. 24, H. of R.,) a bill granting to Samuel Allen the right to establish and maintain a ferry across the Minnesota River at Chaska.

Mr. Norris in the Chair.

After some time passed therein, the committee rose, and, by their Chairman, reported back to the House,

Bill (No. 2, H. of R. the following amendments:

Sec. 1. Insert the words in Wright county, near Monticello.

Sec. 8. Strike out the words amend or modify, and insert the words alter or amend.

Which amendments were adopted.

Also, Bill No. 6, H. of R., without amendments,

Also, Bill No. 24, H. of R., with the following amendment:

In Sec. 6, striking out the word *repeal*, which amendment was accepted.

Mr. Haus moved that the House now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 16, and Nays 12, as follows:

Those who voted in the affirmative were:

Buck, Cleaveland, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Kirkman, Knauff, Pierce, Sturgis, Thompson, Wilkinson, Wilson, Speaker—16.

Those who voted in the negative were:

Boutillier, Bradley, Holland, Hull, Hunt, Ide, Jackman, Murphy, Nobles, Norris, Thorndike, Van Vorhes.

So the House adjourned until ten o'clock to-morrow, A. M.

CHARLES GARDINER,
Speaker.

Attest

H. L. EDWARDS,
Chief Clerk.

THURSDAY, JANUARY 17, 1856.

The House met pursuant to adjournment.

And was called to order by the Speaker.

The roll being called the following members answered to their names :

Burdick, Cleaveland, DeLaVergne, Dunbar, Farnham, Galbraith, Grant, Hartenbower, Haus, Hubbell, Hull, Jackman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, Speaker.

Prayer by the Chaplin, Rev. E. D. Niel.

The Journal of yesterday was read, corrected and approved.

Mr. Knauff presented a petition of John K. Ayer and 35 others for a ferry across the Mississippi river.

Mr. Nobles moved,

That the Rules be suspended and that it be referred to a Committee of one consisting of Mr. Knauff. Carried.

Mr. Knauff moved,

That the petition be printed in the Journal.

Which motion was lost.

Mr. Galbraith, on leave granted, presented (No. 34, H. of R.) an act to establish the common boundaries between the counties of Dakota and Scott.

Which was read the first and second time and laid on the table to be printed.

Mr. Galbraith also presented (No. 35, H. of R.) a bill to incorporate the Minnesota Immigration League.

Which was read the first and second time and laid on the table to be printed.

Pending the reading, Mr. Galbraith moved,

That the rules be suspended, so that the bill may be read a first and second time by its title only, which motion prevailed.

Mr. Gere presented (No. 36, H. of R.) a bill to locate the county seat of Wabashaw county.

Which bill was read the first and second time and laid on the table to be printed.

Mr. Lott, on leave granted, presented (No. 37, H. of R.) a bill for an act to amend an act to provide for the laying out of a Territorial road from St. Paul to Big Woods and Traverse des Sioux, on the East side of the Minnesota river approved February 27th, 1854.

Which was read the first and second time and laid on the table to be printed.

Mr. Nobles offered the following resolution :

Resolved, That all bills, memorials, or resolutions which are intended to be forwarded to the Congress of the United States, shall have precedence in the order of business as privileged subjects, and that they be forwarded to our Delegate by the Governor, immediately after they receive his approval.

Which was adopted.

Mr. Dunbar introduced (Bill No. 38, H. of R.) a bill to amend an act entitled an act to amend sec. 16, article 8, of the Revised Statutes.

Read a first and second time, and laid on the table to be printed.

Mr. Hunt gave notice that on to-morrow or some future day of the present session, he would ask leave to introduce a bill to incorporate the Chaska, Shakopee and St. Paul Railroad Company.

Mr. McLeod gave notice that on to-morrow or some future day, he would ask leave to introduce a bill for the location of a Territorial road from Henderson to Traverse des Sioux.

Mr. Buck gave notice that at an early day during this session, he would ask leave to introduce a bill granting Alexis Bailly, H. H. Sibley, Henry D. Bailly, W. J. Le Duc, and Levi Hartzell, the right to establish and maintain a ferry across the Mississippi river, at Hastings, Dakota county.

The Speaker announced, that in accordance with a Resolution adopted by the House yesterday, he has appointed Messrs. Lott and Buck, to act in connection with similar committee to be appointed by the Council, to draft joint Rules for the government of both Houses, during the present Session.

Mr. Ide gave notice that on to-morrow or some subsequent day of this Session, he would ask leave to present a memorial to Congress, praying for a modification of the pre-emption laws in such a manner as will enable settlers to pre-empt one hundred and sixty acres of land in two separate parcels.

Mr. Nobles gave notice that on some future day of this session he should ask leave to introduce a bill to incorporate the St. Paul Gas Light Company.

Mr. Sturgis presented a bill (No. 39 H. of R.) for an act to amend an act to provide for the Survey of Logs.

Which was read a first and second time and laid on the table to be printed.

Mr. Murphy gave notice that on to-morrow or some subsequent day of this session he should introduce a memorial, applying to Congress for an appropriation of (\$5,000) five thousand dollars, for the construction of a road from a point opposite St. Paul, (at Brawley's Ferry, Dacotah county,) across the bottom, thence along the recently surveyed route by Sunfish Lake, until it connects with the Mendota and Wabashaw road, at Carr's.

Mr. Kuanft offered the following Resolution :

Resolved, That the Chief Clerk be instructed to procure 1000 copies of the Constitution of the United States in the German language, and 500 copies in the French language, to be printed in pamphlet form : Also,

To procure 500 copies of the organic Act of the Territory of Minnesota, in each of the languages above named, to be printed in pamphlet form.

Which motion was lost.

Mr. Taylor gave notice that on to-morrow or some future day he should introduce a Bill to establish and define the boundaries of St. Anthony county.

Mr. Nobles moved that the Rules be suspended, so that Joint Resolution No. 1. H. of R. concerning the furnishing of information relative to the Early History of Minnesota, be taken up and read a third time.

Which Resolution was carried.

After some time spent in debate, Mr. Bradley moved to lay the Resolution upon the table, and take up the order of the day.

Which motion was adopted.

A Message from the Council being announced, Mr. Colville, Secretary thereof, appeared, and delivered the following message:

Mr. Speaker :

The Council has passed the following Bills, in which the concurrence of the House is requested:

No. 1 C. F., a Bill to suppress the issue of unauthorized Bills as currency.

Also, No. 2, C. F., a Bill to provide for laying out a Territorial Road from Manhattan to Traverse des Sioux.

Also, No. 3, C. F., a memorial to Congress for a grant of Lands to improve the navigation of the Minnesota river.

Also, No. 5, C. F., a memorial to Congress for an appropriation of \$15,000, for the improvement of Root River.

Also, No. 5, C. F., a Bill to amend chapter 95 of the Statutes of Minnesota.

Mr. McLeod moved,

That the special order of the day be taken up,

Which was carried.

Mr. Pierce moved,

That the House do now proceed to nominate the Committee *visa voce*.

Mr. Galbraith moved,

That the House proceed to vote for the Committee one at a time and that the one receiving the highest number shall be elected.

And the Yeas and Nays being called for and ordered, there were Yeas 17, and Nays 21, as follows :

Those who voted in the affirmative were :

Boutillier, Bradley, Buck, DeLaVergne, Galbraith, Gibbs, Ide, Jackman, Kirkman, Knauff, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes, Cleveland,

Those who voted in the negative were :

Burdick, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Johnson, Lott, McLeod, Murphy, Sturgis, Taylor, Wilkinson, Wilson and Speaker—21.

So the motion was lost.

Mr. Lott moved,

That the House do now now nominate the committee *ex officio*.

Which motion was carried.

Mr. Ide, nominated Messrs. Norris, Lott and Holland.

And the Yeas and Nays being called for and ordered, there were Yeas 18, and Nays 20, as follows :

Those who voted in the affirmative were :

Boutillier, Bradley, Buck, Cleveland, Galbraith, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Gibbs, Van Vorhes—18.

Those who voted in the negative were :

Burdick, Coville, DeLaVergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, McLeod, Sturgis, Taylor, Wilkinson, Wilson and Speaker—20.

So the motion did not prevail.

Mr. Wilkinson nominated Messrs. McLeod, Holland and Lott.

And the Yeas and Nays being called for and ordered, there were Yeas 26 and Nays 14, as follows :

Those who voted in the affirmative were :

Messrs. Burdick, Coville, DeLaVergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Johnson, Lott, McLeod, Murphy, Norris, Sturgis, Taylor, Wilkinson, Wilson, Speaker—24.

Those who voted in the negative were :

Messrs. Boutillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Jackman, Kirkman, Knauff, Nobles, Pierce, Thompson, Thorndike, Van Vorhes.

So Messrs. McLeod, Holland and Lott were declared elected.

Mr. McLeod moved that the House now adjourn.

And the yeas and nays being called for and ordered, there were yeas 12, and nays 26 as follows :

Those who voted in the affirmative were

Messrs. Burdick, Covil, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Knauff, Lott, McLeod, and Wilkinson.

Those who voted in the negative were

Messrs. Boutillier, Bradley, Buck, Cleveland, De La Vergne, Dunbar, Farnham, Galbraith, Gibbs, Holland, Hunt, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, Ide, and Speaker.

So the motion was lost.

Mr. Holland offered the the following resolution :

Resolved, That the principles of the Kansas-Nebraska Act, giving the people of those Territories the right to make their own laws and form their own domestic institutions, in their own way and the repeal the Missouri Compromise, to secure this right was eminently just and democratic, and in accordance with the long cherished principle of the National Democracy, of "non-intervention" on the subject of Slavery.

Resolved, That the sentiments of the President of the United States, as enunciated in

his late Annual message, on the subject of Slavery, and agitation of the subject, meets our cordial approval.

Resolved, That the sentiments uttered by Gov. German, in his late Annual message to this Legislature on the subject of the Kansas-Nebraska Act, and the repeal of the Missouri Compromise, meet with our cordial approval.

Mr. Holland moved that the committee be instructed to report in accordance with the foregoing resolutions.

Mr. Wilson moved to lay the Resolution on the table.

And the yeas and nays being called for and ordered, there were Yeas 10, and Nays 28, as follows:

Those who voted in the affirmative were:

Buck, Burdick, Coville, Dunbar, Farnham, Gere, Grant, Hartenbower, Nobles, Wilson.

Those who voted in the negative were:

Boutillier, Bradley, Cleveland, De La Vergne, Galbraith, Gibbs, Grant, Hans, Hubbard, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Speaker.

So the motion was lost.

Mr. Wilkinson asked for a call of the House.

The Clerk reported all the members present.

Mr. Wilkinson moved that the House now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 14, and Nays 24, as follows:

Those who voted in the affirmative were:

Burdick, De la Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Hubbell, Hull, McLeod, Wilkinson, Wilson, Speaker.

Those who voted in the negative were:

Boutillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Hans, Holland, Hubbell, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes.

So the motion was lost.

Mr. Holland moved the previous question, upon instructing the committee, &c.

Mr. Wilkinson moved to adjourn, and after some time spent in debate, the chair decided the motion to adjourn in order.

Mr. Holland appealed from the decision of the chair.

And the Ayes and Noes being called for and ordered, they were, Ayes 21, and Noes 18, as follows:

Those who voted in the affirmative were:

Messrs. Buck, Burdick, Coville, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Hans, Hubbell, Hull, Hunt, Ide, Kirkman, Knauff, McLeod, Wilkinson, Wilson—21.

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Cleveland, Holland, Jackman, Johnson, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes—18.

So the decision of the chair was sustained.

The question then recurring upon the adjournment,

And the Ayes and Noes being called for and ordered, there were Ayes 14, and Noes 28, as follows:

Those who voted in the affirmative were:

Messrs. Burdick, Coville, De La Vergne, Gere, Grant, Hartenbower, Hans, Hubbell, Knauff, Lott, McLeod, Taylor, Wilkinson, Speaker—14.

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Buck, Cleveland, Dunbar, Farnham, Galbraith, Gibbs,

Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Thorndike, Van Vorhes, Wilson—23.

So the motion to adjourn was lost.

Mr. Galbraith moved that the House take a recess until three o'clock, this afternoon. Which was adopted.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Taylor moved a call of the House.

The roll being called the Clerk reported Mr. McLeod absent.

Mr. Bradley moved that further proceedings under the call of the roll be dispensed with. And the yeas and nays being called for and ordered, there were yeas 13, and nays 24, as follows:

Those who voted in the affirmative were

Messrs. Boutillier, Bradley, Galbraith, Gibbs, Ide, Jackman, Kirkman, Knauft, Norris, Pierce, Thompson, Thorndike, and Van Vorhes.

Those who voted in the negative were

Messrs. Buck, Burdick, Cleveland, Coville, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, Murphy, Nobles, Sturgis, Taylor, Wilkinson, Wilson, and Speaker.

So the motion was lost.

The speaker instructed the Sergeant-at-Arms to notify Mr. McLeod to appear in his seat.

Mr. Holland moved,

That the vote by which the House refused to dispense with further proceedings under the call of the House, be reconsidered.

And the Yeas and Nays being called for and ordered, there were Yeas 17, and Nays 19, as follows:

Those who voted in the affirmative were:

Boutillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Holland, Ide, Kirkman, Knauft, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes.

Those who voted in the negative were:

Burdick, Coville, De la Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, Sturgis, Taylor, Wilkinson, Wilson, Speaker.

So the motion was lost.

Mr. Holland moved that the House now adjourn.

The Speaker decided the motion to be out of order.

Mr. Holland appealed from the decision of the Chair.

The Sergeant-at-Arms appeared and reported that he had been unable to find the absent member.

Mr. Lott moved that the Sergeant-at-Arms report be accepted.

Which motion was carried.

Mr. Wilson moved that the House adjourn.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 19, as follows:

Those who voted in the affirmative were:

Messrs. Burdick, Cleveland, Coville, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hunt, Knauft, Lott, Nobles, Wilkinson, Wilson, and Speaker.

Those who voted in the negative were

Messrs. Boutillier, Bradley, Buck, Galbraith, Gibbs, Holland, Hubbell, Hull, Ide, Jack-

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man, Johnson, Kirkman, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, and Van Vorhes.

So the motion was lost.

Mr. Burdick moved that the House adjourn.

And the Ayes and Noes being called for and ordered, there were: Ayes 19, and Noes 18, as follows:

And those who voted in the affirmative were:

Messrs. Burdick, Coville, De La Vergne, Dunbar, Farnham, Gere, Grant, Harten-tower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, Sturgis, Taylor, Wilkinson, Wilson, Speaker—19.

Those who voted in the negative were:

Messrs. Bontillier, Bradley, Buck, Cleveland, Galbraith, Gibbs, Holland, Ide, Jack-man, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes—18.

So the motion was adopted.

And the House adjourned until to-morrow at 10 o'clock, A. M.

Attest: CHARLES GARDNER, Speaker.

H. L. EDWARDS, Chief Clerk of H. of R.

FRIDAY, JANUARY 18, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Bontillier, Bradley, Burdick, Cleveland, Coville, De La Vergne, Dunbar, Farnham, Gere, Gibbs, Grant, Harten-tower, Haus, Holland, Hubbell, Hull, Ide, Jackson, Johnson, Kirkman, Knauff, McLeod, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Speaker.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and approved.

Notice of leave to introduce bills being in order, Mr. Wilson gave notice, that on to-morrow or some subsequent day of the session he would introduce a bill for an act to establish the St. Anthony Boom Company.

Mr. Dunbar gave notice, that on some future day of the session he should introduce a bill to establish a ferry across the Mississippi river at or near the mouth of Clear Water.

Mr. Pierce gave notice, that on to-morrow or some future day of the session he should introduce a memorial to Congress for an appropriation for certain improvements in this Territory.

Mr. Hubbell gave notice, that on to-morrow or some future day of this session he should ask leave to introduce a bill to appoint commissioners to locate a Territorial road from Monteville, Dodge county to intersect a proposed road from Reed's landing to Faribault, Rice county, at a point somewhere in Township 110, Range 18.

Mr. Lott presented a bill, (No. 40, H. of R.) a bill granting an extension of time to the Minnesota and North Western Railroad Company,

Which was read the first and second time and laid on the table to be printed.

Mr. Bradley presented bill (No. 41, H. of R.) a bill to amend the Revised Statutes.

Read a first and second time and laid on the table to be printed.

A message from the Council being announced, Wm. Coville, Esq., Secretary thereof appeared and delivered the following message:

Mr. Speaker: the Council have passed the following bill in which the concurrence of the House is requested:

Bill 3, C. F. an act to organize the county of Brown, and then withdrew.

Mr. Wilson presented bill (No. 42, H. of R.) an act to incorporate the Minnesota Salt Company.

Also, bill (No. 43, H. of R.) an act granting to Benbia Richmond the right to establish and maintain a ferry across the Mississippi river.

Also, bill (No. 44, H. of R.) an act to incorporate the St. Cloud Bridge Company. Read first and second time and laid on the table to be printed.

Mr. Taylor, on leave granted, introduced bill (No. 45, H. of R.) a bill to authorize the formation of corporations for mining, smelting, &c., which was read the first and second time, and laid on the table to be printed.

Pending the reading of the above bill Mr. Wilkinson moved that the Rules be suspended, so that the bill may be read by its title only.

Which was adopted.

Mr. Knauft introduced bill (No. 47, H. of R.) a bill granting to John Ayd the right to maintain and establish a ferry across the Mississippi river.

Read a first and second time and laid on the table to be printed.

Mr. Wilson introduced a memorial (No. 6, H. of R.) to Congress for the benefit of a Territorial Lunatic, Blind and a Territorial Deaf and Dumb Asylum.

Read a first and second time and laid on the table to be printed.

Reports from Committees being in order, Mr. Taylor from select Committee of one reported a bill No. 46 (H. of R.) repealing an act entitled an act to incorporate the St. Croix Boom Company.

Which was read a first and second time.

Mr. McLeod from select Committee to which was referred that portion of the Governor's Message that referred to the Kansas and Nebraska act, reported as follows:

The Committee to which was referred so much of the Governor's Message as relates to the subject of Slavery and the passage of the Kansas-Nebraska Bill, would respectfully report:

That your Committee have examined the Message of the Governor with much care, and find that the subject of slavery is characterized therein as the one upon which excitement "is perhaps, the most dangerous of all others;" but your Committee can find no evidence in the Message, that the subject has as yet created any dangerous excitement in this Territory; and from the fact that it was forever put to rest by the wisdom of those who adopted the Ordinance of 1787, there can, in the opinion of your Committee, exist no reason for a fear that the people of Minnesota will ever be subjected to dangerous excitement from any attempted recognition of slavery within its limits. Your Committee are also of opinion that while we have no voice in the legislation of the General Government, we can gain nothing for ourselves, or for others, by agitating the question of slavery in our midst.

As regards the passage of the Kansas and Nebraska Act, your Committee are unable to give a complete history. A Bill to organize the Territories of Kansas and Nebraska was introduced into the Senate of the United States by Judge Douglas, of Illinois; and after some debate and amendments, the bill received a majority of the votes, and was passed. In the House of Representative the bill was also discussed, and finally passed; after which it was laid before the President, who after examination, signed it, and it became a law.

Although your Committee are not able to cite all the incidents connected with the passage of the Kansas-Nebraska act it may not be inappropriate at this time to refer to some of the provisions which the act contains.

It is well known that under the Organic Act of this Territory, Acts passed by the Legislative Assembly must be submitted to Congress; and that body may repeal or amend the same. Hence, Congress, in which body we have no vote, is the law-making or law revising power of this Territory. In the Act organizing the Territories of Kansas and

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Nebraska, this revisory power was not reserved by Congress. The people of Kansas and Nebraska select Representatives who are, in fact, the law-makers of their respective Territories; while the people of Minnesota can only submit laws to Congress, and can never know whether a law is or is not valid, until it has been so submitted—generally many months after it has been passed by our Legislature. This, the most important feature of the Kansas-Nebraska Act, we most heartily approve. We regard the doctrine of Popular Sovereignty in the Territories, as embodying one of the cardinal principles of the Federal Constitution; and the Kansas-Nebraska Act, by destroying all geographical and political barriers to the free enjoyment of the law-making power by the people of those Territories, exhibits an advance in the system of popular government, which can only be realized when compared with the organization of the original North-west Territory, where in the Governor and Judges, appointed by the President, were constituted the law-making power of the Territory.

Your Committee believe, however, that the system of popular sovereignty in the Territories is yet imperfect. While advances have been made towards the perfection of that system through the several successive acts organizing Territories, each of which has been more liberal than its predecessor, we cannot recognize even the last as perfect. Your Committee is of opinion that the people in the Territories should not only be allowed to select their own Representatives to make laws, free from all revisory control, but that they should also be at liberty to select their Judges to administer justice under those laws, and their Governors and other officers to see that those laws are faithfully executed. Your Committee cannot see the justice of permitting the people of Wisconsin, with Representatives in both branches of Congress, to elect all their Executive and Judicial officers, while the people of Minnesota, without a voice in either branch of Congress, can only have these officers through appointment by the National Executive.

Your Committee, therefore, recommend that the Congress of the United States be memorialized so to amend the Organic Act of this Territory, as hereafter to allow the people thereof not only to make their own laws, but also to elect their own officers.

All which is respectfully submitted.

GEORGE A. McLEOD,

B. W. Lott,

Committee.

Mr. Holland, from the minority of the Committee to which was referred that portion of the Governor's Message which relates to the Kansas-Nebraska Act, has had the same under consideration, and begs leave to submit the following resolutions for the consideration of the House.

Resolved, That the principles of the Kansas-Nebraska Act, giving the people of those Territories the right to make their own laws, and form their own domestic institutions, in their own way, and the repeal of the Missouri Compromise, to secure this right, was eminently just and Democratic, and in accordance with the long cherished principle of the National Democracy, of "non-intervention" on the subject of Slavery.

Resolved, That the sentiments of the President of the United States, as enunciated in his late Annual Message, on the subject of Slavery, and agitation of the subject, meets our cordial approval.

Resolved, That the sentiments uttered by Governor Gorman, in his late Annual message to this Legislature on the subject of the Kansas-Nebraska Act, and the repeal of the Missouri Compromise, meets with our cordial approval.

Mr. Galbraith moved that both reports be laid on the table to be printed.

Mr. Holland moved to amend by laying the reports on the table to be printed, and making them the special order for Monday next at 7 o'clock P. M.

Which amendment was accepted and the motion was adopted.

Messages from the Council being in order the following message was read.

Mr. Speaker: The Council has passed bills No. 3 and 6 C. R., in which the concurrence of the House is requested.

WM. COLVILLE, Secretary of the Council.

Mr. Holland moved that the bills from the Council be taken up and read a first and second time.

Which motion was adopted, and the bills were read a first and second time.

Reading the reading, Mr. Lott moved that the rules be suspended so that reading at length of the bills from the Council be dispensed with, and that they be read the first and second time by their titles only.

Which was adopted.

Mr. Galbraith moved that the said bills from the Council be laid on the table to be printed.

Which motion was also adopted.

Mr. Norris moved that Joint Resolution (No. 1 H. of R.) be taken up and read upon.

Which was carried.

Mr. Norris offered the following amendment, which was adopted.

Strike out "one thousand" and insert in lieu thereof "fifteen hundred."

At the end of the last line insert "five hundred of, which shall be for the use of the members of the Legislative Assembly, and one thousand to be deposited in the Library for distribution by the Secretary of said Society."

Mr. Norris moved that the Joint Resolution (No. 1 H. of R.) be engrossed for a third reading.

Which motion was carried, and the resolution was ordered to be engrossed for a third reading.

Mr. De La Vergne, on leave granted, offered the following resolution:

Whereas great irregularity prevails in the printing of bills that have passed their second reading,

Therefore be it Resolved, That the Committee on Printing be instructed to have those bills printed in the same order that they are ordered printed by the House.

Which was adopted.

Mr. Nobles from the Joint Committee on Engrossed Bills, made the following report:

The Joint Committee on Engrossed Bills have examined and found correctly engrossed the following Bills:

(No. 9 H. of R.)—A bill for an act to provide for the laying out of a Territorial Road from Winona to Austin.

(No. 8 H. of R.)—A bill for an act to provide for the laying out of a Territorial Road from Spring Lake to the Dodd Road.

(No. 1 H. of R.)—A bill for an act to provide for the laying out of a Territorial Road from the banks of Crow River via Greenwood to the head of Buffalo Lake.

Wm. H. NOBLES
A. F. DE LA VERGNE } Committee.
CHAS. GRANT }

Upon motion of Mr. Holland bills (No. 1, 3, and 9 H. of R.) were taken up, read a third time and passed.

Mr. Norris moved a recess until three o'clock this afternoon.

Mr. Wilkinson moved to adjourn until to-morrow at ten o'clock.

And the Yeas and Nays being called and ordered, there were Yeas 3, and Nays 26.

As follows:

Those who voted in the affirmative were:
Messrs. Boatillier, Burdick, Farnham, Hartenbower, Knauff, McLeod, Thompson, Wilkinson—8.

Those who voted in the negative were:
Messrs. Bradley, Cleveland, Covel, De La Vergne, Dunbar, Galbraith, Gere, Gibbs, Grant, Hubbell, Hall, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, Murphy, Nobles, Norris, Pierce, Stargis, Thomdike, Van Verhey, Wilson, Speaker—26.

So the amendment was lost.

The question then recurring on the original question, it was lost.

Mr. Van Vorhes moved to take up (No. 2, 6 and 24, H. R.) which were ordered to be engrossed for a third reading.

Mr. Wilkinson moved, that the House adjourn until ten o'clock, A. M. on Monday next.

And the Yeas and Nays being called for and ordered, there were Yeas 15, and Nays 15, as follows:

Those who voted in the affirmative were: Messrs. Burdick, Covell, Dunbar, Galbraith, Gere, Hartenbower, Hull, Hunt, Knauft, Lott, McLeod, Sturgis, Wilkinson, Wilson, Speaker.—15.

Those who voted in the negative were: Messrs. Bradley, Cleveland, DeLaVergne, Gibbs, Grant, Hubbell, Ide, Johnson, Kirkman, Murphy, Nobles, Pierce, Thorndike, Van Vorhes.—15.

So the motion was lost.

Mr. Ide moved, that the House now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 12, and Nays 18, as follows:

Those who voted in the affirmative were: Messrs. Covell, DeLaVergne, Dunbar, Hubbell, Hull, Ide, Johnson, Kirkman, Knauft, Lott, Murphy, Norris.—12.

Those who voted in the negative were: Messrs. Bradley, Cleveland, Galbraith, Gibbs, Grant, Hartenbower, Hunt, Burdick, McLeod, Nobles, Pierce, Sturgis, Thorndike, Van Vorhes, Wilkinson, Wilson, Speaker.—18.

So the motion was lost.

Mr. Bradley moved that the House adjourn, until half past two o'clock this afternoon.

Mr. Wilkinson moved as an amendment, that the House adjourn until Monday at ten o'clock A. M.

And the Yeas and Nays being called for and ordered, there were Yeas 8, and Nays 21, as follows:

Those who voted in the affirmative were: Messrs. Burdick, Covell, Gere, Grant, Johnson, McLeod, Sturgis, Wilkinson.—8.

Those who voted in the negative were: Messrs. Bradley, Cleveland, DeLaVergne, Dunbar, Galbraith, Gibbs, Hartenbower, Hubbell, Hull, Hunt, Ide, Kirkman, Knauft, Murphy, Nobles, Norris, Pierce, Thorndike, Van Vorhes, Wilson, Speaker.—21.

So the amendment was lost.

The question then recurring on the motion to adjourn till half past two,

And the Yeas and Nays being called for and ordered, there were Yeas 16, and Nays 14, as follows:

Those who voted in the affirmative were: Messrs. Bradley, Burdick, Cleveland, Covell, Gibbs, Grant, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Thorndike, Van Vorhes, Wilson.—16.

Those who voted in the negative were: Messrs. DeLaVergne, Dunbar, Galbraith, Gere, Hartenbower, Hubbell, Hull, Hunt, Ide, Knauft, McLeod, Sturgis, Wilkinson, and Mr. Speaker.—14.

So the House adjourned until half past two this afternoon.

AFTERNOON SESSION

The House was called to order by the Speaker.

The roll being called the following members answered to their names: Boutillier, Bradley, Burdick, Cleveland, Coville, DeLaVergne, Galbraith, Gere, Gibbs, Grant, Hartenbower, Hubbell, Hull, Ide, Jackman, Johnson, Knauft, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Thorndike, Van Vorhes, Wilson, Speaker.

Upon motion of Mr. Burdick the House resolved itself into Committee of the Whole for the purpose of taking into consideration the following bills, No. 8, (H. R.) a bill to

authorize the laying out of a Territorial road from Wabashaw to the road leading to St. Peters, also bill No. 19 (H. of R.) a bill granting to R. M. & J. P. Richardson the right to establish and maintain a ferry across the Sauk river, also bill No. 25 (H. of R.) a bill for an act to incorporate the Watab Bridge Co.

After some time passed therein, the Committee rose and by their Chairman reported back the bills to the House with amendments, and recommended the adoption of the amendments.

The report of the Committee of the Whole was accepted.

The question then recurring on agreeing to the amendments as adopted in the Committee of the Whole to bill No. 19 (H. of R.) a bill granting to R. M. & J. P. Richardson the right to establish and maintain a ferry across the Sauk river, they were concurred in, and the bill was ordered to be engrossed for a third reading.

The question then recurring on agreeing to the amendments as adopted in the Committee of the Whole, to bill No. 8 (H. of R.) to provide for laying out a Territorial road from Wabashaw, by Ide's settlement, to Farnbault and from thence west to intersect the Dodd road running to St. Peters. They were concurred in, and the bill ordered to be engrossed for a third reading.

The question then recurring on agreeing to the amendments as adopted in the Committee of the Whole to bill No. 25 (H. of R.) for an act to incorporate the Watab Bridge Company. They were concurred in, and after some time spent in debate, Mr. Norris moved that the bill be referred to the Committee of Incorporation.

Which motion was adopted.

Mr. Boutillier moved that the House adjourn until Monday at two o'clock P. M.

Mr. Gibbs moved, as an amendment, to adjourn until ten o'clock A. M., which amendment was adopted, and the House adjourned until Monday next at ten o'clock A. M.

CHARLES GARDINER,
Speaker.

Attest

H. L. EDWARDS,

Chief Clerk.

MONDAY, JANUARY 21, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The Roll being called, the following members answered to their names:

Messrs. Burdick, Cleaveland, Coville, De LaVergne, Dunbar, Farnham, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Stairis, Taylor, Thompson, Thorndike, Van Vorhes, Speaker.

Prayer by the Chaplain.

The Journal of Friday was read, corrected and approved.

Mr. DeLaVergne was called to the Chair,

Mr. Gibbs offered the following resolution:

Resolved, That at the commencement of a 2nd session of this House upon the same day the order of business shall be taken up at the point where it was left at the close of the first session.

Which resolution was adopted.

Mr. Lott gave notice, that on to-morrow or some future day of the session he would

ask leave to introduce a bill for an act to license and regulate Foreign Insurance Companies in this Territory.

Also, a bill for an act to incorporate the St. Paul Water Company.

Mr. DeLaVergne gave notice, that on to-morrow or some future day he would ask leave to introduce a bill granting to W. W. Smith the right to maintain and establish a ferry across the Minnesota river at Belle Plaine.

Also, an act to lay out and establish a Territorial road from Belle Plain to some point on the Big Sioux and Mendota road, and from Le Sueur city to some point on the Big Sioux and Mendota road. Also, from Minne Washta to some point on the Big Sioux and Mendota road.

Mr. Gibbs presented No. 49, (H. of R.) a bill granting to Alex. Bailey and others the right to establish and maintain a Ferry across the St. Croix and Mississippi Rivers.

Pending the reading, Mr. Gibbs moved that the Rules be suspended, that the bill may be read a first and second time by its title only, which was adopted, and the bill was read a first and second time by its title, and laid on the table to be printed.

Mr. Hubbell gave notice that on to-morrow, or some subsequent day of the session, he would ask leave to introduce an act to amend an act, approved March 2, 1855, providing for a Ferry over the main channel of the Mississippi River.

Mr. Hubbell gave notice that on to-morrow, or some subsequent day of the session, he would ask leave to introduce a bill providing for a Ferry over Lake Pepin, from Central Point in Goodhue county to some point near the mouth of Bogus Creek, Wis.,

Mr. Hubbell also gave notice that on to-morrow, or some subsequent day of this session, he will move to introduce a bill providing for a Ferry from West Point, in the town of Wentworth over Lake Pepin, to some point at or near the mouth of Pine Creek, Wis.

Mr. Hubbell also gave notice that on to-morrow, or some subsequent day of this session, he would ask leave to introduce a bill for a Territorial Road from Florence in Goodhue county, to Rochester, in Olmsted county.

Mr. Nobles gave notice, that on some future day of this session he would introduce a memorial to Congress for an appropriation to construct and maintain a Military Road from the Territory of Minnesota to California and Oregon; and also for the establishment of Military Posts along said route.

Mr. Nobles, on leave being granted, introduced No. 50, H. of R., a Bill to incorporate the St. Paul Gas Light Company.

Pending the reading of the Bill, Mr. Nobles moved that the rules be suspended so that the Bill may be read a first and second time by its title only: which was adopted and the Bill was read a first and second time by its title and laid on the table to be printed.

Mr. Dunbar, on leave granted, presented No. 51, H. of R., an Act granting to Simon Stevens the right to establish and maintain a ferry across the Mississippi river.

Pending the reading, Mr. Dunbar moved that the rules be suspended and the Bill be read by its title only; which was adopted, and the Bill read a first and second time by its title and laid on the table to be printed.

Mr. Kirkman moved that the House resolve itself into a committee of the whole for the purpose of taking into consideration Bills No. 10 and 36 H. of R.

Mr. Gere offered as an amendment to also take up Joint Resolution No. 2, H. of R., relative to the removal of the U. S. Land Office in the Root River Land District.

Which amendment was adopted, and the House resolved itself into a committee of the whole,

Mr. Taylor in the chair.

After some time passed therein, the committee rose, and by their Chairman reported back the Bill No. 10 and 36 H. of R., without amendments, and the Joint Resolution No. 2, H. of R. relative to the removal of the U. S. Land Office in the Brownsville Land District, with the following amendment, viz: Strike out the word Brownsville wherever it occurs before the word Land District.

The report of the committee was accepted, and the amendment agreed to; and Bill No. 10, H. of R., and Joint Resolution No. 2, H. of R. were ordered to be engrossed for a third reading.

Upon motion of Mr. Lott, Bill No 36, H. of R., was referred to the committee on Territorial Affairs.

Mr. Johnson moved that Bill No. 13, H. of R., be referred to the committee on County Boundaries, which was agreed to.

Mr. Johnson moved, that the House adjourn until 2 o'clock this afternoon.

Mr. Wilkinson offered as an amendment that the House adjourn until 7 o'clock, P. M. Which amendment was lost.

The question then recurring on the motion to adjourn until 2 o'clock, P. M.,

And the yeas and nays being called for and ordered, there were yeas 21, and nays 7, as follows:

Those who voted in the affirmative were

Messrs. Bradley, Cleaveland, Covell, De La Vergne, Farnham, Gere, Gibbs, Grant, Hartenbower, Hubbell, Ide, Johnson, Kirkman, Lott, Murphy, Nobles, Norris, Taylor, Thompson, Thorndike, and Van Vorhes—21.

Those who voted in the negative were

Messrs. Burdick, Dunbar, Haus, Mull, Knauff, Sturgis, and Wilkinson—7.

So the House adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment,

And was called to order by the Speaker.

The roll being called the following members answered to their names:

Bradley, Cleaveland, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Hartenbower, Hubbell, Hull, Ide, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Speaker.

Mr. Hull moved that the House resolve itself into a committee of the Whole for the purpose of taking into consideration House bill (No. 4 and 7, H. of R.) and, also, memorial (No. 1, H. of R.)

Which was adopted.

Mr. Nobles in the Chair.

After some time passed therein, the committee rose and by their Chairman reported back to the House bills (No. 4 and 7, H. of R.) without amendments, also, memorial (No. 1, H. of R.) without amendments.

Mr. Thompson moved that the report of the committee be accepted,

Which was agreed to.

Mr. Wilkinson moved that a memorial (No. 1, H. of R.) be referred to the committee on Territorial roads,

Which was lost.

Mr. Thompson moved that the memorial be engrossed for a third reading,

Which was carried.

Mr. Galbraith moved that bill No. 4 be engrossed for a third reading,

Which was adopted.

Mr. DeLaVergne moved that bill (No. 17, H. of R.) be engrossed for a third reading, Which motion was adopted.

Mr. Galbraith moved that, the House resolve itself into a committee for the purpose of taking into consideration bill (No. 29, H. of R.) a bill to authorize the Register of Deeds of Scott county to record a plat of Shakopee city and legalizing the same.

Mr. DeLaVergne moved that bills (No. 17, H. of R.) a bill to extend the corporate limits of the town of Henderson and (No. 18 H. of R.) an act to attach certain portions of Sibley county to LeSeur county, be also taken up.

The House resolved itself into committee of the Whole.

Mr. Johnson in the Chair.

After sometime spent therein the committee rose and by their Chairman reported back the bills to the House with amendments.

A message from the Council being announced Mr. Colville, Esq., Secretary, appeared and delivered the following message :

Mr. Speaker, the Council have passed a memorial (No. 2, C. F.) to Congress to make an appropriation to construct a military road from Winona to Fort Ridgely, in which the concurrence of the House is solicited.

The report of the committee of the Whole was accepted and the question then recurring on agreeing to the amendments as reported by said committee they were agreed to and the bill ordered to be engrossed for a third reading.

Mr. Norris presented the Report of the Surveyor General, of logs and lumber for the first district, and moved that it be read and printed in the Journal.

Which was agreed to, and the clerk read the following Report:

To the Honorable the Legislative Assembly of the Territory of Minnesota:

Agreeable to the requirements of law, the undersigned Surveyor General of logs and lumber, in and for the First District, M. T., would respectfully report to your Honorable Body: That the whole amount of logs surveyed and measured by himself and his deputies during the year ending December thirty-first, A. D. 1855, as per books of his office is twenty-two millions seven hundred and eighty-five thousand, nine hundred and seventy, (22, 785,970) feet board measure. That he has not been called upon to survey or measure any sawed lumber, during the term for which he reports.

All of which above report is respectfully submitted,

ROBERT HASTA, Surveyor General,

Per ROBERTSON.

Stillwater, Minnesota Territory,
January 1st, 1856.

Mr. Lott presented the following Report from the Territorial Librarian, and upon motion of Mr. Nobles, it was ordered to be inserted in the Journal:

TERRITORIAL LIBRARY,

St. Paul, Jan'y. 21st, 1856.

In compliance with the duty required of him by law, the Librarian would submit the following Report:

No additions have been made to the Library since last Report, except those usually received by way of exchange, and those will be found in the accompanying list.

Insurance has been effected on the Library to the amount of \$6000—four thousand in the St. Paul Mutual Insurance Company, and two thousand in the Aetna.

No fines have been assessed or collected during the past year.

The condition of the books in the Library is as good as could be expected, under the circumstances, as under the present law, almost every person is privileged to use them. And in this connection I would respectfully submit to the Legislature the propriety of making different regulations, in regard to the privileges of the Library. Under the existing law, Members and Officers of the Legislature have access, and may give orders to whom they please for books. Ex-members and ex-officers have equal privileges with the sitting members. This liberal provision of the law is abused; the books are let out to irresponsible persons; and the consequence is, many of them are lost, and many of them mutilated in such a manner as to be unfit to appear upon the shelves of the Library. And indeed many of the miscellaneous works, such as Waverley and Cooper's novels, and books of like character, seldom, if ever, grace the shelves of the Library, for the reason that orders for them are constantly on hand.

The attention of the Legislature has been directed, from year to year, by the former and present Executive, to the necessity of an annual appropriation to the Library. For the purpose of keeping up the Reports of the United States Supreme Court and State

Courts, I therefore trust there is no impropriety in the Librarian bringing this subject before the present Legislature, that they may take such action upon the matter as they may deem proper.

There are received, for the use of the Library, by the way of exchange each year, from some fourteen of the States and all the Territories except Washington, Reports of the Supreme Court, Laws, Public Docs., &c. The object of these exchanges is reciprocal. They expect in return the Laws, Docs., &c. of this Territory. And as there is no provision of law (that I am aware of) in this Territory, regulating such exchanges, I would suggest that the Legislature direct the Secretary of the Territory to provide the Librarian or some other person with a sufficient number of Supreme Court Reports, Revised Statutes, Session Laws, and Journals of the Assembly, so as to furnish a copy to each of the States and Territories, and request of them a like exchange.

ROBERT A. SMITH,
Territorial Librarian.

Books received at the Territorial Library since last report of Librarian, January 1856.

REPORTS.

New Hampshire Reports,	Vol. 4, 5, 6, 7.
Maine, "	" 36, 37,
Indiana, "	" 4,
California, "	" 1, 2,
Kentucky, "	" 13, 14,
Illinois, "	" 14, 15,
Alabama, "	" 23, 24, 25,
Digest N. Carolina, "	" 1,
Wisconsin, "	" 3, 4,
Tennessee, "	" 1,
Massachusetts, "	" 8,
Texas, "	" 12,
Virginia, "	" 11,
Ohio, "	" 2,
Digest Kentucky, "	" 1, 2.

LAWS, LOCAL AND GENERAL.

Revised Statutes of Ohio.
Statutes of Rhode Island, 1854.
Kentucky Code of Practice.
Laws of North Carolina, 1854 and '55.
Revised Statutes of Kentucky.
Laws of Kentucky, 1853 and '54—2 sets—2 vols. each.
" of Ohio, 1854.
New Hampshire Compiled Statutes.
Laws of Oregon, 1853.
Laws of Vermont, 1853—2 copies.
Constitution of Vermont, 1852—2 copies.
Laws of New Mexico, 1854.
Acts, Resolutions, &c. of Florida, 1854 and '55.
Private and Local Acts Wisconsin, 1854.
Statutes of Connecticut, 1854.
Laws of Pennsylvania, 1854.
Laws of Indiana, 1855—2 copies.
Public Laws of Rhode Island, from 1853 to 1855—2 copies.
Acts and Resolves of " " 1855.
Laws of Georgia, 1853 to 1854.
Acts and Resolves of Maine, 1855.
Laws of Pennsylvania, 1855.
Statutes of California, 1855—3 copies.

Acts and Resolves, Iowa, 1855—2 copies.
 Public Acts Connecticut, 1855.
 Laws of New Jersey, 1855.
 Statutes of Utah Territory, 1855.
 School Laws of Pennsylvania, 1854 and '55.

PUBLIC DOCS., JOURNALS, ETC.

1 House Journal, 1st Session 33d Congress—3 copies.
 Journal House of Representatives, Oregon, 1854.
 Documents 1853 and 1854, Kentucky.
 Senate Journal, Kentucky, 1853 and 1854.
 Annual Report of Kentucky.
 Journal of the House, Florida—3 sets.
 " " Senate, " "
 Oregon Archives, 1854.
 Journal of the Assembly, California, 1852—2 copies.
 Journal of the Senate and House, New Hampshire—2 copies.
 " " Council, New Mexico, 1854—2 copieⁿ
 Diario del Coureso del Territorio Nuevo Mexico—2 copies.
 Journal of the Senate of California, 1854—2 copies.
 Reports, Journals, &c., South Carolina, 1854—2 copies.
 House Journal, Kentucky, 1854.
 " " Vermont, 1853.
 Miscellaneous Documents, Pennsylvania, 1855.
 Senate Journal, Iowa, 1855.
 Journal of the House, Iowa, 1855.
 Senate Journal of Connecticut, 1855.
 House " " " "
 Maine Legislative Documents, 1855.
 Journal of the Council and House, Oregon.
 Executive Doc's. 1st Session 33d Congress.
 Senate, " " " "
 Journal, Senate, " " " "
 House Journal, " " " "
 Annals of Congress, 8 volumes.

} 48 Vols.—2 sets.

MISCELLANEOUS.

Documentary History of New York, Vols. 1, 2, 3, 4.
 United State Exploring Expedition, Vol. 16.
 Smithsonian Contributions to Knowledge, Vol. 6.

Mr. Galbraith moved that bill No. 34 H. of R., be referred to the committee on County Boundaries, which was carried, and the bill referred.

The House then resolved itself into Committee of the Whole, for the purpose of taking into consideration bills No. 42, H. of R., a bill to incorporate the Minnesota Salt Company.

Also, No. 32, H. of R., a bill to provide for laying out a Territorial Road from Cannon Falls to the Iowa line;

Also, bill No. 38, H. of R., a bill to amend an act, article 16, section 8, of the Revised Statutes. Mr. Gere in the Chair.

After some time spent therein, the committee rose, and by their Chairman reported back to the House the bills with amendments, which were concurred in, and bills No. 32, H. of R., and also bill No. 42, H. of R., were ordered to be engrossed for a third reading, and bill No. 38, H. of R., was referred to the Committee on Judiciary.

Mr. Galbraith offered the following resolution:

Resolved, That the ladies be, and are hereby admitted to seats on the floor of this House to-night.

And the yeas and nays being called for and ordered, there were yeas 21, and nays 1, as follows:

Those who voted in the affirmative were

Messrs. Bradley, Burdick, Cleaveland, Covell, De La Vergne, Galbraith, Gere, Hartenbower, Hull, Hunt, Ide, Jackman, Kirkman, Knauff, Murphy, Norris, Pierce, Van Vorhes, Wilkinson, Wilson, and Speaker—21.

Those who voted in the negative were

Mr. Grant—1.

So the resolution was adopted.

Mr. De La Vergne moved that the House adjourn until 7 o'clock this evening.

And the Yeas and Nays being called for and ordered, there were Yeas 24, and Nays—, as follows:

Those who voted in the affirmative were:

Messrs. Boutillier, Bradley, Burdick, Cleaveland, Covell, De La Vergne, Farnham, Galbraith, Gere, Grant, Hartenbower, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Pierce, Wilkinson, Wilson, and Speaker.

So the motion was carried.

And the House adjourned until 7 o'clock this evening.

EVENING SESSION.

The House met, pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Burdick, Cleaveland, Coville, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haas, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Mr. Hull in the chair.

Mr. Gere moved a call of the House, which was carried, and the Clerk called the roll and reported Messrs. Buck, Holland, Knauff and McLeod, as the absent members.

Mr. DeLaVergne moved that all further proceedings under the call of the House, be dispensed with.

Which motion was lost.

The Chair ordered the Sergeant-at-Arms to notify the absent members to appear in their seats.

Mr. DeLaVergne moved a call of the roll, and the Clerk reported Messrs. Buck and Knauff as the absent members.

Mr. Nobles moved to reconsider the vote by which all further proceedings under the call of the House, be dispensed with. Which motion was carried.

Mr. Nobles moved that all further proceedings under the call of the House be suspended, which motion was also carried.

The Sergeant-at-Arms appeared and reported that he had been unable to find Mr. Knauff, and that Mr. Buck was unwell and unable to attend, and Messrs. Holland and McLeod were in their seats.

Upon motion of Mr. Lott, the report of the Sergeant-at-Arms was accepted.

And upon motion of Mr. DeLaVergne, the special order of the day was taken up.

Mr. Wilkinson moved that the majority report of the committee be adopted.

Mr. Bradley called for the reading of the Reports, which were read.

Mr. Wilkinson withdrew his motion to adopt the report.

Mr. Holland offered the following Resolutions as a substitute for the majority Report:

Resolved, That the principles of the Kansas-Nebraska act, giving the people of these Territories the right to make their own laws and form their own domestic institutions, in their own way, and the repeal of the Missouri Compromise, to secure this right, was eminently just and Democratic, and in accordance with the long-cherished principle of the National Democracy, of "non-intervention" on the subject of Slavery.

Resolved, That the sentiments of the President of the United States, as enunciated in his late annual message, on the subject of slavery, and agitation of the subject, meets our cordial approval.

Resolved, That the sentiments uttered by Governor Gorman in his late annual message to this Legislature, on the subject of the Kansas-Nebraska act, and the repeal of the Missouri Compromise, meets with our cordial approval.

Mr. De Le Vergne moved the previous question,

And the Yeas and Nays being called for and ordered, there were Yeas 17, and Nays 19, as follows:

Those who voted in the affirmative were;

Messrs. Boutillier, Bradley, Burdick, Cleaveland, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Lott, McLeod, Sturgis, and Mr. Speaker—17.

Those who voted in the negative were:

Messrs. Covell, Galbraith, Gibbs, Holland, Hunt, Ide, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, and Wilson,

Which motion was lost.

Mr. Wilkinson moved that the whole matter under debate be indefinitely postponed.

After some time spent in debate, Mr. Wilkinson moved the previous question.

And the yeas and nays being called for and ordered, there were yeas 14, and nays 20, as follows:

Those who voted in the affirmative were:

Burdick, Coville, Dunbar, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Nobles, Sturgis, Wilkinson, Wilson, and Speaker—14.

Those who voted in the negative were:

Bradley, Cleaveland, DeLaVergne, Farnham, Galbraith, Gibbs, Holland, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes—20.

So the motion was lost.

Mr. Wilson moved that the Report of Mr. Holland be postponed to 4th of July next.

And the Yeas and Nays being called for and ordered, there were Yeas 12, and Nays 22, as follows:

Those who voted in the affirmative were:

Burdick, Coville, Dunbar, Gere, Grant, Hartenbower, Haus, Hubbell, Nobles, Wilkinson, Wilson, and Mr. Speaker—12.

Those who voted in the negative were:

Bradley, Cleaveland, DeLaVergne, Farnham, Galbraith, Gibbs, Holland, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, and Van Vorhes—22.

Which motion was also lost.

Mr. Dunbar moved that the House do now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 10, and Nays 24, as follows:

Those who voted in the affirmative were:

Messrs. Burdick, Coville, Dunbar, Farnham, Gere, Grant, Hubbell, Hull, Wilson, and Mr. Speaker—10.

Those who voted in the negative were:

Messrs. Bradley, Cleaveland, De La Vergne, Galbraith, Gibbs, Hartenbower, Holland, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, and Wilkinson—24.

So the motion was lost.

Mr. Norris moved the previous question upon the adoption of the substitute offered by Mr. Holland.

And the Yeas and Nays being called for and ordered there were Yeas 28, and Nays, 11, as follows:

Those who voted in the affirmative were:

Messrs. Bradley, Cleveland, Coville, De La Vergne, Dunbar, Farnham, Galbraith, Gibbs, Hartenbower, Holland, Ide, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, and Van Vorhes—28.

Those who voted in the negative were:

Messrs. Burdick, Gere, Grant, Haus, Hunt, Lott, Wilkinson, Wilson, and Mr. Speaker—11.

So the motion was carried.

The question then recurring on the adoption of the substitute,

Mr. Wilson moved a call of the House, which the Chair decided in order.

Mr. Holland appealed from the decision of the Chair.

And the Yeas and Nays being called for and ordered, there were yeas 16, and nays 17, as follows:

Those who voted in the affirmative were

Messrs. Burdick, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Lott, Sturgis, Taylor, Wilkinson, Wilson, and Mr. Speaker—16.

Those who voted in the negative were

Messrs. Bradley, Cleveland, Coville, Galbraith, Gibbs, Holland, Ide, Jackman, Johnson, Kirkman, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, and Van Vorhes—17.

So the decision of the Chair was not sustained.

The question then recurring on the adoption of the substitute,

And the Yeas and Nays being called for and ordered, there were Yeas 8, and Nays 26, as follows:

Those who voted in the affirmative were:

Messrs. Bradley, Cleveland, Holland, Johnson, Murphy, Norris, Sturgis, and Wilson,—8.

Those who voted in the negative were:

Messrs. Burdick, Coville, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Lott, Nobles, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker—26.

So the substitute was lost.

Mr. Van Vorhes offered, as a substitute for the majority report, the following resolution:

Resolved by the Legislative Assembly of the Territory of Minnesota:

1st. That the repeal of the act of Congress of 1820, commonly called the "Missouri Compromise," by which act Slavery was prohibited in the Territory of Minnesota, lying west of the Mississippi River, and which repeal threw open all that portion of our Territory to be settled and occupied as Slave Territory, was, on the part of the act of Congress, an act of flagrant injustice—a violation of a long standing compromise between the people of the different States—a repudiation of the principles of the Ordinance of 1787, and an attempt on the part of the Government, to aid in the extension of Slavery over Territory which had previously been consecrated to freedom.

2d. That the attempt to extend human Slavery under whatever pretext or form, ought to be met and resisted by all lawful and constitutional means.

3d. That the recent attempt which has been made by a large number of the people of the State of Missouri, to force Slavery upon the people of Kansas even against their will,—the ruthless murders of free State men which have been there committed—the open violation of the rights of the elective franchise—the importation of votes from the State of Missouri to control the elections—the removal of the honest and incorruptible Reeder from the office of Governor of Kansas—the refusal of the President of the United States to protect the people of Kansas in their just rights—the wanton, cruel and oppressive acts of pretended legislation, which were passed by their late illegal Legislative Assembly, all show that the Kansas-Nebraska act was only intended to perpetuate that

unnatural and cruel system of human bondage which exists in some of the States, and for no other purpose.

4th. That Congress does not possess the right to interfere with the institution of Slavery in the States where the same has been permitted by the Compromises of the Constitution. But, that in all the Territories of the United States, Congress does possess the right, and that it is wise and proper so to exercise the right, that Slavery shall not exist in any of the Territories of this Union.

Mr. Lott moved that the resolution be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 16, as follows:

Those who voted in the affirmative were

Messrs. Burdick, Covell, Dunbar, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hunt, Lott, Murphy, Norris, Sturgis, Taylor, Wilkinson, Wilson, and Mr. Speaker—18.

Those who voted in the negative were

Messrs. Bradley, Cleveland, De La Vergne, Farnham, Galbraith, Gibbs, Hull, Ide, Jackman, Johnson, Kirkman, Nobles, Pierce, Thompson, Thorndike, and Van Vorhes—16.

So the motion was carried.

Mr. Thompson moved to adjourn, which was lost.

Mr. Wilson moved a call of the roll and the Clerk reported Messrs. Boutillier, Buck, Dunbar, Knauff and McLeod absent.

Mr. DeLaVergne moved to adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 14, and Nays 20, as follows:

Those who voted in the affirmative were:

Messrs. Cleveland, Covell, DeLaVergne, Gere, Grant, Hartenbower, Haus, Holland, Hull, Jackman, Johnson, Kirkman, Murphy, Wilson—14.

Those who voted in the negative were:

Messrs. Bradley, Burdick, Dunbar, Farnham, Galbraith, Gibbs, Hubbell, Hunt, Ide, Lott, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, and Speaker—20.

Which motion was lost.

Mr. Lott moved the previous question upon the adoption of the majority report.

Mr. Wilson moved a call of the House—the roll being called the Clerk reported Mr. Buck, Knauff and McLeod absent.

Mr. Burdick moved that all further proceedings under the call of the House be dispensed with.

Which was carried.

Mr. Wilson moved to adjourn,

Which was lost.

The question then recurring upon the previous question upon the adoption of the majority report.

And the Yeas and Nays being called for and ordered, there were Yeas 16, and Nays 18, as follows.

Those who voted in the affirmative were:

Messrs. Burdick, Dunbar, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Johnson, Lott, Murphy, Sturgis, Wilkinson, and Speaker.

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Cleveland, Covell, Farnham, Galbraith, Gibbs, Ide, Jackman, Kirkman, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilson—18.

So the question was lost.

Mr. Galbraith offered the following resolution:

Resolved, That the report of the majority of the committee to which was referred that

part of the Governor's Message relating to Kansas and Nebraska be expunged from the Journal.

Mr. Holland moved to lay the resolution on the table.

And the Yeas and Nays being called for and ordered, there were Yeas 21, and Nays 13, as follows :

Those who voted in the affirmative were :

Messrs. Bradley, Covel, DeLaVergne, Galbraith, Gibbs, Grant, Holland, Hull, Hunt, Ide, Jackman, Kirkman, Lott, Murphy, Nobles, Pierce, Sturgis, Taylor, Van Vorhes, Wilkinson, Wilson—21.

Those who voted in the negative were :

Messrs. Boutillier, Cleaveland, Dunbar, Farnham, Gere, Hartenbower, Hans, Hubbell, Johnson, Norris, Thompson, Thorndike and Speaker—13.

So the resolution was laid on the table.

Mr. Holland moved that the House do now adjourn.

Which was carried and the House adjourned until to-morrow at 10 o'clock, A. M.

Attest,

CHARLES GARDINER,
Speaker.

H. L. EDWARDS,
Chief Clerk.

TUESDAY, JANUARY 22, 1856.

The House met pursuant to adjournment.

And was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Bradley, Burdick, Cleaveland, DeLaVergne, Galbraith, Grant, Hartenbower, Hans, Holland, Hubbell, Hull, Hunt, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Van Vorhes, Wilson, and Mr. Speaker.

Prayer by the chaplain.

The Journal of yesterday was read, corrected and approved.

Pending the reading of the Journal, Mr. Lott moved that the reading of that portion of the Librarian's report giving a list of the Books received, be dispensed with.

Which motion was carried.

Letters, petitions, memorials being in order, Mr. Holland presented a petition to incorporate the village of Greenwood, and moved that it be referred to the Hennepin County Delegation.

Which was agreed to and the petition was referred.

Mr. Pierce presented a memorial (No. 7, H. of R.,) to Congress, for an appropriation for certain improvements in this Territory.

Which was read and referred to the Committee on Territorial Affairs.

Mr. Hunt presented a petition for a Territorial Road from Greenwood to Shakopee.

Which was read and referred to the Hennepin County Delegation.

Mr. Hunt presented memorial (No. 8, H. of R.,) a mail route from St. Paul to West Union.

Read the first and second time, and laid on the table to be printed.

Mr. Galbraith presented memorial (No. 7, H. of R.,) to Congress to establish a mail route from the town of Hamilton to Shakopee.

Which upon motion of Mr. Galbraith was read a first and second time by its title and laid on the table to be printed.

Mr. Lott presented a petition of Wm. Dahl, and 97 others, asking for an act granting to Elijah A. Bissell the right to establish and maintain an Oranibus Line in the City of St. Paul.

Upon motion the reading of the petition was dispensed with, and it was referred to Mr. Lott.

Mr. Burdick offered the following Resolution:

Resolved, That a Committee of two be appointed by the Chair, to confer with a similar Committee to be appointed by the Council, to investigate the facts in the case relating to the affray that occurred in the Capitol, last evening, and report the result to this House.

And the Yeas and Nays being called for and ordered, there were Yeas 14, and Nays 18, as follows:

Those who voted in the affirmative were:

Messrs. Burdick, Covell, Dunbar, Gibbs, Grant, Hartenbower, Hohand, Hubbell, Hull, Hunt, Murphy, Sturgis, Wilkinson, and Mr. Speaker—14.

Those who voted in the negative were:

Messrs. Bradley, Buck, Cleaveland, De La Vergne, Farnham, Galbraith, Gere, Hans Ide, Jackman, Kirkman, Knauff, Nobles, Norris, Pierce, Thorndike, Van Varhes, and Wilson—18.

So the resolution was not adopted.

Mr. Nobles offered the following Resolution:

Resolved, That the Sergeant-at-Arms, be directed to procure drinking water for the use of the members of this House, and if the Secretary of the Territory refuses to pay for it, that the Sergeant-at-Arms is authorized to collect the same from the members of the House.

Which resolution was adopted.

Mr. Norris offered the following Resolution:

WHEREAS, the conduct of the Sergeant-at-Arms of the Council has been uncourteous to certain members and officers of this House,

Therefore, *Resolved*, that the Council be requested to cause an investigation into the conduct of said officer and take such action in the matter as may seem proper.

Which resolution was adopted.

Mr. De La Vergne gave notice that on to-morrow or some future day, he will ask leave to introduce a bill to prohibit the introduction of Slavery into any part of this Territory.

Mr. Murphy, on leave granted, presented (No. 52, H. of R.) a bill entitled an act to amend the Revised Statutes.

Read the first and second time and laid on the table to be printed.

Pending the reading Mr. Murphy moved to suspend the rules so that the bill be read a first and second time by its title.

Which was agreed to.

Mr. Wilson gave notice that on to-morrow or some future day of the session he would beg leave to introduce a bill for an act to incorporate the Western University of Minnesota.

Mr. Farnham gave notice that on to-morrow or some future day of this session he would introduce a bill to incorporate the St. Anthony Falls Water Power Company.

Mr. Farnham gave notice that on to-morrow or some future day of this session he would introduce a memorial to Congress for an appropriation for the improvement of the Mississippi river between St. Anthony Falls and Sauk Rapids.

Mr. Sturgis gave notice that he should on some future day during the present session ask leave to introduce a bill granting B. P. Stone the right to keep and maintain a ferry across the Mississippi river.

Also, a bill to incorporate Little Falls Manufacturing Company.

Mr. Lott presented bill (No. 53, H. of R.) for an act to incorporate the St. Paul Water Company.

Also, bill (No. 54, H. of R.) for an act to license and regulate Foreign Insurance Companies, and upon motion, the bills were read a first and second time by their titles and laid on the table to be printed.

On leave granted, Mr. Hubbell presented bill (No. 55, H. of R.) to amend an act entitled a bill granting to William W. Sweeny and others the right to establish and maintain a ferry across the main channel of the Mississippi river.

Upon motion the bill was read a first and second time by its title, and laid on the table to be printed.

Mr. Haus gave notice that on to-morrow or some future day of the session he would introduce a bill to appoint Commissioners to locate a Territorial road from Shakopee, Scott county, to Haytown, from thence to intersect the Dodd road.

Mr. Hunt gave notice that on to-morrow or some future day of this session he would ask leave to introduce a bill establishing a Territorial road from Greenwood, Hennepin county, to Monticello, Wright county.

Mr. Hull gave notice that on to-morrow, or some future day of this session, he will introduce a memorial praying Congress for an appropriation of twenty thousand dollars to build a Territorial Road on the survey already made and recorded, commencing at Elliot on the territorial line, and from thence to St. Paul, by the way of Carimona, Fillmore, Pleasant Grove, Rochester, and from thence to St. Paul.

Mr. DeLa Vergne presented a bill, (No. 56, H. of R.) an act to provide for laying out a certain Territorial Road in Minnesota Territory.

Also, bill (No. 57, H. of R.) an act granting to William W. Smith the right to establish and maintain a ferry across the Minnesota River.

On motion, the bills were read a first and second times by their titles only, and laid on the table to be printed.

Mr. Ide gave notice that on to-morrow, or some subsequent day of this session, he would ask leave to introduce a bill to appoint Commissioners to mark and lay out a Territorial Road from Red Wing, on the south side of Prairie Creek, and crossing the proposed road from Wabashaw to Farribault, near the south-east corner of township one hundred and ten, range twenty, and thence to Owatonia, Steele county.

Also, gave notice that on to-morrow, or some subsequent day of this session, he would introduce a bill to appoint Commissioners to mark and lay out a Territorial Road from Owatonia, Steele county, by Northfield to St. Paul.

Mr. Kirkman gave notice that on to-morrow, or some subsequent day of this session, he would introduce a bill to change the name of Alexander Paul to Francis H. Milligan.

Mr. Wilson presented bill (No. 58, H. of R.) for an act to provide for laying out certain Territorial Roads in Minnesota Territory, which was read first and second times, and laid on the table to be printed.

Mr. Galbraith moved that the House take a recess until three o'clock this afternoon, which motion was adopted, and the House took a recess until three o'clock, P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Resolutions, and notices of leave to introduce bills, being in order.

Mr. Gere gave notice that on to-morrow or some future day of the session he would ask leave to introduce a bill to incorporate the Chatfield Academy at Chatfield.

Reports from standing committees being in order Mr. Nobles, from the Committee on Engrossed bills, made the following report:

The Committee on Engrossed bills have examined and found correctly engrossed the following bills, memorials and Joint Resolutions:

No. 2, H. of R. a bill granting A. C. and G. W. Riggs the right to establish and maintain a ferry across the Mississippi river.

No. 8, H. of R. a bill granting to Mathew Ewing the right to maintain and establish a ferry across the Mississippi river.

No. 1, H. of R. memorial for \$15,000 for the construction of a road across the Mississippi Bottoms on the Wisconsin side opposite the town of Brownsville, in the county of Houston, M. T.

No. 42, H. of R. a bill for an act to incorporate the Minnesota Salt Company.

No. 1, H. of R. Joint Resolution, concerning the furnishing of information relative to the early history of Minnesota.

No. 2, H. of R., Joint Resolution relative to the U. S. Land office in the Brownsville Land District.

No. 10, H. of R. to provide for laying out a Territorial road from Wabashaw to Austin, Mower county.

No. 4, H. of R., a bill to incorporate the Minnesota Life, Fire and Marine Insurance Company.

No. 8, H. of R. a bill for laying out a Territorial road from Wabashaw by Ides' Settlement to Fribault, and from thence West to intersect the Dodd road running to St. Peters.

No. 7, H. of R. a bill to locate a Territorial road from Brownsville, in the county of Houston to the town of Mankato in Blue Earth county.

No. 24, H. of R. an act granting to Sam'l. Allen the right to establish and maintain a ferry across the Minnesota river at the town of Chaska in the county of Carver.

No. 18, H. of R. an act to attach a certain portion of Sibley county to Le Sueur county.

No. 29, H. of R., a bill authorizing the Register of Deeds, of Scott county, to record a plat of Shakopee, and legalize the same.

No. 9, H. of R., a bill granting to R. M. and J. R. Richardson, the right to maintain and establish a ferry across the Sank River, at Richmond, Stearns county, Minnesota.

No. 17, H. of R., a bill to extend the corporate limits of the town of Henderson.

WM. H. NOBLES,

A. F. DE LA VERGNE,

CHAS. GRANT,

} Committee.

Mr. Wilson, from the committee on Territorial Affairs, to which was referred memorial No. 7, reported it back to the House without amendments, and it was read the first and second time, and laid on the table to be printed.

Also, reported back bill (No. 36, H. of R.) to locate the county seat of Wabasha, and recommend its passage.

Mr. Galbraith moved that the rules be suspended, so that bill No. 29, H. of R. be read a third time, which was agreed to, and the bill was taken up and read the third time and passed.

The question then recurring on the title of the bill, it was agreed to.

Mr. Van Vorhes, from the select committee, reported bill (No. 59, H. of R.,) authorizing William and Albert Lowell to establish a ferry across the St. Croix river.

Upon motion, it was read the first and second time and laid on the table to be printed.

Messages from the Council being in order, memorial No. 2, C. F., was taken up, and upon motion was read the first and second time by its title.

Mr. Lott, on leave granted, offered the following Resolution:

Resolved, (the Council concurring) That the Chief Clerk of the House, and the Secretary of the Council, be and they are hereby required to transmit their messages to and from the Council and House, in writing.

Which resolution was adopted.

Upon motion, the House then resolved itself into committee of the whole for the purpose of taking into consideration (No. 28, H. of R.,) a bill to authorize G. A. Bellecour to construct and maintain a dam across the Pembina river.

Also (Bill No. 38, H. of R.,) an act to continue in force "an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota, and amendatory thereto.

Also, (bill No. 37, H. of R.,) to amend an act to provide for the laying out of a Territorial road from St. Paul to Big Wood and Traverse des Sioux, on the east side of the Minnesota river. Approved February 23d, 1854.

Mr. De La Vergne in the chair.

After some time passed therein, the Committee rose, and by their Chairman reported back the bills to the House, with amendments.

The report of the committee was accepted.

The question then recurring on the agreeing to the amendments, they were agreed to, and bills No. 28 and 37, (H. of R.) were ordered to be engrossed for a third reading.

And bill No. 38 (H. of R.) was ordered to be made the special order for Monday afternoon next.

Mr. Wilson, on leave granted, presented (bill No. 60, H. of R.,) an act defining the boundaries of certain counties.

It was read the first and second time by its title, and laid on the table to be printed.

Upon motion of Mr. Galbraith, bills for a third reading were ordered to be taken up and acted upon.

Bill (No. 2, H. of R.) granting to A. C. Riggs, and G. W. Riggs the right to establish and maintain a ferry across the Mississippi River was then taken up, read the third time and passed.

The question then recurring on agreeing to the title, it was agreed to.

Bill (No. 6, H. of R.) an act granting to Matthew Ewing the right to maintain and establish a ferry across the Mississippi River was taken up, read the third time and passed.

The question then recurring on agreeing to the title of the bill, it was agreed to.

Bill (No. 1 H. of R.,) a memorial to Congress for \$15,000 for the construction of a Road across the Mississippi Bottom on the Wisconsin side opposite the town of Brownsville, in the County of Houston, M. T.

Was taken up and read the third time.

The question then recurring upon its passage,

And the Yeas and Nays being called and ordered, there were Yeas 29, and Nays 3, as follows:

Those who voted in the affirmative were:

Messrs. Boutillier, Bradley, Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Gibbs, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Wilson, and Speaker—29.

Those who voted in the negative were:

Messrs. Johnson, Lott, and Wilkinson.

So the bill was passed.

The question then recurring on agreeing to the title of the memorial,

It was agreed to.

Mr. De la Vergne moved, that the House now adjourn.

And the Yeas and Nays being called and ordered, there were Yeas 25, and Nays 4, as follows:

Those who voted in the affirmative were:

Messrs. Boutillier, Bradley, Burdick, Cleaveland, Covell, De la Vergne, Dundar, Gere, Gibbs, Hartenbower, Haus, Hubbell, Hull, Jackman, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Thompson, Van Vorhes, Wilkinson, and Speaker—25.

Those who voted in the negative were:

Messrs. Galbraith, Hunt, Johnson, and Wilson—4.

So the motion was carried.

And the House adjourned until to-morrow at ten o'clock A. M.

CHARLES GARDNER

Speaker.

Attest:

H. L. EDWARDS, Chief Clerk.

WEDNESDAY, JANUARY 23, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The Roll being called, the following members answered to their names:

Messrs. Boutillier, Buck, Burdick, Cleaveland, Coville, De La Vergne, Dunbar, Galbraith, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Jackson, Kirkman, Knauff, Lott, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and approved.

Mr. Farnham, on leave granted, presented memorial No. 10 H. of R., to Congress for an appropriation for the improvement of the Mississippi river between St. Anthony Falls and Sauk Rapids. Upon motion, it was read 1st and 2d time by its title and laid on the table to be printed.

Mr. Gere presented Memorial No. 11 H. of R. for certain Mail Routes. Upon motion, it was also read the 1st and 2d time by its title, and laid on the table to be printed.

Mr. Galbraith gave notice that on to-morrow or some future day, he should ask leave to introduce a bill granting to Henry H. Spencer the right to establish and maintain a ferry across the Minnesota river, at the town of Louisville, in Scott county. Also, a bill granting to Christopher Helhouse the right to establish and maintain a ferry across the Crow river at the town of Greenwood.

Mr. Boutillier gave notice, that to-morrow or some future day he would ask leave to introduce a bill praying this body that the Regents of the University of Minnesota be empowered to mortgage lands belonging to said University, to commence the erection of said College.

Also, a bill demanding the establishment of Territorial road from Minneapolis to Madison Lake, and from thence to Crow river. Also, a bill to incorporate the Damming and Locking Mississippi Company, between St. Anthony and Fort Snelling.

Mr. Lott gave notice, that on to-morrow or some future day of the session, he would ask leave to introduce a bill for an act to incorporate "The Minnesota Saving Institute."

Mr. Wilkinson gave notice, that on to-morrow or some future day of the session he would introduce a bill for an act to incorporate a Saving Institution in the city of St. Paul, to be called the North Western Saving Institution.

Mr. Hartenbower gave notice that on to-morrow or some subsequent day he would ask leave to introduce a bill for a Territorial road commencing at the Mississippi river opposite Prairie La Cross running west on the divide between Root river and Whitewater, by the way of Marian, Rochester, Mantorville, and from thence to Mankato.

Mr. Johnson gave notice, that on to-morrow or at a future day, of the present session, he would ask leave to introduce a bill to incorporate a Library Association at Mankato.

Mr. Hubbell gave notice, that on to-morrow or some future day of this session he would introduce a bill to establish a Territorial road from Mantorville in Le Sueur county by way of Milton and Luthiff, Steele county, to the Iowa line at or near the Shell Rock River.

Mr. Holland moved that it be ordered, that the Chief Clerk be instructed to request His Excellency, the Governor, to furnish this House with copies of the Reports of the Territorial Emigration Agent, now on file in the Executive Department; which was accepted.

A message from the Council being announced, Wm. Colville, Esq., Secretary thereof, appeared and delivered the following message:

Mr. SPEAKER: The House has passed the following Memorials:

No. 4 C. F., A memorial to Congress for an appropriation of \$20,000 for the construction of bridges and culverts on the Territorial Road from St. Paul to Eliota by way of Cannon Falls, Rochester and Carimona.

No. 6 C. F., a memorial to Congress for an appropriation for the construction of a road from the Mississippi to Fort Ridgley.

No. 7 C. F., a memorial to the Post Master General for a tri-weekly mail between Hastings and Traverses des Sioux.

No. 8 C. F., a Memorial to Congress relating to granting the right of citizenship to certain Indians.

Also, the following Bills:

No. 7 C. F., a bill to legalize acknowledgments of Conveyances heretofore taken before either the Supreme or District Court, Clerks and Judges of Probate of this Territory.

No. 8 C. F., a bill for an act to authorize School District No. 5, in the city of St. Anthony, Ramsey county, to levy a tax and obtain money for the purchase of ground and the erection of buildings for school purposes.

No. 10 C. F., a bill to provide for laying out certain Territorial roads.

No. 16 C. F., an act to establish and define the boundaries of Meeker county.

In all of which the concurrence of the House is respectfully requested.

Mr. Sturgis offered the following resolution:

Resolved that the Speaker decide all rules in reference to the government of this house, without debate.

Which resolution was adopted.

Mr. Van Vorhes gave notice that he would on to-morrow or some subsequent day, move to rescind the thirty-eighth rule of the House.

Mr. Hartenbower gave notice that he would introduce a bill on to-morrow or some subsequent day, for an act to establish county Courts.

Mr. Ide presented Bill No. 61 H. of R., to provide for laying out a Territorial road from Owatona to St. Paul.

Which was read the first and second time, and laid on the table to be printed.

Also Bill No. 62 H. of R., to provide for laying out a Territorial road from Red Wing to Owatona.

Upon motion it was read a first and second times, and laid on the table to be printed.

Mr. Boatillier presented Bill No. 63 H. of R., an act to promote medical Science.

Upon motion it was read a 1st and 2nd times by its title, and laid on the table to be printed.

Mr. Lott presented Bill No. 64 H. of R., for an act granting to Elijah A. Bissell the right to establish and maintain an Omnibus Line in the city of St Paul.

Upon motion it was read a first and second times and laid on the table to be printed.

Mr. Nobles presented Bill No. 65, H. of R., Charter Fort Snelling Bridge Company.

Upon motion it was read a first and second times, and laid on the table to be printed.

Mr. De La Vergne presented Bill No. 66, H. of R., to prohibit the introduction of slavery in this Territory.

Upon motion it was read a first and second times by its title, and laid on the table to be printed.

Mr. Thompson presented Bill No. 67 H. of R., to amend an act to incorporate the Root River Valley and Southern Minnesota Rail Road Company.

Upon motion it was read the first and second times by its title and laid on the table to be printed.

Mr. Bradley gave notice that on tomorrow or some future day he would introduce a Bill for laying out a territorial road from Monticello to Fort Ridgley, with a branch to St Peter.

Also, that he would on to-morrow or some future day introduce a Bill granting to Martin Fox the right to establish a ferry across the Mississippi river at or near Monticello.

Mr. Wilson presented Bill No. 68 H. of R., for an act to define the boundaries of certain counties.

Also, Bill No. 69 H. of R., for an act granting the right to establish and maintain a ferry across the Mississippi river at or near the mouth of Sauk River.

Upon motion they were read the 1st and 2nd times and laid on the table to be printed.

Reports from committees being in order,

Mr. Wilkinson from the committee on Incorporations, to whom was referred Bill No. 26, H. of R., a bill to incorporate the Watab Bridge Company, reported back the same with amendments.

Mr Burdick moved that the report be accepted.

And upon motion it was read a 1st and 2nd times by its title.

Mr. Wilson, on leave granted, gave notice that on to-morrow or some future day of the session, he would ask leave to introduce a memorial to Congress asking an extension of time for the regular session of this Legislature, or the right to hold an extra session of the same.

Mr. Wilson gave notice that on to-morrow, or some future day of the session, he would beg leave to introduce a bill for an act for the relief of certain persons having claims against the Territory of Minnesota for services in the year 1855.

Upon motion, joint resolution, (No. 1, H. of R.) concerning the furnishing of information relative to the early history of Minnesota, was taken up, read a third time and passed, and the title was agreed to.

Also, joint resolution (No. 2, H. of R.) relative to the U. S. Land Office in the Root River Land District, was read the third time and passed.

The question then recurring on agreeing to its title, it was agreed to.

Also, bill (No. 4, of H. of R.) to incorporate the Minnesota Life, Fire, and Marine Insurance Company, was taken up and read the third time and passed.

The question then recurring on agreeing to its title, it was agreed to.

Bill (No. 8, H. of R.) to provide for laying out a Territorial Road from Wabashaw by Ide's settlement to Farribault, and from thence west to intersect the Dodd Road running to St. Peter, was taken up and passed, and the title agreed to.

Bill (No. 8, H. of R.) to provide for laying out a Territorial Road from Wabashaw to Austin, Mower county, was taken up, read the third time and passed, and the title agreed to.

Bill (No. 19, H. of R.) granting R. M. & J. P. Richardson the right to maintain and establish a ferry across the Sank River at Richmond, Stearns county, was taken up, read the third time and passed, and the title agreed to.

Bill (No. 17, H. of R.) to extend the corporate limits of the town of Henderson, was taken up, read the third time and passed. No objection being made, the title was agreed to.

Bill (No. 18, H. of R.) an act to attach a certain portion of Sibley county to Le Sueur county, was taken up, read the third time and passed, and title agreed to.

Bill (No. 14, H. of R.) an act granting to Samuel Allen the right to maintain and establish a ferry across the Minnesota river, at the town of Chaska, was taken up, read the third time and passed, and its title agreed to.

A message from the Council being announced Wm. Colville, jr. Esq., Secretary thereof appeared and delivered the following message :

Mr. Speaker, the Council have passed the following bills :

No. 15, C. F. a bill to provide for laying out certain Territorial roads.

Also, No. 9, C. F. the following memorial, a memorial to Congress to amend that part of the trade and intercourse laws that relates to the payment of damages for depredations committed by the Indians upon the property of the Whites.

In which the concurrence of the House is respectively requested.

Bill (No. 42, H. of R.) to incorporate the Minnesota Salt Company was taken up and read the third time and passed, and the title agreed to.

Bill No. 7 H. of R. to locate a Territorial Road in the county of Houston to the town of Mankato in Blue Earth County was taken up, read the 3d time and passed, and the title agreed to.

Mr. Kirkman move that (No. 36, H. of R.) as reported back to the house by the committee on Territorial Affairs be now ordered to be engrossed for a third reading.

The motion was agreed to and the Bill ordered to be engrossed.

Upon motion of Mr. Burdick the House resolved itself into a committee of the whole for the purpose of taking into consideration Memorial (No. 2, H. of R.) to Congress for an appropriation of \$15,000 for the construction of the Mendota and Wabashaw Road.

Also memorial (No. 3, H. of R.) of the Legislative Assembly of Minnesota Territory, to the Congress of the United States praying for the passage of a Homestead Law.

Also memorial No. 4 (H. of R.) to Congress for the establishment of a Mail route from Wabashaw by the way of Greenwood, Rochester and High Forrest to Austin.

Mr. Galbraith in the Chair.

After some time passed therein, the Committee rose and by their chairman reported back the memorials to the House with sundry amendments.

The reports of the Committee was accepted.

The question then recurring on agreeing to the amendments, they were agreed to.

Memorials No. 2, 3, and 4, (H. of R.) were ordered to be engrossed for a third reading.

Mr. Wilkinson moved that the House now adjourn.

And the Yeas and Nays being called for and ordered. there were Yeas 6, and Nays 21, as follows:

Those who voted in the affirmative were

Messrs. Buck, Gere, Hartenbower, Hull, Knauff, Wilkinson.

Those who voted in the negative were.

Messrs. Bradley, Burdick, Covell, De La Vergne, Farnham, Galbraith, Gibbs, Hubbell Hunt, Ide, Jackman, Kirkman, Lott, Murphy, Nobles, Pierce, Taylor, Thorndike, Van Vorhes, Wilson, Speaker.

So the motion did not prevail.

Mr. Nobles moved that the House take a recess until half-past 2 o'clock this afternoon.

Mr. Wilkinson moved to amend by taking a recess until nine o'clock to-morrow morning.

Which amendment was lost.

The question then recurred on taking a recess until half-past two o'clock, this afternoon.

Which was carried.

So the House took a recess until half-past two o'clock, P. M.

AFTERNOON SESSION.

House met and was called to order by the Speaker.

Mr. Wilkinson moved a call of the House.

The Clerk called the roll and reported Messrs. Bontilier, Buck, Gibbs, Hans, Holland, Hunt, Kirkman, Lott, McLeod, Nobles and Norris absent.

Mr. De LaVergne moved that all further proceedings under the call of the roll be dispensed with.

Which motion was adopted.

The House then resolved itself into a committee of the whole, with Mr. Hartenbower in the chair, for the purpose of taking into consideration memorial No. 6 H. of R., to Congress for a grant of land for the benefit of a Territorial Lunatic, a Territorial Blind and a Territorial Deaf and Dumb Institution.

Also, a memorial, No. 5, H. of R., to Congress for an appropriation for the construction of a road and mail from Lake Superior to Little Falls.

Also, a memorial, No. 7, H. of R., to Congress, for an appropriation for certain improvements in this Territory.

After some time spent therein, the committee rose and by their Chairmn reported back the memorial with amendments. The report was accepted.

Upon motion of Mr. Buck, the amendments as reported by the committee were concurred in, and memorial (No. 5, H. of R.) was ordered to be engrossed for a third reading. Also, memorial (No. 7, H. of R.) was ordered to be engrossed for a third reading.

Upon motion of Mr. Wilkinson, memorial (No. 6, H. of R.) was referred to the committee on Science and Literature.

Upon motion of Mr. Hunt the House resolved itself into a committee of the Whole for the purpose of taking into consideration memorial (No. 9, H. of R.) a memorial to Congress, to establish a mail route from Hamilton to Shakopee.

Also, memorial (No. 8, H. of R.) to Congress for a mail route from St Paul to West Union, Mr. Van Vorhes in the Chair.

After some time passed therein the committee rose and by their Chairman reported back the memorials with amendments.

Mr. Pierce moved that the report be accepted.

Upon motion of Mr. DeLaVergne the amendments to memorial (No. 8, H. of R.) was concurred in, and was ordered to be engrossed for a third reading.

Also, memorial (No. 9, H. of R.) was ordered to be engrossed for a third reading.

Mr. De LaVergne moved that the House now adjourn, which motion was carried.

So the House adjourned until to-morrow at 10 o'clock, A. M.

CHARLES GARDINER,
Speaker.

Attest: H. L. EDWARDS,
Chief Clerk.

THURSDAY, JANUARY 24, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Covell, DeLaVergne, Dunbar, Farnham, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, and Speaker.

Mr. Lott moved that the reading of the Journal be dispensed with, which motion was adopted.

The Speaker laid before the House the following message from his Excellency the Governor, which was read by the Clerk, as follows:

EXECUTIVE DEPT., M. T.,
St. Paul, Jan'y. 23, 1856.

To the Speaker of the House of Reps :

SIR :—I have the honor to acknowledge the receipt of a resolution of the House of Reps., asking for a copy of the Report of the Emigration Agent.

On the 14th inst., I transmitted a copy of said Report to the Council, which has been printed, a copy of which I have the honor to lay before the House of Reps.

Most respectfully, your obt. servt.,

W. A. GORMAN.

REPORT OF COMMISSIONER OF EMIGRATION.

MINNESOTA TERRITORY, St. Paul, January 14, 1856.

To the Honorable, the Legislative Assembly of the Territory of Minnesota:

In compliance with the first section of an Act passed by the Legislative Assembly of Minnesota, providing for the appointment of a Commissioner of Emigration for the Territory, which makes it the duty of said Commissioner to report annually to the Legislature, I beg to make the following statement.

According to the provisions of the act above mentioned, I ought to have been in New York at an early day after the 4th of March, 1855. In the absence, however, of any funds in the hands of the Territorial Treasurer, Warrants were issued to me, which remained unavailable to the 20th of May, when a part of them amounting to three hundred and twenty-five dollars, were redeemed by certain county Treasurers. Insufficient as this sum was, I left St. Paul for New York, where I arrived on the 5th of June. It is to be regretted that so much valuable time was irretrievably lost. As soon as it was possible, I opened and furnished an office at No. 1 Battery Place, under the Battery Hotel, near Castle Garden, where, without delay, all the preliminary measures were taken to secure the objects of my mission. The first step I took, was to cause advertisements and editorials to be inserted, not only in German papers published in this country, but also in papers published in Germany and Switzerland.

In these two latter countries, there is a special kind of newspaper exclusively devoted and addressed to the emigrant. The publishers of these papers have an extensive correspondence with the United States, and hence, are enabled to point out to their countrymen the most eligible parts of America for a settlement. Only one of these papers, the "Colonization Emigration Gazette," published in Hamburg, advocates the interest of Brazil, Chili and other parts of South America, and makes it a point to republish anything they can find against the United States. With this exception, all the other papers seem to look upon the United States as the most favorable country to emigrate to. I have corresponded with these papers, and my advertisements now occupy a permanent place in their columns. Occasionally, editorials call the attention of the reader to these advertisements. These articles will be read and pondered over during the present winter by those intending to emigrate, and a most satisfactory result may be expected by next spring.

I would most respectfully suggest the propriety of employing commercial firms of Hamburg, Bremen, Rotterdam, Antwerp and Havre, as agents, with the power of receiving the passage money of emigrants, from New York to Minnesota. These Agents might give the emigrant an order on me which would entitle the bearer to a full passage to St. Paul. I have lately called upon Mr. Marsh, Secretary of the Erie Railroad Co., to whom I broached the subject, and who seemed disposed to make permanent arrangements through me with firms in European seaports in the manner suggested. It is well understood that these agents are compensated for their

trouble by the competing Railroad companies in this country, always anxious to secure the greatest number of passengers. By the above arrangement the danger of emigrants to Minnesota being diverted from their route, would be avoided, for, there are always interested and officious parties in New York, Chicago, and elsewhere, ready to misrepresent the state of affairs here.—Our high northern latitude particularly has, in many instances been made a bug bear to the emigrant and frightened him from risking his life among the alleged mountains of ice in this Territory.

In addition to the following European Emigration papers, viz:

"Die Sud Deutsche Auswanderung's Zeitung," published in Schwabisch Hall,

"Die Hansa," Hamburg,

"Die Bremen Auswanderung's Zeitung," Rupolsdat Saxony,

"Die Schweizer Auswanderung's Zeitung," Switzerland,

I have employed the following papers in this country,

"Die Neue Zeit," (The New Time) New York.

"Die Handels Zeitung," New York.

"Die New York Abendzeitung," New York.

"Die N. Y. Demokrat," New York.

"Der Unentgeldlicher Wegweise, New York.

The last named paper contains a lengthy advertisement descriptive of the resources of Minnesota. Three thousand copies are sent weekly to European sea ports, and there distributed among emigrants. This paper being a mere sheet of advertisements, suffers no difficulty in its distribution and circulation throughout Germany, whereas a political paper, published in this country, would immediately attract the attention of the police and be entirely excluded from the Territories of the German majesties, from the King of Prussia down to any petty Prince of the Germanic confederation.

Your honorable body will at once perceive the impropriety of your Commissioner assuming the position of a mere runner, always ready to fight or grasp the emigrant by his collar, is an argument *ad rem* surely, but disgraceful and of no avail to one in my position; yet many persons seem to be impressed with the preposterous idea, that it is one of the first duties of the Commissioner to board ships or be watching the landing of emigrants at Castle Garden.

Emigration in 1855, has dwindled down to about one third of what it was in 1854. The Know Nothings pretend that their political doctrines, subversive as they are of all the principles that have hitherto governed this Republic and elevated it to the unrivalled position it now occupies among nations, have nothing to do with this unprecedented diminution. They further say, that immigration into the British Provinces has proportionally decreased; but unfortunately for the solidity of their reasoning, and veracity of their statements the official returns of the English government show, that the British Provinces had in 1855, 53,183 emigrants, and 36,699 for the previous year. The diminution of emigration to this country may partially be attributed to the efforts made by several South American governments to attract German Settlers. It has been said that Wisconsin at present has no Agent in New York. This is not so. The office of Commissioner of emigration for Wisconsin, after having been of immense service to that State, has been legally abolished, but *de facto* maintained. After the astonishing influx of foreign emigration, after so much wealth had brought to and developed in that State, the office was by many no longer considered necessary; others differed from this view of the subject, and the Agency was continued and the expenses defrayed by private individuals. Mr. Schette is yet the Agent, and has his office in Greenwich street, N. Y. Canada has also thought proper to send an agent to Europe.

During the present season, I sent a number of individuals to Minnesota, more or less able, some of whom were farmers, others mechanics. Among the latter, are blacksmiths, carpenters, shoemakers, tanners, glove-makers, painters, lock and gunsmiths, and dressmakers. I am now negotiating with three different parties who are organizing associations of individuals proposing to remove to Minnesota. Two of these are in Europe, and one Pittsburg. The of Director one, in Belgium, informs me that they have a capital of one million of francs. The other European association is under the guidance of the Rev. Mr. Lorrington, a clergyman, of the Protestant Church. The Secretary of the association in Pittsburg, with whom I have corresponded, informs me that it is composed of one hundred and five heads, all Germans and citizens of the U.S. In his letter to me, he states, that these persons, disgusted with the persecutions of the Know-Nothings, have determined to seek a home in our Territory, where I have assured them, Know-Nothingism is hardly known. I hope and trust that I have not been mistaken in so saying.

The affairs in my office in New York have been put in the best possible shape, and the results

of my mission will, I have no doubt, meet the expectations of the most sanguine. I may add here, that I have availed myself of frequent opportunities to mention Minnesota as a most desirable place for capitalists to invest money. Several gentlemen of large means, who heretofore had no confidence in the security of our laws for the protection of creditors and of titles to property, have expressed to me their intention of visiting the Territory next spring for the purpose of making investments.

The monies provided by the act of the last Legislature for contingencies and salary, have hardly been sufficient. The heavy discount I have been compelled to submit to on Territorial orders has reduced the amount allowed me, nearly one quarter, with the exception of \$325.00 collected from certain county Treasurers, \$350.00, remitted by Messrs. Borup & Oakes, who generously accepted the orders at par. The balance of the Territorial orders issued me were sold at seventy-five and eighty cents per dollar; thus causing a deficiency of over \$250.00 in my receipts.

All of which is respectfully submitted.

E. BURNAND.

Mr. Holland moved that the further reading of the report be dispensed with, and be laid on the table to be printed.

Which was carried.

Mr. Sturgis presented a Memorial to Congress (No. 12, H. of R.) for an appropriation to improve the navigation of the Upper Mississippi River.

Upon motion, it was read 1st and 2nd time by its title, and laid on the table to be printed.

Mr. Van Vorhes offered the following resolution :

Resolved, That the thirty-eighth rule, adopted for the government of this House requiring that " No more than three bills originating in this House shall be committed to the same Committee of the Whole ; and such bills shall be analogous in their nature, which analogy shall be determined by the Speaker." be, and the same is hereby rescinded.

Which resolution was adopted.

Mr. Wilkinson moved a reconsideration of the vote to rescind rule No. 38.

And the yeas and nays being called for and ordered, there were yeas 9, and nays 21, as follows :

Those who voted in the affirmative were

Messrs. Grant, Haus, Ide, Johnson, Lott, Murphy, Wilkinson, Wilson, and Mr. Speaker—9.

Those who voted in the negative were

Messrs. Boutillier, Bradley, Buck, Covell, De La Vergne, Dunbar, Farnham, Gibbs, Hartenbower, Hubbell, Hull, Hunt, Jackman, Kirkman, Knauff, Nobles, Sturgis, Taylor, Thompson, Thorndike, and Van Vorhes—21.

So the motion to reconsider was lost.

Mr. Covell gave notice that he would on to-morrow, or at some future day of the session, ask leave to introduce a bill for the location of the county seat of Dodge county and for other purposes.

Mr. Hartenbower presented Bill (No. 70, H. of R.,) an act to establish County Courts.

Upon motion, it was read first and second time by its title, and laid on the table to be printed.

Mr. Lott presented Bill (No. 71, H. of R.) an Act to incorporate the Minnesota Saving Institution.

Upon motion, it was also read first and second time by its title, and laid on the table to be printed.

Mr. Boutillier presented Bill (No. 72, H. of R.) an Act to incorporate the Medical Society of Minnesota, which was read the first and second time, and laid on the table to be printed.

Mr. Sturgis presented Bill (No. 73, H. of R.) granting P. B. Stone the right to establish and maintain a ferry across the Mississippi River. Upon motion, it was read the first and second time by its title, and laid on the table to be printed.

Mr. Johnson presented Bill (No. 74, H. of R.) an Act to incorporate the Mankato Library Association. Upon motion, it was also read the first and second time; by its title and laid on the table to be printed.

Mr. Wilson presented Bill (No. 75, H. of R.) for an Act for the relief of certain persons having claims against Minnesota Territory for services in the year 1855, which was read the first and second time, and laid on the table to be printed.

Mr. Hubbell presented bill (No. 76, H. of R.) for laying out certain Territorial roads.

Mr. Farnham presented Bill (No. 77, H. of R.) an Act entitled an Act to incorporate the St. Anthony Falls Water Power Company. Upon motion, it was read the first and second time by its title, and laid on the table to be printed.

Mr. Bradley presented Bill (No. 78, H. of R.) for an Act granting to Martin Fox the right to establish and maintain a ferry across the Mississippi River at Monticello, which was read the first and second time, and laid on the table to be printed.

Mr. DeLaVergne gave notice that on to-morrow he would offer a resolution to strike out of the 34th rule the words "The first reading of the bill shall be at length."

Mr. Covell gave notice that he would on to-morrow, or at some future day of the session, ask leave to introduce a bill for the establishing a Territorial Road from Rochester South to the Iowa line.

Mr. Hubbell presented Bill (No. 79, H. of R.) an Act to provide for the laying out of a Territorial Road from Waterville, in Le Sueur county, to the Iowa line. Upon motion it was read the first and second time, and laid on the table to be printed.

Mr. Bradley gave notice that on to-morrow, or some future day of this session, he would ask leave to introduce a Bill to locate a Territorial Road from Minneapolis to Fort Ridgley, by way of Wayzata and Glencoe.

Mr. Ide gave notice, that on to-morrow he would offer a resolution to introduce a substitute for the 38th rule, which has been rescinded.

Mr. Bontillier gave notice that on to-morrow or some future day, he would present a bill for the relief of School District No. 6, in Ramsey county.

Mr. Nobles gave notice that on some future day of this session, he should ask leave to introduce a resolution to repeal certain rules of this House.

Messages from the Council being in order, the Clerk took from the table and read the following message:

MR. SPEAKER:

The Council has passed the following memorials.

No. 4, C. F., a memorial to Congress for an appropriation of \$20,000 for the construction of bridges and culverts on the Territorial road from St. Paul to Elliot, by way of Cannon Falls, Rochester and Carimona.

No. 6, C. F., a memorial to Congress for an appropriation for the construction of a road from the Mississippi to Fort Ridgley.

No. 7, C. F., a memorial to the Postmaster General, for a tri-weekly mail between Hastings and Traverse De Sioux.

No. 8, C. F., a memorial to Congress relative to granting the right of citizenship to certain Indians.

Also, the following Bills ;

No. 7, C. F., a bill to legalize acknowledgments of conveyances heretofore taken before either the Supreme or District Court Clerks, and Judges of Probate of this Territory.

No. 8, C. F., a bill for an act to authorize School District No. 5, in the city of St. Anthony, Ramsey county, to levy a tax and obtain money for the purchase of ground and the erection of buildings for school purposes.

No. 10, C. F., a bill to provide for laying out certain Territorial roads.

No. 16, C. F., an act to establish and define the boundaries of Meeker county.

No. 18, C. F., a bill to provide for laying out certain Territorial roads.

Also, memorial No. 9, C. F., to Congress for the alteration of the trade and intercourse laws with the Indians.

In all of which the concurrence of the House is respectfully solicited.

All of which bills were taken up, and read a 1st and 2nd time.

Upon motion the House resolved itself into a Committee of the Whole, for the purpose of taking into consideration bills (No. 11, H. of R.) to provide for laying out a Territorial road, from St. Cloud to Pembina.

Also, (No. 14, H. of R.) an act to provide for laying out a Territorial road from the Iowa line, past Austin, Owatonia, Faribault to the Dodd road.

Also, (bill No. 12, H. of R.) an act to change the time of holding Courts in the county of Le Sueur. Mr. Bradley in the Chair.

After some time passed therein, the committee rose, and by their Chairman reported back to the House, the bills as follows :

Mr. Speaker, the committee have had under consideration the following bills : No. 11, 12 and 14, H. of R., and have made progress upon bill No. 11, H. of R., and ask leave to sit again.

Also, bill No. 12, H. of R., with amendments, and recommend its passage.

Also, No. 14, H. of R., with amendments, and recommend that it be referred to the Committee on Territorial Affairs.

Upon motion, the report was accepted, and bill No. 14, H. of R., was referred to the Committee on Territorial Affairs.

Bill No. 11, H. of R. leave was granted to the committee to sit again, and bill No. 12, H. of R., was ordered engrossed for a third reading.

A message from the Council being announced, Wm. Colville, jr., Esq., Secretary thereof, appeared and delivered the following message :

Mr. Speaker, the Council has passed No. 12, C. F., a bill to incorporate the Little Falls Bridge Company, and the concurrence of the House is respectfully solicited.

WM. COLVILLE, Sec'y.

Mr. Murphy moved that the House now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 5, and Nays 26, as follows:

Those who voted in the affirmative were:

Messrs. Gere, Grant, Hull, Murphy, and Wilkinson—5.

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Buck, Covell, De La Vergne, Farnham, Gibbs, Hartenbower, Haus, Hubbell, Hunt, Jackman, Johnson, Kirkman, Knauff, Lott, Nobles, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, and Mr. Speaker—26.

So the motion to adjourn was lost.

Mr. Wilkinson moved that the House take a recess until 7 o'clock, P. M.

Which motion was lost.

Mr. De La Vergne moved, That the House adjourn until half-past two this afternoon.

Which motion was carried.

And the House adjourned until half-past two o'clock, P. M.

AFTERNOON SESSION.

The Speaker being absent the Clerk called the House to order.

The roll being called the following members answered to their names :

Bradley, Buck, Burdick, Covell, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Holland, Hubbell, Hull, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Pierce, Taylor, Thompson, Thorndike, Van Vorhes.]

Mr. De La Vergne moved that Mr. Lott be appointed Speaker, *pro tem.*, which motion was adopted, and Mr. Lott took the chair.

Upon motion of Mr. De La Vergne, the House resolved itself into committee of the whole, for the purpose of taking into consideration Bill (No. 15, H. of R.) to locate a Territorial Road

from the old Sioux crossing opposite the town of Traverse des Sioux by the Dogs Lodge and Vermillion Prairie, to the Mendota and Big Sioux Road, at some point near Mendota.

Also, Bill (No. 16, H. of R.) to locate a Territorial Road from some point near the town of Le Sueur to the old Sioux Crossing.

Also, Bill (No. 20, H. of R.) granting to S. B. Lowry the right to establish and maintain a ferry across the Mississippi River at St. Cloud.

Mr. Van Vorhes in the chair. After some time passed therein, the committee rose and by their chairman reported back the bills to the House with amendment, and recommended that Bill (No. 20, H. of R.) with its amendment, be adopted, and it be ordered engrossed for a third reading, and that Bills No. 15 and 16, H. of R., be referred to the committee on Territorial Roads.

The report was accepted, and Bill No. 20, H. of R. was ordered engrossed for a third reading, and Bills No. 15 and 16, H. of R. were referred to the Committee on Territorial Roads.

Upon motion, the House resolved itself into a Committee of the Whole, for the purpose of taking into consideration Bill No. 11, H. of R., to provide for laying out a Territorial Road from St. Cloud to Pembina.

Also No. 21, H. of R.; a Bill for an act entitled an act to change the name of Serena M. Huntley to Serena Marie Ames.

Also No. 22, H. of R. A Bill to incorporate the town of Minneapolis in the county of Hennepin. Mr. Nobles in the Chair.

After some time spent therein, the committee rose, and by their chairman reported back the Bills to the House with amendments, and recommended that Bills No. 11 and 21, H. of R. with amendments be adopted. Also Bill No 22 be referred to the Committee on Incorporations.

The report of the committee was accepted. And Bill No. 22, H. of R., was referred to the Committee on Incorporations; and Bills No. 11 and 21, H. of R., was ordered to be engrossed for a third reading.

Mr. Taylor moved that the Rule be suspended, so that Bill No. 21, H. of R., for an act entitled an act to change the name of Serena M. Huntley to Serena Marie Ames, be engrossed and read a third time and passed, which was agreed to, and it was taken, read a third time, and passed.

The question then recurring on agreeing to the title, it was agreed to.

Upon motion of Mr. Sturgis, the Rules were suspended, and Bill No. 39, H. of R., an act to amend an act to provide for the survey of Logs and Lumber in the Territory of Minnesota, was taken up. Mr. Nobles also moved that the Rules be suspended so as to take up the next four Bills in order. Which motion was adopted.

And the House then resolved itself into a Committee of the Whole, for the purpose of taking into consideration Bill No. 39, H. of R., an act entitled an act to provide for the surveys of Logs and Lumber in Minnesota Territory.

Also Bill No. 23, H. of R., granting to George Houghton and Christopher Davis the right to establish and maintain a ferry across the Mississippi river.

Also Bill No. 25 H. of R., for an act to incorporate the Watab Bridge Company.

Also, bill No. 26 H. of R., granting to J. P. Shaw the right to maintain a ferry across the Mississippi river at or near the mouth of Rum River.

Also bill No. 27 H. of R., an act to amend an act in relation to justices of the peace.

Mr. Thompson in the Chair.

After some time passed therein, the committee rose and by their Chairman reported back the bills to the House with pending amendments, and recommended that bills No. 27 and No. 23, H. of R. be passed with the amendments as reported; and also recommended that bills No. 26 and 25, H. of R. be referred back to the House and leave asked to sit again.

On motion, the report of the committee was accepted.

And bills No. 23, 39 and 27, H. of R. were ordered to be engrossed for a third reading.

Also bills No. 25 and 26, H. of R. were referred back to the Committee of the Whole with leave to sit again.

Mr. Nobles moved that the House take a recess until to-morrow morning at 10 o'clock.

Which motion prevailed, and the House adjourned.

CHARLES GARDNER, Speaker.

H. L. EDWARDS, Clerk.

FRIDAY, JANUARY 25, 1856.

The House was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Boutillier, Bradley, Buck, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Hartenbower, Holland, Hubbell, Hull, Ide, Johnson, Kirkman, Knauf, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Thompson, Wilson and Speaker.

The Journals of Wednesday and Thursday were read, corrected and approved.

Mr. Galbraith presented (No. 80, H. of R.) a bill granting Henry H. Spencer the right to establish and maintain a ferry across the Minnesota river at Lewisville.

Upon motion it was read the first and second time and laid on the table to be printed.

Mr. Holcomb presented bill (No. 81, H. of R.) an act granting Thomas A. Holmes the right to establish and maintain a ferry across the Minnesota River.

Which it was read the first and second time and laid on the table to be printed, and referred to the Scott County Delegation.

Mr. Galbraith presented a bill (No. 82, H. of R.) an act granting Sophia M. Brown the right to establish and maintain a ferry across the Minnesota River at Shakopee City.

Which was read first and second time by its title and referred to the Scott County Delegation; ordered to be printed.

Mr. Ide presented a memorial (No. 13, H. of R.) to Congress for a modification of the pre-emption law.

Upon motion it was read the first and second time and laid on the table to be printed.

Mr. Buck gave notice that at an early day, during this Session, he should ask leave to introduce a bill providing for two terms of the District Court, each year, in Winona County.

Mr. Dunbar gave notice of leave to introduce a bill, to authorize the location of the County Seat of Wabashaw County, by a vote of the people.

Mr. Gibbs gave notice that on some future day of this Session, he should ask leave to introduce a bill granting to Wm. Felton the right to establish and maintain a ferry across the Mississippi River, at the town of Hastings.

Mr. Thompson presented a bill (No. 83, H. of R.) to incorporate the Mississippi and Missouri Railroad Company.

It was read the first and second time and laid on the table to be printed.

Mr. McLeod presented a bill (No. 84, H. of R.) to locate a Territorial road from the town of Traverse des Sioux to the town of Glencoe.

Also, bill (No. 85, H. of R.) to locate a Territorial road from the old Sioux crossing at the town of Traverse des Sioux to a point where the straight river road intersects the Mendota and big Sioux road.

They were read the first and second time and laid on the table to be printed.

Mr. DeLaVergne offered the following Resolution :

Resolved, That the 34th Rule of this House be amended by striking out of the 2nd and third lines the words "the first reading shall be at length."

Which resolution was adopted.

Mr. Pierce offered the following Remonstrance :

To the Honorable, the Legislature of the Territory of Minnesota.

The petition of the undersigned citizens of Minneapolis, Hennepin county, would respectfully represent :

That they have heard with regret that a bill has been introduced into your Honorable body for the purpose of incorporating the town of Minneapolis.

We the undersigned would say that they are opposed to the passage of the bill in question, that our taxes are already sufficiently burdensome, and that the town is not of sufficient size for such purposes, and they pray your Honorable body not to pass any act of incorporation as far as Minneapolis is concerned, at this session of the Legislature.

JOHN H. STEVENS and 76 others.

Mr. Knauff gave notice that on to-morrow or some future day of the Session, he would ask leave to introduce a memorial to Congress for a Road from Lake Superior to Mille Lac and St. Cloud.

Mr. Norris gave notice that he will on to-morrow or some subsequent day of the Session, ask leave to introduce a bill to provide for the location of a Territorial Road from St. Paul, to Lakeland, in Washington County, M. T.

Also a bill to amend the act in relation to common schools.

Mr. Hull gave notice that on to-morrow or some future day of the Session, he should ask leave to introduce a bill to provide for the destruction of Wolves in this Territory.

Also, Mr. Hull gave notice that on to-morrow or some other day of this Session, he should ask leave to introduce a bill to amend Section 139 and 140, of chapter 6 and article 4 of the Revised Statutes.

Mr. Boutillier, on leave granted, presented the following petition, which, upon motion, was ordered to be printed in the Journal :

To the Legislature of the Territory of Minnesota :

We, the undersigned residents and voters of School District No. 6, in St. Anthony, in said Territory, would most respectfully petition your honorable bodies for the passage of a law for the relief of said district, and all others similarly situated.

It is provided by the terms of the existing statute upon the subject, that the Trustees of school districts are limited in the amount of school monies they are authorized to draw from the County Treasuries, to the sum actually needed to pay teacher's wages only, thus leaving a large margin of expenses necessary to carry on a school with any prospect of success, such as that for fuel, repairs of school house, and other incidental expenses, to be raised and provided for by a direct tax upon the taxable property of the district, while ample funds, at the same time, belonging to the district, are lying idle in the treasury of the county.

By the operation of this statute, large amounts, in some instances, have accumulated in county treasuries, and are yearly augmenting. This is particularly the case with the district in which we reside.

In view of this state of circumstances, we would urge upon you the immediate passage of a law, empowering Trustees of districts to draw from county treasuries all monies due such districts at the time of the passage of said law, and in future, the whole amount belonging to the same each and every year.

If your honorable bodies should not deem a general law of the kind needed at present, we hope and expect you will provide for the relief of our district.

N. H. HEMIUP, and 145 others.

St. Anthony, M. T., 23d Jan. 1856.

Mr. Hubbell presented bill (No. 86, H. of R.,) to establish the County Seat of Dodge County.

Upon motion, it was read the first and second time by its title, and laid on the table to be printed.

Mr. Kirkman presented bill (No. 87, H. of R.,) an act, entitled an act to change the name of Alexander Paul, to Francis H. Milligan.

It was read the first and second time and laid on the table to be printed.

Mr. Boutillier presented bill (No. 88, H. of R.,) an act, entitled an act for the Relief of common schools.

It was read the first and second time and laid on the table to be printed.

Mr. Galbraith gave notice that on to-morrow or some future day, he would ask leave to introduce a bill authorizing the Register of Deeds of Scott County, to record a new plat of the town site of Louisville, and legalizing the same.

Mr. Bradley presented bill (No. 89, H. of R.,) for an act to locate a Territorial Road from Monticello, to Fort Ridgely, with a branch to St. Peters.

It was read the first and second time by its title and laid on the table to be printed.

Mr. Wilson gave notice that on to-morrow or some future day of the Session, he will

beg leave to introduce a Resolution for the appointment of a Committee to alter or amend the standing rules of this House for the particular benefit of any member whose pent-up views of the present rules are so highly edifying.

Mr. Nobles, from the joint committee on engrossed bills, made the following report:

The joint committee on engrossed bills have examined and found correctly engrossed the following bills, and memorials:

No. 11, H. of R. A bill for an act to provide for laying out a Territorial road from St. Cloud to Pembina.

No. 12, H. of R. A bill for an act to change the time of holding courts in Le Sueur county.

No. 20, H. of R. An act granting to S. B. Lowery the right to establish and maintain a ferry across the Mississippi river at St. Cloud.

No. 39, H. of R. An act to provide for the survey of logs and lumber in Minnesota Territory.

No. 32, H. of R. A bill for an act to provide for the laying out of a Territorial road from Cannon Falls to the Iowa line.

No. 28, H. of R. A bill for an act granting to George A. Bellecour, the right to construct a Dam across the Pembina river, near St. Josephs, Pembina county, M. T.

No. 3, H. of R. Memorial of the Legislative Assembly of Minnesota Territory, to the Congress of the United States, praying for the passage of the Homestead Law.

No. 4, H. of R. Memorial to Congress for the establishment of a mail route from Wabashaw by the way of Greenwood, Rochester and High Forest, to Austin.

No. 2, H. of R. A memorial to Congress for an appropriation of \$15,000 for the construction of the Mendota and Wabashaw Road.

No. 9, H. of R. Memorial to Congress to establish a mail route from Hamilton to Shakopee.

No. 36, H. of R. A bill for an act to locate the county seat of Wabashaw county.

No. 37, H. of R. A bill for an act to amend "An Act" to provide for the laying out a Territorial road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota river.

No. 5, H. of R. Memorial to Congress for an appropriation for the construction of a road and mail route from Lake Superior to Little Falls.

No. 7, H. of R. Memorial to Congress for an appropriation for certain improvements in this Territory.

No. 8, H. of R. Memorial for a mail route from St. Paul to West Union.

WM. H. NOBLES,	} Committee.
A. F. DE LA VERGNE,	
CHAS. GRANT.	

Mr. Ide, from the committee on county boundaries, to whom was referred [No. 15, H. of R.] The report was read, and upon motion, the report of the committee was accepted.

Bill C. F. No. 12, to incorporate the Little Falls Bridge Company, was taken up and read the first and second time.

Mr. Sturgis, moved the bill be referred to the committee on Incorporations.

Which motion was adopted.

Mr. Nobles moved

That the Rules be suspended so as to take up bill [No. 30, H. of R.] an act to amend an act to provide for the survey of logs and lumber, in Minnesota Territory.

Which motion was adopted.

The bill was read a third time and passed. No objection being made, the title was agreed to.

Mr. Lott moved

That bill No. 40, H. of R. granting an extension of time to the Minnesota and Northwestern Railroad Company, be referred to committee on Incorporations.

Which motion was adopted, and the bill was so referred.

Mr. Galbraith moved that the House take a recess until half-past two this afternoon, which motion was adopted, and the House took a recess.

AFTERNOON SESSION.

The House was called to order by the Speaker.

The Clerk called the roll and reported a quorum present.

Bills ready for a third reading being in order:

No. 3, H. of R., a memorial of the Legislative Assembly of Minnesota Territory to the Congress of the United States, praying for the passage of a Homestead Law, was taken up, read the third time, and passed and the title agreed to.

Also, memorial (No. 5, H. of R.,) to Congress for an appropriation for the construction of a road and mail route from Lake Superior to Little Falls, was taken up, read the third time and passed, and the title agreed to.

Also, memorial (No. 2, H. of R.,) to Congress for an appropriation of \$15,000 for the construction of the Mendota and Wabashaw road, was taken up, read the third time and passed, and the title agreed to.

Also, memorial (No. 4, H. of R.,) to Congress for the establishment of a mail route from Wabashaw by the way of Greenwood, Rochester, and High Forest, to Austin, was taken up, read a third time and passed; the title also agreed to.

Also, memorial (No. 7, H. of R.,) to Congress for an appropriation for certain improvements in this Territory, was taken up and read a third time, and passed. Title agreed to.

Also, memorial (No. 8, H. of R.,) for a mail route from St. Paul to West Union, was taken up, read the third time and passed, and the title agreed to.

Also, memorial (No. 9, H. of R.,) to Congress to establish a mail route from Hamilton to Shakopee, was taken up, read the third time and passed, and title agreed to.

Also, bill (No. 36, H. of R.,) to locate the county seat of Wabashaw, was taken up, read the third time and passed, and the title agreed to.

Also, bill (No. 11, H. of R.,) to provide for laying out a Territorial road from St. Cloud, to Pembina, was taken up, read the third time, and passed, and the title also agreed to.

Also bill (No. 12, H. of R.,) An Act to change the time of holding courts in Le Sueur county, was taken up, read a third time and passed. Title agreed to.

Also bill (No. 2, H. of R.,) An Act granting S. B. Lowry the right to establish and maintain a ferry across the Mississippi River at St. Cloud, was taken up, read the third time, and passed. Title agreed to.

Also bill (No. 28, H. of R.,) For an act granting to George A. Bellecour the right to construct a dam across the Pembina River, near St. Joseph, Pembina county, M. T., was taken up, read a third time, passed, and title agreed to.

Also bill (No. 32, H. of R.,) To provide for the laying out of a Territorial Road from Cannon Falls to the Iowa line, was taken up, read the third time, and upon motion it was referred back to the committee on Territorial Roads.

Also, Bill (No. 37, H. of R.,) for an act to amend an act to provide for the laying out a Territorial Road from St. Paul to Big Woods and Traverse des Sioux, on the east side of the Minnesota River, was taken up, read the third time, and referred to the Committee on Territorial Roads.

Mr. Norris, on leave granted, presented [No. 14, H. of R.] a memorial to Congress asking for a grant of lands to aid in constructing a Railroad in Territory of Minnesota, which was read the first and second time, and laid on the table to be printed.

Mr. Hunt, on leave granted, presented a Bill (No. 90, H. of R.,) an act to amend an act entitled an act to incorporate the Pittsburg Mining Company. It was read the first and second time by its title, and laid on the table to be printed.

Upon motion, the House then resolved itself into a committee of the whole, for the

purpose of taking into consideration Bill No. 25, H. of R. a Bill to incorporate the Watab Bridge Company.

Also, Bill (No. 26, H. of R.) a Bill granting to J. B. Shaw, the right to maintain a ferry across the Mississippi River, near the mouth of Rum River. After some time spent therein, the Committee rose and by their Chairman reported back the Bills to the House, with sundry amendments, and asked the concurrence of the House.

The report of the Committee was accepted.

Mr. Norris offered the following amendment to Bill No. 25, H. of R. :

Provided that this Act shall not take effect until said corporators shall pay into the treasury of the Territory of Minnesota the sum of one hundred dollars, and get a receipt therefor and pay annually thereafter on the first day of January in each and every year, the sum of fifty dollars in like manner as aforesaid.

The question then recurring, on the adoption of the amendment,

And the yeas and nays being called for and ordered, there were yeas 5, and nays 17, as follows:

Those who voted in the affirmative were:

Messrs. Boutillier, Ide, Murphy, Norris, Thompson—5.

Those who voted in the negative were:

Messrs. Burdick, Coville, DeLaVergne, Dunbar, Farnham, Hartenbower, Haus, Habbell, Hull, Johnson, Kirkman, Knauft, Nobles, Pierce, Sturgia, Wilson and Speaker.

So the amendment was lost.

And upon motion bills (No. 25 and 26, H. of R.) were ordered to be engrossed for a third reading.

The Speaker laid before the House the following communication from his Excellency the Governor, which was read by the Clerk, and it was ordered to be printed in the Journal.

EXECUTIVE DEPARTMENT, MINNESOTA TERRITORY, }
St. Paul, Jan'y 25, 1856. }

To the Council and House of Representatives:

The attentive observer of political events in Minnesota could not have failed to perceive the anxiety on the part of some of our citizens to procure from time to time exclusive chartered privileges by special enactment at each session of the Legislature for various objects. If the franchises and powers thus conferred by the Legislature give rights not permitted to be enjoyed by all, it is just and proper that in each instance they should be required to pay a reasonable bonus into the Territorial Treasury. From such sources, therefore, we may acquire a handsome revenue for the support of the Territory or future State of Minnesota, and relieve the property holders from much onerous taxation. Persons proposing to make Minnesota their residence will naturally enquire into the extent of the burdens upon their property for the support of government. And in proportion as they find it light, they will consider the inducement increased. Many of the States of the Union derive nearly enough revenue from such sources to defray the expenses of their civil administration. And if our people will have these exclusive privileges granted they should not object to paying for them. Many of these charters must become sources of immense revenue to the corporators, and in many instances perhaps, sources of oppression to the citizens of the country. I might extend this communication much further, and illustrate by numerous examples, the importance and utility of looking to this source as a part of our revenue system. It is unnecessary to tell you that when capital asks for privileges, it rarely comes begging for them, but boldly proclaims the many advantages and facilities it intends to confer upon the citizens of the country. Its arguments are always specious and plausible, and studiously keep out of view the fact, that the exclusive privileges granted to them, are necessarily denied to others. The numerous charters already granted in Minnesota for ferries, lumbering, manufacturing, mining, &c. is enough to arouse your vigilance on this subject, and I respectfully recommend that it be made a source of revenue to the Territory, or that such indiscriminate acts of incorpo-

ration be checked. You may suppose that these corporations are innocent for the present, at least during the freshness of our youthful existence. But their past history proves them to be manacles in our mature age.

We have a general law in our Statute books, under which corporations may be organized and conducted, which it is believed, confers all desirable privileges except in some special cases. And I shall be very much disappointed if Legislators do not hereafter find their votes in favor of some of these corporations brought up in judgment against them by their constituents, and when they will find their apology very unsatisfactory. I trust these suggestions may tend to awaken a laudable interest in the future welfare of the Territory upon this subject.

W. A. GORMAN.

Mr. Farnham on leave granted, presented bill (No. 91, H. of R.) an act to define and establish the boundaries of the County of St Anthony, and for other purposes.

Which was read the first and second time and laid on the table to be printed.

Mr. Murphy moved that the House adjourn until Monday next, at 10 o'clock.

Which motion prevailed.

And the House adjourned until Monday, at 10 o'clock, A. M.

CHARLES GARDNER,
Speaker.

Attest,
H. L. EDWARDS,
Chief Clerk.

MONDAY, JANUARY 28, 1856.

The House met pursuant to adjournment.

And was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Buck, Burdick, Covel, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Kirkman, Knauft, Lott, Murphy, Nobles, Pierce, Taylor, Thompson, and Mr. Speaker.

Prayer by the Chaplain, Rev. E. D. Neil.

The Journal of Friday was read, corrected, and approved.

Mr. Hunt presented the Petition of Mr. Ellsworth, and 240 others, to remove the county seat of Carver County.

Referred to a Committee of one.

The Chair appointed Mr. Gere as said Committee.

Mr. Haus presented memorial (No. 15, H. of R.) to Congress for an appropriation for the construction of a Military Road from Fort Snelling to Pembina, on the west side of the Mississippi River, by way of Minneapolis, Monticello, and St. Cloud.

Which was read the first and second time and laid on the table to be printed.

Mr. Lott presented a remonstrance of Henry C. Smith, and 31 others, against the location of a Territorial Road from Traverse Des Sioux to La Seur.

Referred to Committee on Territorial Roads.

Mr. Knauft presented memorial (No. 16, H. of R.) for a Road from Lake Superior to Mille Lac, and St. Cloud.

Which memorial was read the first and second time by its title, and laid on the table to be printed.

Mr. Hunt offered the following Resolution:

Resolved, That this House hold evening Sessions every evening except Saturday, of this week.

Mr. Nobles offered the following amendment:

Insert the word afternoon before evening.

Which amendment was accepted, and the resolution read as follows:

Resolved, That this House hold afternoon and evening Sessions every evening except Saturday, of this week.

Mr. Buck moved to lay the Resolution on the table.

And the Yeas and Nays being called for and ordered, there were Yeas 13, and Nays 12, as follows:

Those who voted in the affirmative were:

Messrs. Buck, Burdick, Dunbar, Farnham, Gibbs, Hartenbower, Haas, Hull, Knauff, Lott, Nobles, Sturgis, and Mr. Speaker—13.

Those who voted in the negative were:

Messrs. Covell, DeLaVergne, Gere, Hubbell, Hunt, Ide, Kirkman, McLeod, Murphy, Pierce, Taylor, and Thompson—12.

So the Resolution was laid on the table.

Mr. Buck gave notice that on to-morrow or some future day of this session, he would ask leave to introduce a bill granting J. F. Martin and H. J. Hilbert the right to establish and maintain a ferry across the Mississippi at Richmond.

Mr. Lott presented, on leave granted, bill (No. 91 H. of R.) granting to Martin McLeod the right to establish and maintain a ferry across the Minnesota river at the old Sioux crossing at the town of Travers des Sioux.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Dunbar gave notice that on some future day of this session, he would ask leave to introduce a bill to establish an Academy at Caledonia, Houston county.

Mr. Covell presented bill (No. 92, H. of R.) An act to provide for the laying out of a Territorial road from Rochester, south to the Iowa line.

Which was read a first and second time by its title, and laid on the table to be printed.

Mr. Ide gave notice that on to-morrow, or some subsequent day of this session, he should ask leave to introduce a bill to legalize the official acts of the county officers of Rice county.

Also, a bill to organize the county of Mower.

Mr. Dunbar presented bill (No. 93, H. of R.) For an act to authorize the location of the county seat of Wabashaw county, by a vote of the people.

Which was read a first and second time by its title, and laid on the table to be printed.

Mr. Haas presented bill (No. 94, H. of R.) A bill for an act legalizing the town of Winona, and for other purposes.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Hull presented bill (No. 95, H. of R.) For an act to provide for the destruction of wolves.

Which was also read a first and second time and laid on the table to be printed.

Mr. Gere presented bill (No. 96, H. of R.) An act, entitled an act to incorporate the Chatfield Academy, at Chatfield.

Which, upon motion, was read a first and second time by its title and laid on the table to be printed.

Mr. Burdick gave notice that on to-morrow, or some future day of this session, I will ask to introduce a bill for the location of a Territorial road from a point opposite Watab, Benton county, M. T., running to Richmond and intersecting the road leading from St. Cloud to Richmond, Stearns county, M. T.

Mr. DeLaVergne gave notice that on to-morrow he should ask leave to introduce a bill amending the Statutes in relation to filling vacancies in the office of County Commis-

sioners, and assessing property of persons holding real estate in two Counties, and residing in the same, so that the same may be assessed in the county where the owner resides.

Mr. Hunt presented bill (No. 97, H. of R.,) an act to provide for the laying out of several Territorial Roads.

Also (No. 98, H. of R.,) an act regulating the time of holding the terms of the District Court, in and for the County of Carver.

Also bill (No. 99, H. of R.,) an act for an act to establish the County of McLeod, and for other purposes.

Also bill (No. 100, H. of R.,) For an act granting to Matthew Taisey, the right to establish and maintain a ferry across the Crow river, at Greenwood, Hennepin county.

Which bills, upon motion, were read a first and second time by their titles only, and laid on the table to be printed.

Mr. Hartenbower gave notice that he would introduce a bill on to-morrow, or some subsequent day, for the location of a road commencing at the town of Marion, in Olmsted county, and running west by the way of High Forrest to Austin, in Mower county.

Upon motion of Mr. Buck, Mr. Nobles from the Committee on Incorporations, reported as follows:

Bill (No. 12, C. F.) A bill to incorporate the Little Falls Bridge Company, which was referred to Committee on Incorporations, is reported back to the House without amendments.

Upon motion of Mr. Gere, the House resolved itself into a Committee of the Whole, for the purpose of taking into consideration (No. 2, C. F.) A memorial to Congress to make an appropriation to construct a Military road from Winona, on the Mississippi river, to Fort Ridgley.

Also, memorial (No. 3, C. F.) To Congress for a grant of land to improve the navigation on the Minnesota river.

Also, memorial (No. 5, C. F.) To Congress for an appropriation of \$15,000, for the improvement of Root river.

Mr. Lott in the chair.

After some time passed therein the Committee rose and by their chairman reported the memorials back to the House without amendments and recommended their passage.

The report of the Committee was accepted and the memorials were ordered to their third reading.

Upon motion of Mr. De La Vergne the House resolved itself into Committee of the Whole for the purpose of taking into consideration memorial (No. 4 C. F.) to Congress for an appropriation of \$40,000, for the construction of bridges and culverts on the Territorial road from St. Paul to Elliot by the way of Cannon Falls, Rochester and Carimona.

Also memorial (No. 6 C. F.) to Congress for an appropriation for the construction of a road from Mississippi river to Ft. Ridgley.

Also memorial (No. 7 C. F.) to Congress for a mail route between Hastings and Traverse des Sioux.

Also memorial (No. 8 C. F.) granting to certain Indians the right of citizenship, Mr. Hunt in the chair, after some time passed therein the Committee rose and by their chairman reported back the memorials to the House and asked leave to sit. The report was accepted and leave granted to the Committee to sit again.

Upon motion the House again resolved itself into a Committee of the Whole for the purpose of taking into consideration memorial (No. 10, H. of R.,) to Congress for an appropriation for the improvement of the Mississippi River, between St. Anthony Falls and Sank Rapids.

Also memorial (No. 11, H. of R.,) for certain mail routes.

Also memorial (No. 12, H. of R.,) for an appropriation to improve the navigation of the Mississippi River, and other purposes.

Mr. Wilkinson in the Chair.

After some time passed therein the Committee rose, and by the Chairman reported back the memorials to the House with amendments, and recommended that they be engrossed for a third reading.

The report of the Committee was accepted.

And the memorials were ordered engrossed for a third reading.

Upon motion of Mr. DeLaVergne, the House adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Speaker being absent, the House was called to order by the Clerk.

And the roll being called, the following members answered to their names:

Messrs. Boutillier, Bradley, Burdick, Cleveland, DeLaVergne, Dunbar, Farnham, Galbraith, Holland, Hunt, Jackman, Kirkman, Knauft, Lott, Murphy, Nobles, Norris, Pierce, Thompson, and Van Vorhes.

Mr. Hunt moved that Mr. DeLaVergne act as Speaker, pro tem., which motion was adopted, and Mr. DeLaVergne took the chair.

Mr. Lott moved a call of the House.

The roll being called, the Clerk reported Messrs. Covel, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Johnson, McLeod, Stargis, Thorndike, Wilkinson and Mr. Speaker, as the absent members.

The Speaker, pro tem., directed the Sergeant-at-Arms to notify the absent members to appear in their seats.

A message from the Council being announced, Wm. Colville, Esq., appeared and delivered the following message:

MR. SPEAKER:—The Council has passed the following Bills:

No. 21, C. F., a bill granting to Hiram Caywood the right to establish and maintain a ferry across the Minnesota river.

No. 23, C. F., a bill granting to J. H. Farribault the right to establish and maintain a ferry across the Mississippi river.

No. 26, C. F., a bill to legalize a road from Crow Wing to Mille Lac, and from Mille Lac to the head of Lake Superior, in Minnesota Territory.

Also, memorial No. 10, C. F., a memorial to the Post Master General for additional mail service.

In all of which the concurrence of the House is respectfully requested.

The Council has also concurred in No. 1, H. of R., a joint resolution concerning the furnishing of information relative to the early history of Minnesota.

The Sergeant-at-Arms appeared and reported the absent members in their seats.

The report was accepted.

The Speaker then appeared and resumed his seat.

Mr. De La Vergne moved that the Chief Clerk be directed to notify the Council, that the House is now ready to meet in Joint Convention in the Hall of the House of Representatives, pursuant to adjournment.

Which motion was carried.

The Honorable Council then appeared and took their seats in the Representative Hall in Joint Convention of the two Houses.

JOURNAL OF THE JOINT CONVENTION.

The Joint Convention was called to order by the Speaker, and the roll being called the Clerk reported all the members present except Messrs. Hanson, Ludden, Rollins, Thompson, of the Council, and Mr. Thorndike, of the House.

Mr. Rolette moved, that this convention adjourn until next Monday at 12 o'clock.

And the yeas and nays being called for and ordered, there were yeas 23, and nays 25, as follows:

H.—13

Those who voted in the affirmative were,

Messrs. Bailly, Balcomb, Dooley, Flandrau, Rolette, Burdick, Covell, De La Vergne, Dunbar, Farnham, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Johnson, Kirkman, McLeod, Murphy, Wilkinson, Wilson—23.

Those who voted in the negative were,

Messrs. Lowry, Ludden, Setzer, Stone, Tillotson, Mr. President, Boutillier, Bradley, Buck, Cleaveland, Galbraith, Gibbs, Hunt, Ide, Jackman, Knauft, Lott, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Van Vorhes, Speaker—25.

So the motion was lost.

Mr. Rolette moved a call of the Convention. The roll being called, the Clerk reported Messrs. Freeborn, Hanson, Rollins, Thompson, and Thorndike absent.

Mr. Setzer moved, that Messrs. Hanson, Freeborn and Thompson be excused from attendance in the Convention.

And the yeas and nays being called for and ordered, there were yeas 39, and nays 9, as follows:

Those who voted in the affirmative were,

Messrs. Flandrau, Lowry, Ludden, Setzer, Stone, Tillotson, Mr. President, Boutillier, Bradley, Buck, Burdick, Cleaveland, Covell, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Knauft, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Speaker—39.

Those who voted in the negative were,

Messrs. Bailly, Balcomb, Dooley, Rolette, Grant, Johnson, Sturgis, Wilkinson, Wilson—9.

So the motion was carried.

Mr. Hunt moved that all further proceedings under the call of the Joint Convention be dispensed with.

Which motion was carried.

Mr. Rolette moved, that this Convention adjourn until Thursday next, at 2 o'clock.

And the yeas and nays being called for and ordered, there were yeas 20, and nays 33, as follows:

Those who voted in the affirmative were,

Messrs. Bailly, Balcomb, Dooley, Flandrau, Rolette, Buck, Burdick, Covell, De La Vergne, Dunbar, Gere, Grant, Haus, Holland, Hubbell, Kirkman, McLeod, Murphy, Wilkinson, Wilson—30.

Those who voted in the negative were,

Messrs. Lowry, Ludden, Rollins, Setzer, Stone, Thompson, Tillotson, Mr. President, Boutillier, Bradley, Cleaveland, Farnham, Galbraith, Gibbs, Hartenbower, Hull, Hunt, Ide, Jackman, Johnson, Knauft, Lott, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Speaker—31.

So the motion was lost.

Mr. Setzer moved that the convention now proceed to elect a Surveyor of Logs and Lumber for the first District.

Which motion was carried.

Mr. Setzer nominated Mahlon Black.

Mr. Rolette nominated J. B. Dickson.

Mr. Jackman nominated Robert Hasty.

The roll being called: Messrs. Bailly, Dooley, Flandrau, Lowry, Setzer, Stone, Tillotson, Gere, Haus, Hubbell, Hull, Lott, McLeod, Murphy, Norris, Sturgis, Speaker and Mr. President, were those who voted for Mr. Black.

Messrs. Balcomb, Boutillier, Bradley, Buck, Cleaveland, Farnham, Galbraith, Gibbs, Ide, Jackman, Knauft, Nobles, Pierce, Taylor, Thompson, and Van Vorhes, were those who voted for Mr. Hasty.

Messrs. Rolette, Burdick, Covell, De La Vergne, Dunbar, Grant, Hartenbower, Johnson, Kirkman, Wilkinson, and Wilson, were those who voted for Mr. Dickson.

Mr. Hunt voted for Black & Dickson.

Whole number of votes 47.

Necessary to a choice 24.

Mr. Hasty had 16 votes.

" Black " 19 "

" Dickson " 11 "

Black & Dickson " 1 "

The Speaker then declared that no choice had been made.

Mr. Flandrau moved that the convention adjourn until Monday next, at 2 o'clock P. M.

And the yeas and nays being called for and ordered, there were yeas 26, and nays 21, as follows :

Those who voted in the affirmative were,

Messrs. Bailly, Balcomb, Dooley, Flandrau, Rolette, Stone, Burdick, Covell, De La Vergne, Dunbar, Farnham, Gere, Grant, Haus, Holland, Hubbell, Hull, Hunt, Johnson, Kirkman, McLeod, Murphy, Sturgis, Wilkinson, Wilson, Speaker—26.

Those who voted in the negative were,

Messrs. Lowry, Ludden, Rollins, Setzer, Tillotson, Mr. President, Boutillier, Bradley, Buck, Cleaveland, Galbraith, Gibbs, Hartenbower, Ide, Jackman, Lott, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes.—21.

So the motion was carried, and the convention adjourned.

On motion of Mr. Hunt, the House now proceeded to take up the special order of the day.

Bill No. 33, H. of R. An act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota, and amendatory thereto.

Mr. Buck moved that (No. 33, H. of R.) be referred to the committee on Territorial Expenditures.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 18, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Dunbar, Farnham, Gere, Gibbs, Grant, Hartenbower, Hull, Ide, Jackman, Johnson, Kirkman, Knauft, Nobles, Pierce, Thompson, Van Vorhes.

Those who voted in the negative were,

Messrs. Boutillier, Burdick, Cleaveland, Covell, DeLa Vergne, Galbraith, Haus, Holland, Hubbell, Hunt, Lott, McLeod, Murphy, Norris, Sturgis, Taylor, Wilkinson, Mr. Speaker.

So the motion was lost.

Upon motion of Mr. Galbraith the House resolved itself into Committee of the Whole, for the purpose of taking into consideration bill (No. 33, H. of R.,) an act to continue in force an act to provide for the appointment of a Commissioner of Immigration for the Territory of Minnesota.

Mr. Nobles in the Chair.

After sometime passed therein, the committee rose and by their Chairman reported the bill back to the House with amendments and recommend the passage of the bill.

The report was carried.

Upon motion the amendments were concurred in.

Mr. Hunt moved that the bill be ordered to be engrossed for a third reading.

And the Yeas and Nays being called for and ordered, there were Yeas 30, and Nays 6, as follows :

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, Covell, DeLa Vergne, Galbraith, Gere, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Knauft, Lott, McLeod, Murphy, Nobles, Pierce, Sturgis, Thompson, Van Vorhes, Wilkinson, Wilson, and Speaker—30.

Those who voted in the negative were,

Messrs. Dunbar, Farnham, Gibbs, Jackman, Kirkman, and Taylor—6.

So the motion was carried, and the bill ordered to be engrossed for a third reading.

Mr. Buck moved that the House now adjourn, which motion was lost.

Mr. Wilson presented petitions of E. H. Carter and 16 others, J. W. Tenwood and 33 others, O. E. Garrison and 70 others, L. P. Warren and 93 others for a Territorial road from St. Cloud to Minneapolis.

Mr. Gere moved that the petitions be referred to the Committee on Territorial roads. Which motion was adopted.

Upon motion the House resolved itself into a Committee of the Whole for the purpose of taking into consideration bill (No. 30 H. of R.) an act to provide for laying out a Territorial road from Winona to Travers des Sioux.

Also bill (No. 35 H. of R.) to incorporate the Minnesota Immigration League.

Also bill (No. 31 H. of R.) for an act to incorporate the Mille Lac Mining Company.

Mr. Holland in the chair, after some time passed therein the Committee rose and by their chairman reported the bills back to the House with sundry amendments.

Upon motion the report was accepted, and Bill (No. 30, H. of R.) was ordered to be engrossed for a third reading.

Mr. Nobles moved that (Bill No. 31, H. of R.) be engrossed for a third reading.

Which motion was lost.

Mr. Boutillier moved to reconsider the vote, whereby the House refused to order the Bill engrossed.

And the Yeas and Nays being called for and ordered, there were Yeas 14 and Nays 12, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Covell, De La Vergne, Dunbar, Holland, Hubbell, Hunt, Murphy, Nobles, Sturgis, Thompson, Wilkinson, Wilson.

Those who voted in the negative were,

Messrs. Cleveland, Galbraith, Gere, Gibbs, Hull, Ide, Jackman, Norris, Pierce, Taylor, Van Vorhes, Mr. Speaker.

So the motion to reconsider was carried.

The question then recurring on ordering the Bill engrossed, it was decided in the negative.

Mr. Gere moved that the House adjourn, which was carried, and the House adjourned until to-morrow at 10 o'clock, A. M.

CHARLES GARDNER.

H. L. EDWARDS, Chief Clerk.

Speaker.

TUESDAY, JANUARY 29, 1856,

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Boutillier, Bradley, Burdick, Cleveland, DeLaVergne, Dunbar, Grant, Holland, Hull, Hunt, Ide, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Van Vorhes, Wilson, Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday was read, corrected and approved.

Mr. Ide presented the following petition, and moved that it be printed in the Journal, which was carried.

To the Honorable the Council and House of Representatives, of the Territory of Minnesota :

The undersigned, a citizen of the United States, and an inhabitant of the county of Blue Earth, in said Territory, would respectfully represent to your honorable bodies, that if the legislature of the Territory of Minnesota, and the people of Blue Earth county, derived the right and the power to create and maintain a corporate body with limits and bounds, with the rights and powers of county government, from the organic law which created the Territorial government of Minnesota, and from the laws of Congress of 1841 and of 1854, (giving the right to citizens of the United States exclusively, to settle upon and institute civil government upon the government lands,) your petitioner is of opinion that great injustice has been done to said county, by the late Winnebago treaty, which conflicts with the rules and regulations of Congress; stipulated in the organic law, and the laws of 1841 and of 1854, respecting the Territory of Minnesota, by placing the Winnebago Indians (who are not citizens of the United States,) in the heart of said county, and within three miles of the Minnesota river, and within three and a half miles of the county site, and subtracting the most valuable portion of its lands, and all of its numerous and prominent water powers, and ousting taxable citizens who entered upon the lands embraced in said treaty, in pursuance of the rules and regulations of Congress, and placing the Winnebago Indians in their place, who are not citizens of the United States, or taxable for the support of county and Territorial government; which act is contrary to the rules and regulations prescribed by the Congress of the United States. Your petitioner would respectfully ask your Honorable Bodies, in your wisdom to decide which are to be obeyed. For laws emanating from the different departments of the same legislative power, diametrically opposed, would be difficult to yield obedience to. If to the President and Senate—they may still subtract larger portions of territory with an increased number of inhabitants, until the whole of the government lands would be disposed of, (contrary to the Constitution,) and many thousands of citizens be ousted from their claims, and the rules and regulations prescribed by Congress, in pursuance of the Constitution, over territory belonging to the United States, would be rendered nugatory and made void, without a repeal by the power that made them—and claimants entering upon the government lands in the Territory of Minnesota, in pursuance of the laws of Congress, must not only run the risk of being ousted from their claims, but of being criminated, and their corporate property in the county, and the property in their claims, and the money and labor bestowed upon them confiscated. For if the treaty making power has not transcended its bounds, there has been no violation of law, no wrong committed, every thing has been done legal and right; consequently no damage could be sustained. And your petitioner cannot see how the government can be made liable in damages, if the treaty making power have exceeded the bounds of their agency. In such case they could not bind the government.

Your petitioner believes the late Winnebago treaty to be an anomaly in the legislation of our government—that the President and Senate, as the treaty making power, cannot relieve themselves from any responsibilities, or render nugatory and void any laws passed by themselves in conjunction with the whole legislative power of the government, in pursuance of the Constitution, any more than an agent can disengage himself from his own personal contracts, or relieve himself from his own personal liabilities, merely because he is an agent and has power to act for his principal in pursuance of instructions only. In the opinion of your petitioner, the late Winnebago treaty is a plain violation of the obligation of a contract, as regards the legislature of the Territory of Minnesota and the people of Blue Earth county, as infringing on the corporate rights of said county. That said treaty is a plain violation of the obligation of a contract, as regards the legislature and the whole people of the Territory, in ousting the legislature from the possession and control of the very valuable school lands embraced in said treaty. And your petitioner believes said treaty to be in effect an *ex post facto* law as regards the claimants upon the lands embraced in said treaty, and must, if carried into effect, not only oust them from

their claims and confiscate their property in their claims, but the money and labor expended upon them. And if their claims had been exempted in said treaty, and reserved to the claimants, it would still be in effect an *ex post facto*, as it would take away the benefits of civilized society, and compel them to accept all the dangers and all the evils of savage society. It would compel them to relinquish rights and privileges acquired by them, under the rules and regulations of Congress for the Territory of Minnesota. Your petitioner would humbly solicit your Honorable Bodies to examine the constitutionality of said treaty, and if the said county of Blue Earth has suffered injustice, or the legislature and the whole people, or if the claimants upon the lands embraced in said treaty, have been wronged and oppressed, and are now suffering wrongs and oppression under an *ex post facto* law, (expressly forbidden by the Constitution,) and deprived of any right, privilege or benefit, secured to them by the rules and regulations of Congress, prescribed for the Territory of Minnesota—your petitioner respectfully asks your Honorable Bodies, in your wisdom to aid in every lawful manner, to relieve the people and said county from the injustice suffered, and the claimants upon said lands, from the oppression and wrongs endured.

And as in duty bound, your petitioner will ever pray.

ISAAC ANDRUS.

And upon motion the said petition was referred to Committee on Indian Affairs.

Mr. Bradley presented memorial of O. E. Garrison, praying for the passage of a law authorizing the County Commissioners to defray the expense of laying out certain roads.

Which memorial was referred to Committee on Territorial Expenditures.

Mr. Holland gave notice that on to-morrow, or on some future day of the session, he would introduce a bill to provide for locating a Territorial road from the "Little Rapids" on the Minnesota River to Faribault, in Rice county.

Mr. Buck presented bill No. 101, H. of R., an act granting J. F. Martin and H. J. Hilbert the right to establish and maintain a ferry across the Mississippi river.

Read first and second times and laid on the table to be printed.

Mr. Van Vorhes gave notice that on to-morrow, or some subsequent day of the present session, he would introduce a bill to incorporate the "Owatonia Educational Institution."

Mr. Wilkinson gave notice that on to-morrow, or some future day of this session, he would introduce a bill to lay out and locate a Territorial road from the head of White Bear Lake, in Ramsey county, to Marine Mills.

Mr. Galbraith gave notice that on to-morrow, or some future day of this session, he would introduce a bill to establish and define the boundaries of the county of Orleans.

Mr. Wilson presented bill (No. 102, H. of R.,) for an act to incorporate the Western University of Minnesota.

Read first and second time by its title, and laid on the table to be printed.

Mr. Wilson gave notice that he would on to-morrow or some future day of this Session, introduce a memorial to Congress for certain mail routes in Minnesota Territory.

Mr. Norris upon leave granted, introduced bill (No. 103, H. of R.,) an act to provide for the location of a Territorial Road from St. Paul to Lakeland, in Washington County.

Also bill (No. 104, H. of R.) an act to amend the revised statutes.

Which was read a first and second time and laid on the table to be printed.

Mr. Haus upon leave granted, introduced bill (No. 105, H. of R.,) relating to Bills of Exchanges, Bank Check and Promissory Notes falling due on New Year's, Fourth of July, Fast, Thanksgiving and Christmas days.

Read first and second time and laid on the table to be printed.

Mr. Bradley gave notice that on to-morrow or some future day of this Session, he would introduce a bill to provide for the establishment of the County seat of Steele Co., and to alter its boundaries.

Mr. Bradley also presented bill (No. 106, H. of R.,) for an act to locate a Territorial Road from Minneapolis to Fort Ridgley, by way of Wayzata, Tazaska, and Glencoe.

Read the first and second time and laid on the table to be printed.

Mr. Ide gave notice that on to-morrow or some future day of the Session, he would ask leave to introduce a memorial to Congress to alter or arrange certain land districts.

Mr. Ide, from the Committee on County Boundaries, made the following report:

Your committee to whom was referred the bill (No. 34, H. of R.) to establish the common boundaries between the counties of Dakota and Scott, have had the same under consideration, and beg leave to report the same back with the recommendation that it pass.

Your committee would beg leave to recommend that the 3d section of the act entitled an act for a line of telegraph from St. Paul to St. Anthony and Minneapolis, chap. 22 page 70, approved March 3d, 1855, be also repealed.

All of which is respectfully submitted.

J. C. IDE,
P. K. JOHNSON,
J. H. HARTENBOWER.

Mr. Wilson reported from the Committee on Territorial Affairs:

We have had under consideration No. 14, H. of R., and beg leave to report back the same with the amendments thereto, and recommend their adoption, and also the passage of the bill.

Mr. Murphy moved to lay the report of Mr. Ide from the Committee on County boundaries on the table.

Which motion was lost.

Upon motion of Mr. Johnson, the rules were suspended and the House resolved itself into a Committee of the Whole for the purpose of taking into consideration bill No. 13, H. of R., to amend an act entitled an act to define the boundaries of certain counties, approved Feb. 20, 1855.

Also, bill No. 14, H. of R., an act to provide for laying out a Territorial road from the Iowa line past, Austin, Owatonia, Faribault, to the Dodd road.

Also, bill No. 34, H. of R., to establish the common boundaries between the counties of Dakota and Scott.

Mr. Davis in the chair.

After some time passed therein, the committee rose, and by their chairman reported the bill back to the House with amendments, and recommended the passage of said bill.

The report of the Committee was accepted, and the amendments were concurred in.

Mr. De La Vergne offered the following amendment, to bill (No. 14, H. of R.):

Add to Sec. 3, according to the distance which said road may pass through each County, to be determined by the Commissioners.

Which amendment was adopted.

And the bills with the amendments were ordered to be engrossed for a third reading.

Mr. Boutillier moved that the House adjourn until 3 o'clock this afternoon.

Mr. Bradley moved to amend, to adjourn until 2 o'clock this afternoon.

The amendment was accepted, and the question recurring on the adjournment, it was carried and the House adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

The House was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, DeLaVergne, Galbraith, Gere, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Kirkman, Knauft, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Van Vorhes, Wilson and Mr. Speaker.

Mr. DeLaVergne moved a call of the House.

The roll being again called the Clerk reported Messrs. Boutillier, Covell, Dunbar, Farn-

ham, Gibbs, Grant, Haus, Jackman, Knauft, Johnson, Lott, McLeod and Thorndike as the absent members.

Mr. Van Vorhes moved that Mr. Jackman be excused from attendance, which was agreed to.

Mr. Wilkinson moved that all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

Messages from the Council in being order, the Clerk took from the table and read the following message:

Mr. Speaker:

The Council has passed the following bills:

No. 21, C. F., a bill granting to Hiram Caywood the right to establish and maintain a ferry across the Minnesota River.

No. 23, C. F., a bill granting to J. H. Fairbanks the right to establish and maintain a ferry across the Mississippi River.

No. 26, C. F., a bill to legalize a road from Crow Wing to Mille Lac, and from Mille Lac to the head of Lake Superior in Minnesota Territory.

Also memorial (No. 10, C. F.) a memorial to the Postmaster General, for additional mail service; in all of which the concurrence of the House is respectfully requested.

The Council has also concurred in (No. 1, H. of R.) a joint resolution concerning the furnishing of information relative to the early History of Minnesota.

All of which bills were taken up and read the first and second time.

Bills and memorials on their third reading from the Council being in order,

Memorial (No. 2, C. F.) to Congress for an appropriation to construct a military road from Winona, on the Mississippi river, to Fort Ridgley, was taken up and passed and the title agreed to.

Also, memorial (No. 3, C. F.) to Congress for grant of land to improve the navigation of the Minnesota river, was taken up and read a third time.

Mr. Galbraith moved that the memorial be referred to a select committee of three.

Which motion was adopted.

The chair appointed Messrs. Galbraith, Holland and Johnson as said committee.

Memorial (No. 5, C. F.) to Congress for an appropriation of \$15,000 for improvement of Root river, was taken up, read a third time, and passed, and the title agreed to.

Upon motion of Mr. Taylor, bill (No. 35, H. of R.) to incorporate the Minnesota Emigration League, was ordered to be engrossed for a third reading.

And the Yeas and Nays being called for and ordered, there were Yeas 24, and Nays none, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, De LaVergne, Galbraith, Gere, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Kirkman, Murphy, Nobles, Pierce, Taylor, Thompson, Van Vorhes, Wilson, Mr. Speaker.

So the bill was ordered to be engrossed for a third reading.

On leave granted, Mr. DeLaVergne offered the following Resolution:

Resolved, That the Committee on Printing be instructed to procure fifty copies of all Bills of Council File which has not been laid upon the members' desks of this House.

Which resolution was adopted.

Mr. DeLaVergne moved that the Bills from the C. F., not yet considered in the Committee of the Whole, be postponed, which motion was carried.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills, Memorials and Joint Resolutions:

No. 23, H. of R., a bill for an act, granting to George Houghton and Christopher Davis the right to establish and maintain a Ferry across the Mississippi River.

No. 26, H. of R., a bill for an act granting to J. B. Shaw the right to maintain a ferry across the Mississippi River, at or near the mouth of Rum River.

No. 27, H. of R., an act to amend an act in relation to Justices of the Peace.

No. 30, H. of R., an act to provide for laying out a Territorial Road from Winona to Traverse des Sioux.

No. 33, H. of R., an act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota.

Mr. Nobles from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills, have examined and found correctly engrossed the following Bills, Memorials and Joint Resolutions:

No. 13, H. of R. a bill for an act to amend an act entitled an act to define the boundaries of certain counties.

No. 34, H. of R. a bill for an act to establish the common boundaries between the counties of Daakta and Scott.

No. 10, H. of R. a memorial to Congress for an appropriation for the Improvement of the Mississippi River, between St. Anthony Falls and Sauk Rapids.

No. 11, H. of R. a memorial for certain mail routes.

No. 12, H. of R. a memorial for an appropriation to improve the navigation of the Mississippi River and other purposes.

WILLIAM H. NOBLES,
A. F. DE LA VERGNE, } Committee.
CHARLES GRANT,

Upon motion of Mr. Buck, the House resolved itself into a Committee of the Whole for the purpose of taking into consideration bill (No. 4, H. of R.) for an act to amend the Revised Statutes.

Also, bill No. 43, H. of R., granting to Reuben Richmond and others the right to maintain a ferry across the Mississippi river.

Also, bill No. 44, H. of R., for an act to incorporate the St. Cloud Bridge Company. Mr. Van Vorhes in the chair.

After some time passed therein, the committee rose, and by their chairman reported back to the House bill No. 41, H. of R., without any recommendation, and asked leave to sit again.

The report was accepted, and leave granted to sit again.

Mr. Hunt, on leave granted, introduced bill No. 107, H. of R., for an act granting to Axel Jorgenson the right to establish and maintain a ferry across the Minnesota river, at or near the town of Carver, Carver county.

Which was read the first and second time by its title, and laid on the table to be printed.

Mr. Burdick moved that the House now adjourn, which motion was carried, and the House adjourned until to-morrow at 10 o'clock A. M.

H. L. EDWARDS.
Chief Clerk.

CHARLES GARDNER
Speaker.

WEDNESDAY, JANUARY 30, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, De La Vergue, Dunbar, Farnham, Galbraith, Gere, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Knauff, Lott, Murphy, Norris, Pierce, Thompson, Thorndike, Wilson, Speaker.

Prayer by the Rev. Mr. Penman.

Journal of yesterday was read, corrected and approved.

Mr. Ide presented a petition from J. A. Stewart and 45 others, to enact a law to attach certain townships to the county of Rice.

Mr. Gibbs moved that the petition be referred to the Dakota delegation.

Mr. Wilkinson moved to amend,—that the petition be referred to the committee on county boundaries.

Which amendment was adopted.

Mr. Gere moved that Mr. Ide be excused from serving on the committee of county boundaries, on the petition of J. A. Stewart and others.

Upon motion, the chair appointed Mr. Buck to fill the vacancy.

Mr. Murphy presented a remonstrance of Thomas Burns and others, against the removal of the county lines of Dakota and Scott counties.

Upon motion, it was referred to the committee on county boundaries.

Mr. Murphy moved that the petition be printed in the journal.

And the yeas and nays being called for and ordered, there were yeas 23, and nays 9 as follows:

Those who voted in the affirmative were

Messrs. Bradley, Buck, Burdick, Cleaveland, Dunbar, Farnham, Gibbs, Grant, Hartenbower, Haus, Holland, Hunt, Ide, Kirkman, Knauff, Murphy, Norris, Pierce, Taylor, Thorndike, Van Vorhes, Wilson, Speaker—23.

Those who voted in the negative, were

Messrs. Covell, De La Vergue, Galbraith, Gere, Hubbell, Hull, Johnson, Sturgis, Wilkinson—9.

Which motion was carried.

Mr. Wilson moved to reconsider the vote.

And the yeas and nays being called for and ordered, there were yeas 17, and nays 14, as follows:

Those who voted in the affirmative were

Messrs. Covell, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Johnson, Nobles, Sturgis, Thompson, Wilkinson, Wilson, Speaker—17.

Those who voted in the negative were

Messrs. Bradley, Buck, Burdick, Cleaveland, Gibbs, Holland, Hunt, Kirkman, Knauff, Murphy, Norris, Pierce, Thorndike, Van Vorhes—14.

Which motion was carried.

The question then recurring on the ordering of the remonstrance printed in the journal—

And the yeas and nays being called for and ordered, there were yeas 22, and nays 10, as follows:

Those who voted in the affirmative were

Messrs. Bradley, Buck, Burdick, Cleaveland, Dunbar, Farnham, Galbraith, Gibbs, Holland, Hunt, Ide, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Speaker—22.

Those who voted in the negative were

Messrs. Coville, Gere, Grant, Hartenbower, Hubbell, Hull, Johnson, Sturgis, Wilkinson, Wilson—10.

So the motion was carried.

To the Honorable the Council and House of Representatives of Minnesota Territory:

Your petitioners, citizens of Dakota County, in said Territory would most respectfully remonstrate against the removal of the present existing boundary lines between the County of Dakota and Scott. And your petitioners would further represent, that the law of 1855, establishing the present surveyed line, as described in the 22d chapter, page 70, of the Session laws of 1855 has fully and honorably carried out the wishes of the people of Dakota County, and particularly that of your petitioners who live along said line, a removal of which would materially affect and injure us under present existing circumstances, as when after the passage of the law defining the boundary between both Counties, your petitioners finding this position to be that which they desired, set to work and by labor and money contributed to the erection of a church, (which also answers for a school house) and applied for the establishing of a post office, and the formation of precincts. All of which we have, by honesty, industry, application and perseverance accomplished, and shall we now be deprived of the benefits of our labor and deceived and disappointed in our calculations; while working for these ends, as one people in the same County, the same precinct, attending the same church, and children the same school; and as a body of worthy citizens, bold and fearless pioneers, on the border of Dakota County, ready at any time on a good cause to face the brunt of the ballot-box.

Your petitioners are of opinion that your honorable body will not deprive them of these advantages and happiness, by hurling us into another County, for which we have no desire, and which will benefit no man. Relying upon the good judgement of our representatives we feel confident that the bill introduced by the gentleman from Scott will be rejected, for which your petitioners will ever pray.

THOMAS BURNS,
TERRY WILLOW,
MARTIN BURNS,
JAMES KENNEDY,
JAMES McCARNEY,
JOHN McCAN,
PATRICK McCARY,
EDWARD HENRY,
JOHN MONEGHAN,
PATRICK CASEY,
JOHN FINNEGAN.

Mr. Galbraith presented bill (No. 109, H. of R.) an act to establish the county of Orleans.

Read first and second time and ordered to be printed.

Mr. Norris presented bill (No. 110, H. of R.) an act to provide for the election of Superintendent of Common Schools.

Which was read the first and second time by its title and laid on the table.

Mr. Wilkinson presented bill (No. 111, H. of R.) For an act to incorporate the Minnesota Mining Company.

Read the first and second time by its title and laid on the table to be printed.

Mr. Hubbell presented bill (No. 112, H. of R.) to provide for supplying vacancies in the office of County Commissioner and for the assessment of Real Estate when the same lies in two counties.

Read first and second time and laid on the table to be printed.

Mr. Johnson presented bill (No. 114, H. of R.) granting Ephriam Cole and Joseph Malthoner the right to establish and maintain a ferry across the Minnesota river at the town of Mankato, Blue Earth County.

Which was read the first and second time and laid on the table to be printed.

Mr. Van Vorhes introduced bill (No. 115, H. of R.) to incorporate the Owatonia Institute at Owatonia, Steele county, M. T.

Read first and second time by its title and laid on the table to be printed.

Mr. Buck introduced bill (No. 116, H. of R.) an act providing for two terms of the District Court in Winona county.

Read first and second time by its title and laid on the table to be printed.

Mr. Holland introduced bill (No. 117, H. of R.) an act to provide for laying out a Territorial road from the Little Rapids of the Minnesota river to Faribault in Rice county.

Which was read a first and second time by its title, and laid on the table to be printed.

Mr. Hunt gave notice that on to-morrow or some other day of this session he would ask leave to introduce a bill to amend article 12, page 84, of the Revised Statutes.

Mr. Hubbell introduced bill (No. 118, H. of R.) an act to provide for laying out a Territorial road from Mantorville, Dodge county, to intersect the road from Wabashaw to Faribault.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Hull introduced bill (No. 118, H. of R.) to incorporate the Carimona Academy.

Which was read the first and second time and laid on the table to be printed.

Also introduced bill (No. 119,) For an act to organize the county of Freeborn.

Read a first and second time by its title, and laid on the table to be printed.

Also, Bill [No. 120,] An act to amend article four of the statutes of Minnesota.

Read a first and second time by its title and laid on the table to be printed.

Also, Memorial [No. 17, H. of R.] To Congress for a donation to the county of Fillmore, of all the swamp and overflowed lands in said county, for the endowment of an Academy at Carimona.

Mr. Wilson gave notice that he would on to-morrow or some future day, ask leave to introduce a bill to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company.

Mr. Wilson also gave notice that he would to-morrow or some future day of the session, beg leave to introduce a bill for an act for the relief of certain commissioners on Territorial roads.

Mr. Wilson introduced memorial (No. 18, H. of R.,) to Congress for certain mail routes in Minnesota Territory.

Which was read the first and second time and laid on the table to be printed.

Mr. Bradley introduced bill (No. 121, H. of R.,) an act to provide for locating the County of Steele and for other purposes.

Which was read first and second time by its title and laid on the table to be printed.

Mr. Farnham introduced bill (No. 122, H. of R.,) an act to provide for laying out certain Territorial Roads.

Which was read first and second time by its title, and laid on the table to be printed

Mr. Hunt offered the following resolution:

Resolved, That no member be allowed to speak but twice on any one question in Committee of the Whole; and but five minutes at each time.

Upon motion of Mr. Nobles the resolution was laid on the table.

Mr. Gere from the Joint Committee on enrolled bills made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Joint Resolution:

No. 1, H. of R., Joint Resolution, concerning the furnishing of information relative to the early History of Minnesota.

JOS. ROLETTE, Council.

WM. B. GERE, H. of R.

Mr. Stargis, from the Committee on Territorial Roads, made the following report:
The Committee on Territorial Roads, to which was referred the petition of L. P.

Warren and 93 others ; also the petition of O. E. Garrison and 70 others, and also the petition of J. W. Tenwood and 58 others; and also the petition of Carter and 14 others, beg leave to report the following :

That we have examined the plats and surveys of the St. Cloud and Minneapolis Road, and also the act authorizing the locating and establishing of said road ; and your Committee are satisfied that the same is a legally established road, and recommend that the prayer of the petitioners be granted. Your Committee find by reference to the act authorizing the establishment of said road, that there was no provision made for the expenses attending the location of said road. Therefore your Committee recommend that the expense for locating the same be paid out of the Territorial Treasury.

WM. STURGIS,
Chairman.

H. of R., Jany. 29th, 1856.

Mr. Wilson moved,
That the report be accepted.

Mr. Norris moved, *

That the report be laid on the table,—Which motion was lost.

The question then recurring on the adoption of the Report, the Report was accepted.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report :

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills:

No. 25, H. of R.—A bill for an act to incorporate the Watab Bridge Company.

No. 35, H. of R.—A bill to incorporate the Minnesota Immigration League.

A message from the Council was announced, Wm. Colville, Secretary of the Council appeared, and delivered the following message.

MR. SPEAKER :—The Council has passed [No. 22, C. F.] An act granting to Andrew J. Myrick, the right to establish and maintain a ferry across the Minnesota river.

In which the concurrence of the House is respectfully requested.

The following bills and joint resolution of the House of Representatives, have been concurred in.

No. 3, H. of R. An act to provide for laying out and establishing a Territorial road from Spring Lake to the Dodd road.

No. 7, H. of R. A bill to locate a Territorial road in the county of Houston, to the town of Mankato in Blue Earth county.

No. 8, H. of R. A bill to provide for laying out a Territorial road from Wabashaw by Ide's settlement to Faribault, and from thence west to intersect the Dodd road running to St. Peter.

No. 9, H. of R. An act to provide for the laying out a Territorial road from Winona to Austin.

No. 18, H. of R. An act to attach a certain portion of Sibley county, to LeSueur county.

No. 2, H. of R. A joint resolution relative to the U. S. Land Office in the Root river Land District.

The Council has also concurred in [No. 1, H. of R.] An act to provide for laying out a Territorial road from the forks of Crow river opposite Greenwood, near the head of Buffalo Lake, to intersect the Territorial road running from Minneapolis to St. Cloud with an amendment.

W. COLVILL, Jr.
Secretary of the Council.

Bills ready for a third reading being in order,

No. 10, H. of R., a memorial to Congress for an appropriation for the improvement of the Mississippi river between St. Anthony Falls and Sauk Rapids, was taken up and read a third time.

The question then recurring on the passage of the memorial, it was passed.

The question then recurring on agreeing to the title of the memorial, it was agreed to.

No. 12, H. of R., a memorial for an appropriation to improve the navigation of the Mississippi River, and other purposes,

Was taken up and read a third time.

The question then recurring on the passage of the memorial, it was passed.

The question then recurring on agreeing to the title of the memorial, it was agreed to.

No. 11, H. of R., a memorial for certain mail routes,

Was taken up and read a third time.

The question then recurring on the passage of the memorial, it was passed.

The question then recurring on agreeing to the title of the memorial, it was agreed to.

No. 15, H. of R., a bill to amend an act entitled an act to define the boundaries of certain counties,

Was then taken up and read a third time.

The question then recurring on the passage of the bill, it was passed.

The question then recurring on agreeing to the title of the bill, it was agreed to.

No. 25, H. of R., a bill for an act to incorporate the Watab bridge company,

Was taken up and read a third time.

The question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 22 and nays 8, as follows:

Those who voted in the affirmative were

Messrs. Burdick, Covell, De LaVergue, Farnham, Galbraith, Gere, Hartenbower, Hubbell, Hull, Hunt, Johnson, Kirkman, Lott, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, Mr. Speaker—22.

Those who voted in the negative were

Messrs. Bradley, Cleaveland, Ide, Knauff, Murphy, Norris, Pierce, Thorndike—8.

So the bill passed.

The question then recurring on agreeing to the title of the bill.

It was agreed to.

No. 26, H. of R., a bill granting to J. B. Shaw the right to maintain a ferry across the Mississippi river at or near the mouth of Rum River.

Was taken up and read a third time.

The question then recurring on the passage of the bill.

It was passed.

The question then recurring on agreeing to the title of the bill.

It was agreed to.

No. 25, H. of R. a bill granting to George Houghton and Christopher Davis the right to establish and maintain a ferry across the Mississippi river.

Was taken up and read a third time.

The question then recurring on the passage of the bill.

It was passed.

The question then recurring on agreeing to the title of the bill.

It was agreed to.

No. 34, H. of R. a bill to establish the common boundaries between the counties of Dakota and Scott was taken up and read a third time.

Mr. Murphy moved,

That the bill be referred to the Committee on County Boundaries.

And the yeas and nays being called for and ordered, there were yeas 22, and nays 11, as follows:

Those who voted in the affirmative were,
Messrs. Bradley, Cleaveland, Covell, Dunbar, Farnham, Gibbs, Haus, Hubbell, Ide, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike and Mr. Speaker—22.

Those who voted in the negative were,
Messrs. Burdick, De la Vergne, Galbraith, Gere, Grant, Hartenbower, Holland, Hull, Hunt, Wilkinson, and Wilson—11.

Which motion was adopted.

Mr. Bott moved, —

That the House adjourn until 2 o'clock this afternoon.

Which motion was determined in the affirmative.

So the House adjourned until this afternoon at 2 o'clock.

AFTERNOON SESSION.

The House was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, Galbraith, Gere, Hartenbower, Holland, Hubbell, Hull, Hunt, Johnson, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, Wilkinson, Wilson and Mr. Speaker.

The Chief Clerk being absent, Mr. Galbraith moved,

That Mr. Shepley be appointed Chief Clerk, pro tem.

Which motion was adopted.

Bills, Memorials, &c., ready for a third reading, being in order,

Bill No. 33, H. of R., an act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota, was taken up and read a third time.

Mr. McLeod moved a call of the House,

And the roll being called, the following members were reported absent :

Messrs. Boutillier, Covell, Gibbs, Grant, Haus, Ide, Jackman, Kirkman, Knauff, Lott, Nobles, Sturgis, and Van Vorhes.

Mr. De LaVergne moved

That all further proceedings under the call of the roll be dispensed with.

Which motion was adopted.

The question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 19 and nays 8, as follows:

Those who voted in the affirmative were

Messrs. Burdick, De LaVergne, Galbraith, Gere, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Johnson, Lott, McLeod, Murphy, Norris, Taylor, Wilkinson, Wilson, Mr. Speaker.

Those who voted in the negative were

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Pierce, Thompson, Thorndike.

So the bill passed.

Mr. Lott moved

To re-consider the vote by which bill No. 33, H. of R., was passed.

And the yeas and nays being called for and ordered, there were yeas 11, and nays 17, as follows:

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Hartenbower, Johnson, Knauff, Pierce, Thompson, Thorndike—11.

Those who voted in the negative were

Messrs. Burdick, De LaVergne, Galbraith, Gere, Grant, Holland, Hubbell, Hunt, Hull, Lott, McLeod, Murphy, Norris, Taylor, Wilkinson, Wilson, Mr. Speaker—17.

So the motion to reconsider was lost.

The question then recurring on agreeing to the title of the Bill, it was agreed to.

Also, Bill No. 35, H. of R., to incorporate the Minnesota Immigration League was taken up, and read a third time.

The question then recurring on the passage of the Bill, it was passed.

The question then recurring on agreeing to the title of the Bill, it was agreed to.

Bill No. 30, H. of R.—An act to provide for laying out a Territorial Road from Winona to Traverse des Sioux, was taken up and read a third time.

The question then recurring on the passage of the Bill, it was passed.

Mr. DeLaVergne moved,

To amend the title of the bill by inserting the word "Owatonia," in lieu of Traverse des Sioux.

Which motion was adopted.

The question then recurring on agreeing to the title of the Bill as amended, it was agreed to.

Bill No. 27, H. of R.—An act to amend an act in relation to Justices of the Peace, was taken up and read a third time.

The question then recurring on agreeing to the title of the Bill, it was agreed to.

Upon motion of Mr. Bradley,

The House resolved itself into a Committee of the Whole, Mr. Dunbar in the Chair,

For the purpose of taking into consideration Bill No. 41, H. of R.,—a bill for an act to amend the Revised Statutes.

After some time passed therein, the Committee rose and by their Chairman reported the Bill back to the House, with an amendment, and recommended its passage.

Upon motion, the report of the Committee was adopted.

Mr. DeLaVergne offered the following amendment :

Strike out in third line of section one, all after the word "officers," to the fall period in the 7th line of the same section.

And the yeas and nays being called for and ordered, there were yeas 2, and nays 27, as follows :

Those who voted in the affirmative were,

Messrs. Hunt and Johnson—2.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Covell, DeLaVergue, Dunbar, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hubbell, Hull, Ide, Knauft, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Wilkinson, Wilson and Mr Speaker—27.

So the amendment was not adopted.

Mr. DeLaVergne moved,

That the Bill be referred to the Committee on Elections and Election Laws;

And the yeas and nays being called for and ordered, there were yeas 5, and nays 24, as follows :

Those who voted in the affirmative were,

Messrs. DeLaVergue, Hunt, Johnson, Norris and Taylor—5.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Covell, Dunbar, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hubbell, Hull, Ide, Kirkman, Knauft, McLeod, Murphy, Nobles, Pierce, Sturgis, Thompson, Thorndike, Wilson and Mr. Speaker—24.

So the motion was lost.

Mr. Hunt moved

That the House now adjourn.

And the yeas and nays being called for and ordered, there were yeas 6, and nays 23, as follows :

Those who voted in the affirmative were :

Messrs. DeLaVergue, Hubbell, Hunt, Johnson, Norris, Sturgis—6.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Covell, Dunbar, Galbraith, Gere, Gibbs, Hartenbower, Holland Hull, Ide, Kirkman, Knauff, McLeod, Murphy, Nobles, Pierce, Taylor, Thompson, Thorndike, Wilson, Mr. Speaker—23.

So the motion was lost.

Mr. Bradley offered the following amendment as an additional section:

Sec. 2. That section three (3) of chapter five, (5) on page forty-five, (45) of the Revised Statutes, as printed, is hereby amended so as to read as follows:

A general election shall be held in the several election precincts in this Territory, on the second Tuesday of November, in each year, at which there shall be chosen so many of the following officers as are by law to be elected in such year, that is to say, a Delegate to Congress, Members of the Territorial Council and House of Representatives Judges of Probate, District Attorney and the following county and precinct officers, to wit: County Commissioners, Sheriffs, Register of Deeds, County Treasurer, Coroners, Justices of the Peace, County Assessors, Constables, and all other county, precinct and district officers, not herein enumerated or otherwise provided for.

Mr. DeLaVergne rose to a point of order.

The point of order being, that the section containing new matter, of which no previous notice having been given, could not be entertained by the House.

The Chair decided against the point of order.

Mr. DeLaVergne appealed from the decision of the Chair.

And the Yeas and Nays being called for and ordered, there were Yeas 23 and Nays 5 as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Covell, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Hubbell, Hull, Kirkman, Knauff, McLeod, Murphy, Nobles, Pierce, Taylor, Thompson, Thorndike, Wilkinson and Wilson—23.

Those who voted in the negative were,

Messrs. DeLaVergne, Holland, Hunt, Johnson and Norris—5.

So the decision of the Chair was sustained.

Mr. Dunbar moved,

That Mr. Ide be excused from voting.

Which motion was adopted, and Mr. Ide was excused.

Mr. Hunt moved,

That the House now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 8, and Nays 22 as follows:

Those who voted in the affirmative were,

Messrs. Covell, De LaVergne, Hubbell, Hunt, Johnson, Knauff, Taylor and Wilkinson—8.

Those who voted in the negative were,

Messrs. Bradley, Cleaveland, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hull, Ide, Kirkman, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Thompson, Thorndike, Wilson and Mr. Speaker—22.

So the motion was lost.

Mr. De LaVergne moved a call of the House.

And the roll being called the clerk reported the following members absent:

Messrs. Boutillier, Burdick, Farnham, Grant, Haus, Jackman, Sturgis, Van Vorhes.

Mr. Gere moved,

That all further proceedings under the call of the House be dispensed with.

And the yeas and nays being called for and ordered, there were yeas 27, nays 4, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Covell, Dunbar, Farnham, Galbraith, Gere, Gibbs, H.—15

Hartenbower, Holland, Hubbell, Hull, Ide, Kirkman, Knauff, McLeod, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Wilkinson, Wilson Mr. Speaker—27.

Those who voted in the negative were,

Messrs. De LaVergne, Hunt, Johnson, Lott—4.

Which motion was adopted.

Mr. Bradley moved,

That the amendment be adopted.

And the yeas and nays being called for and ordered, there were yeas 16 and nays 12, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Gere, Gibbs, Hartenbower, Holland, Hull, Ide, Kirkman, Knauff, Murphy, Nobles, Pierce, Thompson, Mr. Speaker—16.

Those who voted in the negative were,

Messrs. De LaVergne, Dunbar, Farnham, Galbraith, Hubbell, Hunt, Johnson, Lott, Norris, Thorndike, Wilkinson, Wilson—12.

Which motion was adopted.

Mr. Galbraith moved,

That the amendment as proposed in the committee of the whole be concurred in, and on that motion called the previous question.

The question being,

"Shall the main question be now put?"

And the yeas and nays being called for and ordered, there were yeas 21, and nays 5, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hull, Ide, Kirkman, Knauff, Murphy, Norris, Pierce, Thompson, Thorndike, Wilson, Mr. Speaker—21.

Those who voted in the negative were,

Messrs. De LaVergne, Hubbell, Hunt, Johnson, Lott—5.

So the main question was ordered.

The question then recurring on the motion of Mr. Galbraith, It was adopted.

Mr. Galbraith moved,

That the bill be engrossed for a third reading, and on that motion called the previous question.

The question being, shall the main question be now put.

And the yeas and nays being called for and ordered, there were yeas 21, and nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hull, Ide, Kirkman, Knauff, Murphy, Nobles, Pierce, Thompson, Thorndike, Wilson, Mr. Speaker—21.

Those who voted in the negative were,

Messrs. DeLaVergne, Hubbell, Hunt, Johnson, Lott, Norris—6.

So the main question was ordered.

Mr. Lott moved a call of the House, and the roll being called,

The Clerk reported the following members absent:

Messrs. Boutillier, Burdick, Farnham, Grant, Haus, Jackman, McLeod, Sturgis, Taylor, Van Vorhes.

Mr. Buck moved,

That all further proceedings under the call of the roll be dispensed with.

Which motion was adopted.

The question then recurring on ordering the bill to be engrossed for a third reading,

And the yeas and nays being called for and ordered, there were yeas 22, and nays 6 as follows:

Those who voted in the affirmative were,
Messrs. Bradley, Buck, Cleaveland, Covell, Dunbar, Farnham, Galbraith, Gere, Gibbs,
Hartenbower, Hull, Ide, Johnson, Kirkman, Knauff, Murphy, Nobles, Pierce, Thompson,
Thorndike, Wilson, Mr. Speaker—22.

Those who voted in the negative were,
Messrs. DeLaVergne, Holland, Hubbell, Hunt, Lott, Norris—6.

So the bill was ordered to be engrossed.

Mr. Buck moved,

That the House now adjourn.

Which motion was adopted.

The House adjourned until to-morrow at 10 o'clock A. M.

CHARLES GARDNER,
Speaker.

Attest:

J. C. SHEPLEY,
Chief Clerk, *pro tem.*

THURSDAY, JANUARY 31, 1856.

The House met pursuant to adjournment,

And was called to order by the Speaker.

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

Messrs. Buck, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Thorndike, Wilson, and Mr. Speaker.

Prayer by the chaplain.

Journal of yesterday was read, corrected and approved.

Mr. McLeod gave notice,

That he would on to-morrow or some future day, introduce a bill to locate a Territorial road from Rice Lake in Dodge county, to intersect the Mendota and Big Sioux Road.

Mr. Hubbell gave notice,

That on to-morrow or some future day of this session, he would ask leave to introduce a bill to establish the Mantorville Academy Institute of learning.

Mr. Covell, on leave granted, introduced (No. 123, H. of R.) An act to provide for laying out a Territorial road from Pleasant Valley to the Iowa line.

Which was read a first and second time and laid on the table to be printed.

Mr. Covell gave notice,

That he would on to-morrow or at some future day of the Session, ask leave to introduce a bill to establish the boundaries of certain counties.

Mr. Dunbar introduced (No. 124, H. of R.) An act, entitled an act to incorporate the Caledonia Academy, at Caledonia.

Which was read a first and second time and laid on the table to be printed.

Mr. Wilson introduced (No. 125, H. of R.) A bill for an act for the relief of certain commissioners on Territorial roads.

Which was read a first and second time and laid on the table to be printed.

Mr. Thorndike gave notice,

That he would on to-morrow or some future day of this session, ask leave to introduce a bill to prescribe the times for holding the several terms of the District Courts in the several Judicial Districts.

Mr. DeLaVergne gave notice,

That on to-morrow, or some future day, he would ask leave to introduce a bill incorporating the St. Peter's Institute.

Mr. Johnson gave notice,

That he would on to-morrow, ask leave to introduce a bill granting the right to Mr. Brown to establish and maintain a ferry at the town of Henderson, in the county of Sibley.

Mr. Nobles gave notice,

That on some future day of this session, he would ask leave to introduce a bill to divorce Amanda E. Richardson from her husband Daniel Richardson.

Mr. McLeod gave notice,

That he will on to-morrow or some future day, introduce a bill to incorporate the Nicollet county Lead and Coal Mining Company.

Reports of committees being in order,

Mr. Wilkinson, from the Committee on Incorporations, to whom was referred (No. 40, H. of R.,) a bill granting an extension of time to the Minnesota and North Western Railroad Company,

Made the following report:

That the committee having had the bill under consideration beg leave to report the same back to the House without amendment, and unanimously recommend its passage.

The report of the committee was accepted.

Mr. Lott, from the Judiciary Committee, to whom was referred

(No. 38, H. of R.,) a bill to amend an act entitled An Act to amend sec. 16, article 8, of the Revised Statutes,

Made the following report:

That the committee having had the bill under consideration, beg leave to report the same back to the House with the following amendment:

Insert in first line of sec. 1, after the words "Revised Statutes," which reads as follows, viz:

"No Sheriff shall be eligible to office for two terms in succession, but at the expiration of his first term he shall settle up all business pertaining to his said office of Sheriff in the manner as now provided by the Statutes of this Territory."

The report of the committee was accepted.

The question then recurring on the concurrence by the House in the amendment to bill No. 38, H. of R., as reported by the Judiciary Committee,

It was concurred in.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills, have examined and found correctly enrolled the following memorials and joint resolution:

No. 2, C. F. Memorial to Congress to make an appropriation to construct a military road from Winona on the Mississippi river to Fort Ridgley.

No. 2, H. of R. Joint Resolution relative to the United States Land Office in the Root river Land District.

No. 5, C. F. A memorial to Congress for an appropriation of \$15,000 for the improvement of Root river.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Mr. Sturgis from the Committee on Territorials, to whom was referred Bills (No. 15, H. of R.) A bill to locate a Territorial road from the old Sioux crossing opposite the town of Traverse des Sioux by the Dogs Lodge and Vermillion Prairie to the Mendota and Big Sioux Road, at some point near Mendota.

Also, (No. 32, H. of R.) A bill to provide for the laying out of a Territorial road from Cannon Falls to the Iowa line.

Also, (No. 16, H. of R.) A bill to locate a Territorial road from some point near the town of LeSeur to the old Sioux crossing,

Made the following report:

The Committee on Territorial roads having had under consideration bills (No. 15 and 16, H. of R.) recommend the following amendment to bill (No. 16, H. of R.)

In section one, second line, strike out the words "near the town of LeSeur," and insert "on the Territorial road between the town of LeSeur and Roberts' ferry."

And recommend the passage of (No. 15,) without amendment.

Also, recommend the passage of Bill, (No. 32, H. of R.) with the following amendments:—Strike out all section one, and insert in lieu thereof, that James M. Sumer, Peter Mantor and Samuel Hull, be and the same are hereby appointed Commissioners to locate a Territorial Road from Arnoldsville, on the Iowa line, to Forestville, Spring Valley, Elk Horn, Pleasant Valley, Mantorville, and Cannon Falls, to St. Paul.

Also, add to section three:—"In the different counties which said road may pass through."

Also, your Committee recommend the passage of the following resolution:

Resolved, That so soon as the people of the county of Le Seur inclose their county with a good and lawful fence, all acts or parts of acts establishing roads touching the county of Le Seur, shall be null and void.

WM. STURGIS
R. WILKINSON,
M. G. THOMPSON.

Mr. Dunbar moved that the report of the Committee be accepted.

And the yeas and nays being called for and ordered, there were yeas 10, and nays 18, as follows:

Those who voted in the affirmative were,
Messrs. Cleaveland, Dunbar, McLeod, Nobles, Pierce, Stargis, Thompson, Thorndike, Wilkinson, and Wilson—10.

Those who voted in the negative were,
Messrs. Buck, Burdick, Coval, DeLaVergne, Galbraith, Gere, Gibbs, Haus, Holland, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Norris, Taylor, and Mr. Speaker.—18.

So the motion was lost.

Mr. Galbraith moved,

That the vote by which the House refused to accept the report of the committee, be re-considered.

Which motion was adopted.

Mr. Nobles moved,

That the report be accepted, and that the committee be discharged from further consideration of the subject.

Which motion was adopted.

Mr. De LaVergne moved,

That the resolution accompanying the report of the committee on Territorial Roads be laid on the table.

Which motion was adopted.

Mr. Norris moved,

That the amendments to the bills reported back by the Committee on Territorial roads be taken up and read.

Which motion was adopted.

The amendment as proposed by the committee to bill No. 16, H. of R., was then taken up and read.

The question then recurring on the concurrence of the House in the amendment, it was concurred in.

The amendments proposed by the committee to bill No. 32, H. of R., were also taken up and read.

And the question then recurring on the concurrence of the House in the amendments, They were concurred in.

Mr. Nobles from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bill:

No. 41, H. of R. A bill for an act to amend the Revised Statutes.

WM. H. NOBLES,
A. F. DE LAVERGNE, } Committee.
CHAS. GRANT.

The report was accepted.

Mr. Galbraith, from the Committee to whom was referred (No. 3, C. F.) A memorial to Congress for a grant of lands to improve the navigation of the Minnesota river made the following report:

To the Honorable the House of Representatives of Minnesota Territory:

The Committee to which was referred Memorial (No. 3, C. F.) beg leave respectfully to report, that they have carefully considered the said memorial, and respectfully recommend its passage, with the following amendments, to wit:

In line 2 of the printed bill hereto attached, after the word "domain," and before the word "as" insert "or such an appropriation of money."

In line 5, of the same bill, after the word "kind" and before the word "and," insert "a bar at its mouth called the Mendota Bar."

In line 8, after the word "snags" and before the word "above mentioned," insert "and bar."

In line 10, after the word "channel," strike out "about ten thousand dollars," and insert "and removing the Mendota Bar about thirty thousand dollars."

In line 10, (error) between the words "the" and "lands," insert "unoccupied."

All of which is most respectfully submitted.

THO'S. GALBRAITH,
P. K. JOHNSON, } Committee.
J. M. HOLLAND.

The question then recurring on concurrence of the House in the amendments as proposed by the Committee to (No. 3 C. F.), they were concurred in.

Upon motion of Mr. Buck,

The House resolved itself into a Committee of the Whole, Mr. Taylor in the chair, for the purpose of taking into consideration

No. 3, C. F.—A memorial to Congress for a grant of land to improve the navigation of Minnesota river.

Also, No. 7, C. F.—A bill to legalize acknowledgments of conveyances, heretofore taken before either the Supreme or District Court Clerks and Judges of Probate of this Territory.

After some time passed therein, the Committee rose and by their Chairman reported the bill and memorial back to the House without amendment, and recommended their passage.

The report of the Committee was accepted.

Mr. Galbraith moved,

That the Rules be suspended, and that memorial (No. 3, C. F.) be read a third time by its title only,—which motion was adopted.

The memorial was then read a third time.

The question then recurring on the passage of the memorial, it was passed.

The question then recurring on agreeing to its title, it was agreed to.

Upon motion, Memorial (No. 7, C. F.) was taken up and read a third time.

The question then recurring on the passage of the memorial, it was passed.

The question then recurring on agreeing to the title of the memorial, it was agreed to.
Mr. Burdick moved,
That the House now adjourn until half-past two this afternoon.
So the House adjourned until half-past two o'clock.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.
The roll being called, the following members answered to their names:
Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, De LaVergne, Galbraith, Gibbs, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Johnson, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Thorndike, Wilkinson, Wilson, Mr. Speaker.

The Speaker signed the following joint resolutions:

Joint resolution concerning the furnishing of information relative to the early history of Minnesota.

Joint resolution relating to the United States Land Office in the Root River Land District.

Messages from the Council being in order,

Mr. Holland moved,

That bills No. 22, C. F., and No. 1, H. of R., be now taken up.

Which was determined in the affirmative.

No. 22, C. F., an act granting to Andrew J. Myrick the right to establish and maintain a ferry across the Minnesota river,

Was taken up and read a first and second time.

The question then recurring on the concurrence of the House to the Council amendment to bill No. 1, H. of R.,

It was determined in the affirmative.

Mr. Nobles moved,

That the rules be suspended and that

No. 1, C. F., a bill to suppress the issue and circulation of unauthorized bills as currency, be now taken up.

Which was determined in the affirmative.

The bill was then taken up and read a first and second time.

Bills ready for a third reading being in order,

No. 41, H. of R., a bill to amend the Revised Statutes,

Was then taken up and read a third time.

Mr. Norris moved,

That the bill be referred to the committee of the whole.

Which motion was not adopted.

The question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 23, and nays 7, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, Covel, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hull, Ide, Knauff, McLeod, Murphy, Nobles, Pierce, Thorndike, Wilson, and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. De LaVergne, Holland, Hubbell, Hunt, Johnson, Lott, Norris, Sturgis, Taylor—8.

So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was agreed to.

Mr. Nobles, from the Committee on Engrossed bills, made the following report:

The committee on Engrossed Bills have examined and found correctly engrossed the following bill:

No. 14, H. of R., A bill for an act to provide for laying out a Territorial road from the Iowa line, past Austin, Owatonia, Farribault, to the Dodd road.

WM. H. NOBLES,
A. F. DE LAVERGNE,
CHAS. GRANT.

Upon motion of Mr. Wilkinson,

The House resolved itself into a Committee of the Whole, Mr. Burdick in the chair, for the purpose of taking into consideration

No. 40, H. of R.—A bill granting to the Minnesota and Northwestern Railroad Company an extension of time.

Also, No. 16, H. of R.—A bill to locate a Territorial Road from some point near the town of Le Seur to the Old Sioux Crossing.

Also, No. 32, H. of R.—A bill to provide for the laying out of a Territorial Road from the Cannon Falls to the Iowa line.

A message from the Council being announced, the Speaker took the chair, when Wm. Colville, Esq., the Secretary thereof, appeared and delivered the following message:

Mr. SPEAKER :—The Council have concurred in the following bills, passed by the House of Representatives:

No. 12, H. of R.—An Act to change the time of holding Courts in Le Seur county.

No. 20, H. of R.—An act granting to S. B. Lowry the right to establish and maintain a ferry across the Mississippi River at St. Cloud.

No. 21, H. of R.—A bill for an act entitled an act to change the name of Serena M. Huntley to Serena Marie Ames.

No. 39, H. of R.—An act to amend an act to provide for the surveys of logs and lumber in Minnesota Territory.

The Secretary having withdrawn, the Speaker left the chair, and the Committee resumed its sitting.

After some time passed therein, the Committee rose, and by their chairman reported the bills back to the House, with amendments, and recommend their passage as amended.

The report of the Committee was accepted.

The question recurring on the adoption of the following amendment to No. 32, H. of R.: Strike out the words "to St. Paul," and strike out the word "and" before the word Cannon Falls, and insert the word "to" in lieu thereof,—it was adopted.

The question then recurring on ordering bill (No. 32, H. of R.) To be engrossed for a third reading, was determined in the affirmative.

The question then recurring on the adoption of the following amendment, as proposed in committee of the whole, to bill (No. 40, H. of R.)

Amend the second section, by inserting immediately after the word "said" in the fifth line, the word "road,"

It was adopted.

The question then recurring on ordering bill (No. 40, H. of R.) to be engrossed for a third reading,

It was determined in the affirmative.

The question then recurring on ordering bill (No. 16, H. of R.) to be engrossed for a third reading,

It was determined in the affirmative.

By consent of the House,

Mr. Holland offered the following Resolution:

Resolved, That the Chief Clerk be instructed to inform the Council, that but few of their printed bills, memorials, joint resolutions, journals, &c., are laid upon the desks of the members of this House, and that in consequence thereof, the House is unable to consider bills, memorials, joint resolutions, journals, &c., passed by the Council, and that the Council is most respectfully requested by the House, to instruct their messenger to

furnish the House of Representatives with printed copies of all bills, memorials, joint resolutions, journals, &c., passed by the Council.

Which resolution was adopted.

Mr. Taylor moved that the House now adjourn.

Which motion was adopted.

And the House adjourned until to-morrow at 10 o'clock A. M.

CHARLES GARDNER,
Speaker.

Attest,

J. C. SHEPLEY,

Chief Clerk, pro tem.

FRIDAY, FEBRUARY 1, 1856.

The House met pursuant to adjournment,
And was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham,
Galbraith, Gibbs, Grant, Hubbell, Hull, Ide, Knauft, Lott, Norris, Pierce, Thompson,
Thorndike, Wilson, and Mr. Speaker.

Prayer by the Chaplain, Rev. E. D. Neill.

Pending the reading of the Journal,

Mr. Bradley moved,

That further reading of the Journal be dispensed with.

Which was agreed to.

The Speaker laid before the House the following communication:

ST. PAUL, Feb. 1st, 1856.

To the House of Representatives.

Gentlemen :—

The members of the House are invited to attend the annual address before the Minnesota Historical Society, by Hon. H. H. Sibley, on the early settlers of Minnesota, this evening at 7 o'clock, in the First Presbyterian Church.

E. D. NEILL,
Secretary Min. Historical Society.

Mr. Galbraith gave notice,

That on to-morrow or some future day of the Session, he would ask leave to introduce a bill to establish and define the boundaries of Anoka County.

Also, a bill to divorce Ellen McKenzie from her husband, Wallace McKenzie.

Mr. Farnham introduced

No. 126, H. of R., an act entitled an act to increase the powers of the Regents of the University of Minnesota, under certain circumstances.

Read the first and second time by its title and laid on the table to be printed.

Mr. Hartenbower introduced

No. 127, H. of R., a bill which provides for the location of a road from some point on the Mississippi river, opposite Prairie La Crosse to Mankato.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Wilkinson introduced

H.—16.

(No. 128, H. of R.) an act to provide for the more speedy publication of the Laws of the Territory of Minnesota,

Which was read a first and second time by its title, and laid on the table to be printed.

Mr. Covell introduced

(No. 129, H. of R.,) an act to establish the boundaries of certain counties,

Which was read the first and second times by its title, and laid on the table to be printed.

Mr. De LaVergne gave notice that on to-morrow, or some future day, he would ask leave to introduce a bill relative to the distribution of the School fund in Sibley county.

Mr. Wilkinson offered the following resolution:

Resolved, That there be printed, for the use of the House of Representatives, 1,500 copies of the Message of the Governor to the two Houses of the Legislative Assembly, with the reports of the several Territorial and District officers who have made reports to either of the two Houses.

And the yeas and nays being called for and ordered, there were yeas 9, and nays 18, as follows:

Those who voted in the affirmative were,

Messrs. Buck, Burdick, De LaVergne, Grant, Holland, Hubbell, Hunt, Wilkinson, Wilson—9.

Those who voted in the negative were,

Messrs. Bradley, Cleveland, Dunbar, Galbraith, Gibbs, Hartenbower, Hull, Ide, Johnson, Knauff, Lott, Murphy, Nobles, Norris, Sturgis, Taylor, Thorndike, and Mr. Speaker—18.

The resolution was not adopted.

Mr. Lott, on leave granted, offered the following Resolution:

Resolved, (The Council concurring,) That the Committee on Public Buildings, be, and are hereby instructed to visit and inspect the Public Buildings, and report to the House of Representatives and Council, as soon as convenient.

Which resolution was adopted.

Mr. Johnson on leave granted, introduced (No. 130, H. of R.)

Read a first and second time and laid on the table to be printed.

Reports from select committees being in order,

Mr. Sturgis presented a report in the case of Wm. Kingsbury, contesting the seat of Hon. N. C. D. Taylor.

Mr. Hunt also presented a minority report from the same committee.

Mr. Burdick moved,

That the reports be laid on the table to be printed in pamphlet form, for the use of this House.

Which was adopted.

Mr. Burdick also moved,

That the reports in the case of Messrs. Kingsbury and Taylor, be made the special order of Tuesday forenoon next.

Which motion was adopted.

A message from the Council being announced, Mr. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has concurred in (No. 17, H. of R.) A bill to extend the corporate limits of the town of Henderson, with amendment, in which the concurrence of the House is respectfully requested.

WM. COLVILLE, Secretary.

Mr. Galbraith moved,

That the vote by which the report of the committee was ordered to be printed, be re-considered.

Which motion was carried.

Mr. Galbraith offered the following, in the matter of the contested seat in this House wherein Mr. Kingsbury contests the seat of Mr. Taylor:

Resolved, That one hundred copies of the majority and minority reports, together with all the testimony adduced before the committee, be, and is hereby, ordered to be printed for the use of the members of this House.

Which resolution was adopted.

Messages from the Council being in order, the Clerk read the following message:

MR. SPEAKER:—The Council has passed the following bill, with amendment, in which the concurrence of the House is requested:

(No. 17, H. of R.) a bill to extend the corporate limits of the town of Henderson, with the following amendment:

Amend by inserting in the second line, after the words "quarter of section," the words, eleven and the south-east quarter of section.

Mr. De LaVergne moved,

That the amendment be concurred in.

Which was determined in the affirmative.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bills:

No. 16, H. of R., a bill to locate a Territorial road from some point near the town of Le Seur to the old Sioux crossing.

No. 40, H. of R., a bill granting an extension of time to the Minnesota and N. W. R. R. Company.

WM. H. NOBLES,	} Committee.
A. F. DE LAVERGNE,	
CHAS. GRANT.	

Bills, memorials, &c., ready for a third reading being in order,

Bill (No. 14, H. of R.) an act to provide for laying out a Territorial road from the Iowa line past Austin, Owatonia, Farribault, to the Dodd Road was taken up, read the third time and passed.

The question then recurring on agreeing to the title of the bill,

It was agreed to.

Bill (No. 16, H. of R.) a bill to locate a Territorial road from some point near the town of Le Seur to the old Sioux crossing, was taken up and read a third time, and was passed.

The question then recurring on agreeing to the title,

It was agreed to.

Bill (No. 40, H. of R.) granting an extension of time to the Minnesota and North Western Railroad Company, was taken up and read a third time.

Mr. Norris moved,

That bill (No. 40, H. of R.) be referred to the Committee on Internal Improvements.

After sometime spent in discussion, Mr. Buck moved,

That the House take a recess until 3 o'clock this afternoon.

Which motion was adopted.

So the House took a recess until 3 o'clock.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Ide, on leave granted, gave notice,

That on to-morrow, or on some subsequent day of this session, he should introduce a memorial to Congress for the relief of settlers on the school lands, who settled upon said lands, previous to the government survey.

Also, gave notice that he should introduce a bill to amend the Revised Statutes.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills, Memorials and Joint Resolutions :

No. 17, H. of R.—An act to extend the corporate limits of the town of Henderson.

H. A. D. BALCOMB, Council.	} Committee.
WM. FREEBORN,	
W. B. GERE, H. of R.,.....	

Mr. Norris moved a call of the House.

The roll being called the Clerk reported the following members absent :

Messrs. Boutillier, DeLaVergne, Haus, Holland, Jackman, Pierce and Van Vorhes.

Mr. Burdick moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

Upon leave granted,

Mr. Wilson from the Committee on Territorial affairs, to which was referred bill (No. 5, H. of R.) An act to incorporate the Lake Superior, Mississippi and Northern Pacific Railroad Company, reported back the bill with sundry amendments, and recommended its passage.

The report was accepted.

The question then recurring, on referring of (No. 40, H. of R.) A bill granting an extension of time to the Minnesota and Northwestern Railroad Company, to the Committee on Internal Improvement.

And the yeas and nays being called for and ordered, there were yeas 8, and nays 22, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Gibbs, Ide, Murphy, Norris, Thorndike—8.

Those who voted in the negative were,

Messrs. Burdick, Covell, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Hubbell, Hull, Hunt, Johnson, Knauft, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, Mr. Speaker—22.

It was lost.

The question then recurring, on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 22, and nays 10, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Lott, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Gibbs, Holland, Knauft, McLeod, Murphy, Norris, Thorndike—10.

So the Bill was passed.

The question then recurring on agreeing to the title of the bill,

It was agreed to.

The Speaker signed the following bill,

(No. 17, H. of R.) to extend the corporate limits of the town of Henderson.

Mr. Wilkinson moved,

To reconsider the vote whereby the bill was passed.

And the Yeas and Nays being called for and ordered, there were Yeas 9, and Nays 22, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Covell, Gibbs, Knauft, Murphy, Norris, and Thorndike—9.

Those who voted in the negative were.

Messrs. Burdick, Dunbar, Farham, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker.

So the House refused to reconsider the vote whereby the bill was passed.

Mr. Burdick moved,

That bill (No. 15, H. of R.) to locate a Territorial road from the old Sioux crossing, opposite the town of Traverse des Sioux by the Dog's Lodge and Vermillion Prairie, to the Mendota and Big Sioux road at some point near Mendota, be engrossed for a third reading.

Which was carried, and the bill was ordered to be engrossed.

Mr. Wilkinson moved,

That Messrs. Holland and Haus, have the privilege to record their votes on the passage of bill (No. 40, H. of R.)

It was agreed to, and Mr. Holland voted in the negative, Mr. Haus in the affirmative.

Upon motion of Mr. Buck, the House resolved itself into a Committee of the Whole Mr. Galbraith in the chair, for the purpose of taking into consideration

No. 1, C. F., a bill to suppress the issue and circulation of unauthorized bills as currency.

Also, No. 2, C. F., a bill to provide for laying out a Territorial road from Manhattan via the head of Buffalo Lake and Red Cedar Island Lake to Traverse des Sioux.

Also, No. 3, C. F., a bill to organize the county of Brown.

After some time passed therein, the committee rose, and by their chairman reported as follows:

The committee have had under consideration bill No. 2, C. F., and report the same back with amendment, in which they ask the concurrence of the House.

Also, No. 1, C. F.,

And bill No. 3, C. F., without action, on which they ask leave to sit again.

The report of the committee was accepted.

Upon motion of Mr. Hunt, the House adjourned until to-morrow at 10 o'clock A. M.

CHARLES GARDNER.

Speaker.

Attest:

H. L. EDWARDS,

Chief Clerk.

SATURDAY, FEBRUARY 2, 1856.

The House met pursuant to adjournment,

And was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, DeLaVerghé, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hubbell, Hull, Ide, Johnson, Knauft, Lott, Murphy, Nobles, Norris, Taylor, Thompson, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Journal of yesterday was read, corrected and approved.

Mr. Bradley presented No. 21 H. of R., a memorial to designate the site whereon to erect the county buildings of Hennepin.

Which was read a first and second time and laid on the table to be printed, and referred to the Hennepin county delegation.

Mr. Ide introduced No. 19 H. of R., a memorial to Congress for the relief of settlers on school lands previous to the public surveys.

Which was read a first and second time and laid on the table to be printed.

Mr. Bradley presented a petition from the proprietors of Minneapolis, praying the passage of a bill to incorporate the town of Minneapolis, in the county of Hennepin.

Referred to the Committee on Incorporations.

Mr. Galbraith introduced

No. 132 H. of R., an act to dissolve the marriage contract between Ellen McKenzie and her husband, Wallace McKenzie.

Read a first and second time and laid on the table to be printed.

Also, No. 133 H. of R., a bill to define and establish the boundaries of the county of Anoka, and for other purposes.

Read a first and second time and laid on the table to be printed.

Mr. McLeod introduced,

No. 134 H. of R., a bill to provide for laying out a Territorial Road from Fort Snelling by Murphy's Ferry to Shakopee.

Also, No. 135, a bill to provide for laying out a Territorial Road from Shakopee to Henderson.

They were read a first and second time by their titles, and laid on the table to be printed.

Mr. Haus introduced,

No. 136 H. of R., an act to provide for the laying out of a Territorial Road from Spring Lake via Haytown, to intersect the Dodd road.

Which was read a first and second time by its title, and laid on the table to be printed.

Mr. Sturgis introduced,

No. 137, a bill for an act to incorporate the Little Falls Manufacturing Company.

Which was read the first and second time and laid on the table to be printed.

Mr. De La Vergne introduced,

No. 138, H. of R., a bill relative to the distribution of the School Fund in Sibley county.

Which was read a first and second time and laid on the table to be printed.

Mr. DeLa Vergne gave notice,

That on to-morrow or some future day he would ask leave to introduce a bill to incorporate the town of Clarksville, in the county of Sibley.

Mr. Lott introduced,

No. 139, H. of R., a bill to amend an act entitled an act to incorporate the St. Paul and St. Anthony Railroad Company.

Which was read a first and second time and laid on the table to be printed.

Mr. Dunbar introduced,

No. 20, H. of R., a memorial to Congress for an appropriation of \$20,000 to construct the Brownsville and Mankato Territorial Road.

Which was read a first and second time and laid on the table to be printed.

Mr. Buck gave notice,

That on Monday he would ask leave to introduce a bill to provide for the laying out of a Territorial Road from Winona to Carimona.

Mr. Hartenbower gave notice,

That on to-morrow or some future day he would introduce a bill for an act to amend the Revised Statutes.

Mr. Bradley gave notice,

That on some future day of this session he would ask leave to introduce a bill to provide for the incorporating of the Minneapolis and Cedar Valley Railroad Company.

Mr. Gibbs offered the following resolution :

Resolved, That the Chief Clerk of the House be instructed to procure 2,000 copies of the Daily Free Press of this city, of Feb. 1st, to be deposited in the Territorial Library for the use of posterity.

Mr. Hunt moved,

To lay the resolution on the table.

Which was lost.

The question then recurring on the adoption of the resolution,

It was not adopted.

Mr. Wilkinson, on leave granted, gave notice,

That on Monday or some future day of the session he should introduce a bill for an act to incorporate a Bank or Banks, for the purpose of establishing a home currency, by which means we shall be able to get rid of the worthless issue of Bank notes and shillings from the States.

Upon motion of Mr. DeLaVergne,

The House resolved itself into a Committee of the Whole for the purpose of taking into consideration bills in which the committee had made progress and asked leave to sit again,

Mr. Galbraith in the Chair,

And the committee proceeded to take into consideration bills No. 1, C. F., an act to suppress the issue and circulation of unauthorized bills as currency.

Also, a bill to organize the county of Brown.

After some time spent therein, the committee rose, and by their chairman reported as follows :

Mr. Speaker :

The Committee of the Whole have had under consideration bill No. 1, C. F., to suppress the issue of unauthorized bills as currency, with amendments, and recommend its passage.

Also, bill No. 3, C. F., a bill to organize the county of Brown, without amendment, and also recommend its passage.

The report of the committee was accepted.

Mr. Lott moved,

That the House take up the several amendments and act upon them separately.

Which was agreed to.

Mr. Haus moved,

That the House adjourn.

Which motion was lost.

Mr. Galbraith moved,

That the House adjourn until 3 o'clock, P. M.

Mr. Wilkinson moved,

To amend by adjourning until Monday next, at 11 o'clock A. M.

And the yeas and nays being called for and ordered, there were yeas 17, and nays 14, as follows:

Those who voted in the affirmative were,

Messrs. Buck, Burdick, Covell, DeLaVergne, Dunbar, Gere, Hartenbower, Haus, Holland, Hubbell, Knauff, Lott, McLeod, Murphy, Taylor, Thompson and Wilkinson—17.

Those who voted in the negative were,

Messrs. Bradley, Cleveland, Galbraith, Gibbs, Hull, Hunt, Ide, Nobles, Norris, Sturgis, Thorndike, Van Vorhes, Wilson and Mr. Speaker—14.

The House then adjourned until Monday next at 11 o'clock, A. M.

H. L. EDWARDS.
Chief Clerk.

CHARLES GARDNER
Speaker.

MONDAY, FEBRUARY 4, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Buck, Cleaveland, Covell, De LaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Holland, Hubbell, Hull, Hunt, Johnson, Knauft, McLeod, Murphy, Nobles, Norris, Taylor, Thompson, Wilson, and Mr. Speaker.

Prayer by the chaplain, Rev. E. D. Neill.

Journal of Saturday was read, corrected and approved.

Mr. Holland presented the petition of George E. Bingham and 43 others, citizens of a certain township in Carver county, praying that said township may be attached to, and made a part of the county of Scott.

And upon motion,

It was referred to the Scott and Carver county delegation.

Also, the petition of Robert A. Irwin and 244 others, citizens of Minnesota Territory, praying the establishment of a new county, to be called "Jefferson county."

Upon motion of Mr. Holland, it was referred to the committee on county boundaries.

Mr. DeLaVergne introduced (No. 140, H. of R.) A bill to incorporate the town of Clarksville, and for other purposes.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Buck introduced (No. 141, H. of R.) An act to provide for laying out a Territorial road from Winona to Carimona.

Which was read a first and second time and laid on the table to be printed.

Mr. Hartenbower introduced (No. 142, H. of R.) A bill for an act to amend the Revised Statutes.

Which was read a first and second time and laid on the table to be printed.

Mr. Galbraith, on leave granted, introduced (No. 143, H. of R.) An act to provide for the election of county Auditors, and prescribing their powers and duties.

Which was also read a first and second time and laid on the table to be printed.

Mr. Hunt offered the following resolution:

Resolved, That there be printed for the use of this House 1000 copies of the report of the Surveyors of Lumber, Territorial Auditor, Librarian, Regents of the University, Wardens of the Territorial prison, and Superintendent of Public Buildings, in connection with the Governor's Message.

Which resolution was adopted.

Mr. Hubbell gave notice,

That on some future day of this session he would ask leave to introduce a bill to incorporate the Wells' Prairie Academy.

Mr. McLeod gave notice that on to-morrow or some future day he would introduce a memorial asking Congress to change the East boundary of the Dakota Reserve.

Mr. Hunt gave notice,

That on to-morrow or some future day of the present session he would ask leave to introduce a bill to incorporate the "Minnesota Valley Academy" institute of learning.

Mr. Buck, from the Committee on Indian Affairs, made the following report:

The committee to whom was referred the petition of Isaac Andrus, would respectfully submit the following report:

Your committee have carefully examined the petition of the said Isaac Andrus, and the laws of the United States referred to in said petitions; and while they believe that those persons who occupied the lands in question, previous to the consummation of the treaty between the United States and the Winnebago Indians, whereby said lands were ceded to said tribe of Indians have suffered great inconvenience from the effect of said treaty; yet your committee cannot concur in the statement made by the said Isaac Andrus, "that the late Winnebago treaty conflicts with the rules and regulations of

Congress, stipulated in the organic law and the laws of 1841, and of 1854, respecting the Territory of Minnesota." The sixth section of the organic act of Minnesota declares that "no law shall be passed by the legislative power of said Territory, interfering with the primary disposal of the soil,"—Government still retaining the right to dispose of her own soil. The act of Congress, approved by the President the 4th day of August, 1854, granted the right to settle upon the unsurveyed lands of the United States, within three months after the survey has been made and returned, and make proof and payment before the day of sale, the rights of settlers are perfected. It cannot be denied, then, but that those persons who located on said reserve after the 4th day of August, 1854, and before the Indian title attached under the treaty of February, 1855 had secured rights that cannot be affected or destroyed. But, the constitution of the United States declares that "private property shall not be taken for public use, except upon just compensation. And when it becomes necessary for the authorities in the administration of this government to appropriate private property to public uses, that right cannot be denied them, provided the required compensation is made. Your committee are informed that the proper department at Washington are ready to make just compensation to those who were injured by the said Winnebago treaty; and that Governor Gorman has recommended that the Government pay the settlers on said reserve for their improvements. Your committee believe that any action of the Legislature in the premises would be futile, as the Governor in his annual message to this Legislature informed the Legislature "that the Government at Washington, after having fully considered a written communication, in the nature of a remonstrance from himself against the location of the Winnebago Indians on the Blue Earth river, have instructed him that no change could be made; that the policy of pushing these children of nature further West, would have to be abandoned." Taking this view of the question, your committee can see no other remedy for the settlers on said reserve but to present their claims to the proper department and receive this "compensation."

C. F. BUCK.
J. S. NORRIS.
R. C. BURDICK.

The Report was accepted.

Mr. Dunbar from the Committee on Public Printing made the following Report:

The Committee on Public Printing in the House would respectfully represent,

That in accordance with the resolution which passed the House on the 31st of January, instructing the Committee on public printing to procure fifty copies of all bills of Council files, which have not been laid upon the members' desks of this House.

Your Committee addressed to the Territorial Printer the following note:

HOUSE OF REPRESENTATIVES, January 31st, 1856.

To JOSEPH R. BROWN, Public Printer.

The House has passed the following resolution, to which we desire to call your attention:

Resolved, That the committee on printing be instructed to procure fifty copies of all bills of Council files which has not been laid upon the members desks of this House. You will please furnish in accordance with the above resolution.

W. F. DUNBAR,
J. M. HOLLAND,
R. HAUS,
Committee on Printing.

St. PAUL, February 2nd, 1856.

Messrs. Dunbar, Holland, and Haus,

Committee on Printing, House of Representatives.

Gentlemen:—I have this morning received yours of the 31st ult., requesting me to
H.—17.

furnish fifty copies of all bills of Council file, which have not been laid upon the members' desks in the House. I will inform the Committee that the entire edition of every bill is sent to the House, in which it originates, immediately after it is printed, therefore it is impossible for me to furnish copies of Council bills, without again printing them, and I would respectfully inquire if that is the desire of the Committee.

Very Respectfully,

JOSEPH R. BROWN,

Territorial Printer.

Your Committee are unwilling to take upon themselves the responsibility of directing the printer to reprint the bills, required, although the wording of the resolution would appear to authorize that course.

Your Committee therefore represent the subject back to the House for further and more direct instruction on the subject.

All of which your Committee most respectfully submit.

W. F. DUNBAR,

J. M. HOLLAND.

Mr. Gere from the Joint Committee on enrolled bills made the following report:
The Joint Committee on enrolled bills have examined and found correctly enrolled the following bill:

No. 7, C. F. a bill for an act to legalize acknowledgments of conveyances heretofore taken before either the Supreme or District Court Clerks, and Judges of Probate of this Territory.

JOSEPH ROLETTE, Council, } Committee.
WM. B. GERE, H. R. }

Bills reported by the Committee of the Whole being in order, (No. 1 C. F.), a bill to suppress the issue and circulation of unauthorized Bills as currency was taken up.

Mr. Holland moved.

That the amendments reported by the Committee of the Whole be acted upon separately.

Which was agreed to, and the amendments were read separately and concurred in.

Mr. Lott offered an amendment to the amendment of section 2 as follows, after the word "act" in the 6th line insert "or any such bills, drafts, certificates of deposit or other evidence of indebtedness which may have been or hereafter be issued out of this Territory without authority by law."

Which was adopted.

And also in section 3 as amended, after the word "section" in the 5th line add the letter "S," also the words "and two" after the word "one" in said line.

Which amendment was also adopted.

Mr. Nobles offered the following amendment, add this section.

Nothing in the nature of money or used as a circulating medium shall be, in this Territory, regarded in law as "currency," except gold and silver.

Which amendment was lost.

The question then recurring on ordering bill (No. 1 C. F.) to be read a third time, it was ordered to its third reading.

Mr. Nobles moved that the amendments to bill (No. 2 C. F.) be concurred in.

Which was agreed to.

The question then recurring on ordering bill (No. 2 C. F.), a bill to lay out a Territorial road from Mankato to Traverse des Sioux to its third reading, it was ordered to be read a third time.

Bill (No. 3 C. F.) a bill to organize the county of Brown, was taken up and ordered to be read a third time.

Mr. Dunbar on leave granted offered the following resolution:

Resolved: That 150 copies of bill (No. 1 C. F.) for the suppression of unauthorized bills

currency, be printed, with the amendments as agreed to, for the use of the members of this House.

Which resolution was adopted.

Upon motion of Mr. Wilson the House resolved itself into a Committee of the Whole.

Mr. Hunt in the Chair.

For the purpose of taking into consideration memorial (No. 13, H. of R.) to Congress for a modification of the pre-emption laws.

Also memorial (No. 14, H. of R.) to Congress asking for a grant of lands to aid in constructing a Railroad in the Territory of Minnerota.

Also memorial (No. 14, H. of R.) to Congress for a military road from Fort Snelling to Pembina on the west side of the Mississippi river, by way of Minneapolis, Monticello and Saint Cloud.

After some time spent therein the Committee rose, and by their Chairman, reported the memorials back to the House as follows:

Memorials (No. 15, H. of R.) with the following amendment, Sec. 3, 2nd line, after the word Minneapolis insert the word Dayton.

Also (No. 13, H. of R.) without amendment and recommend their passage.

Also, memorial (No. 14, H. of R.) and asked leave to sit again.

The report was accepted.

And the amendment to memorial (No. 15, H. of R.) was concurred in and it was ordered to be engrossed for a third reading.

Memorial (No. 13, H. of R.) to Congress for a modification of the pre-emption law, was, also, ordered to be engrossed for a third reading.

Upon motion of Mr. Galbraith the House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Coovel, DeLaVergne, Farnham, Galbraith, Grant, Hartenbower, Hubbell, Hull, Ide, Jackman, Murphy, Nobles, Pierce, Taylor, Thompson, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Mr. Wilson moved a call of the House.

The roll being called the clerk reported Messrs. Boutillier, Farnham, Gibbs, Hans, Holland, Kirkman, Knauft, Lott, McLeod, as the absent members.

Mr. DeLaVergne moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was lost.

The Speaker directed the Sergeant at Arms to notify the absent members to appear in their seats.

A message from the Council being announced, Wm. Colville, Secretary thereof appeared and delivered the following message:

Mr. Speaker, the President has signed the following Joint Resolution:

Joint Resolution of the House of Representatives, concerning the furnishing of information relative to the early History of Minnesota, and a joint resolution relative to the U. S. Land Office in the Root River Land District.

Also an act to extend the corporate limits of the town of Henderson.

Also (No. 7, C. F.) an act to legalize acknowledgments of conveyances heretofore taken before either the Supreme or District Court Clerks, and Judges of Probate of the Territory.

The Council has passed (No. 31, C. F.) a bill to incorporate the Huidacooper Institute.

And (No. 32, C. F.) an act to amend an act entitled an act to incorporate the city of St. Paul, Ramsey county, M. T.

Also, (No. 3, C. F.) a Joint resolution relative to estimate for the expenses of the present session.

The Council has, also, concurred in the following memorial from the House of Representatives.

No. 2, H. of R. a memorial to Congress for an appropriation of \$15,000 for the construction of the Mendota and Wabashaw road.

Also, (No. 5, H. of R.) a memorial to Congress for the construction of a road and mail route from Lake Superior to Little Falls.

Also (No. 7, H. of R.) a memorial to Congress for an appropriation for certain improvements in this Territory.

Also, (No. 10, H. of R.) a memorial to Congress for the improvement of the Mississippi river between St. Anthony Falls and Sauk Rapids.

Also, the following memorials have been concurred in by the Council with amendments.

No. — H. of R., a memorial to Congress for the establishment of a mail route from Wabashaw by way of Greenwood, Rochester and High Forrest to Austin.

Also, No. 8, H. of R., a memorial to Congress for a mail route from St. Paul to West Union.

Also No. 9, H. of R., a memorial to Congress to establish a mail route from Hamilton to Shakopee.

Also, No. 11, H. of R., A memorial for certain mail routes.

The Council has also concurred in the following House Bills.

No. 10, H. of R., a bill to provide for laying out a Territorial road from Wabashaw to Austin, Mower county.

Also, No. 28, H. of R., an act granting George A. Bellocourt, the right to construct a Dam across Pembina river, in St. Joseph, Pembina county, M. T., and

No. 29, H. of R., a bill to authorize the Register of Deeds of Scott county, to record a plat of Shakopee city, and legalizing the same.

Also, the Council has concurred in the following bills with an amendment.

No. 11, H. of R., to bill to provide for laying out a Territorial road from St. Cloud to Pembina.

The Council has also amended (No. 25, H. of R.,) a bill for an act to incorporate the Watab Bridge Company.

A bill herewith transmitted in its place.

The Council has also concurred in the amendments of the House to (No. 3, C. F.,) a memorial to Congress for a grant of lands to improve the navigation of the Minnesota river.

WM. COLVILLE, Secretary.

Mr. Wilkinson moved,

To re-consider the vote whereby all proceedings under the call of the House were dispensed with, which was carried.

The question then recurring that further proceedings under the call of the House be dispensed with, which motion was carried.

Mr. DeLaVergne moved,

That the Chief Clerk be directed to notify the Council that the House is now ready to meet in Joint Convention in the Hall of the House of Representatives, pursuant to adjournment, which was carried.

Mr. Hunt presented No. 144, H. of R.—A bill to incorporate the Minnesota Valley Institute at Chaska. Read a first and second time, and laid on the table to be printed.

Mr. Pierce, on leave granted, introduced No. 145,—a bill to provide for laying out a Territorial Road from Manhattan, on the Mississippi, to Henderson, with a branch terminating at Chaska.

Also, No. 146, H. of R.—To establish a Territorial Road from Minneapolis to Fort Ridgley, with a branch to Forrest City.

Mr. Hunt, on leave granted, introduced No. 147—a bill to authorize Clerks of Courts of Records and Justices of the Peace in this Territory to issue subpoenas to witnesses to appear before the Register and Receiver of the Land Offices,

Which were read a first and second time by their titles, and laid on the table to be printed.

Mr. Johnson gave notice, on leave granted, that on to-morrow, or some future day of the present session, he will ask leave to introduce a bill to establish a Territorial Road from Fort Ridgley to Mankato.

Mr. Burdick, on leave granted, gave notice that on some future day of this session, he will ask leave to introduce a bill to incorporate the Henderson Bridge Company.

Also, a bill to incorporate the Henderson and Belle Plain Plank Road Company.

Mr. Wilson on leave granted offered the following resolution,

Resolved, that this House hold a forenoon, afternoon and evening session until the House by a vote decides otherwise.

And the yeas and nays being called for and ordered, there were yeas 10 and nays 22 as follows:

Those who voted in the affirmative were, Messrs. Bradley, Cleaveland, DeLaVergne, Gibbs, Hunt, Ide, Johnson, McLeod, Sturgis, Wilson.—10.

Those who voted in the negative were, Messrs. Buck, Burdick, Covell, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Hubbell, Hull, Jackman, Knauff, Lott, Murphy, Norris, Pierce, Taylor, Thompson, Van Vorhes, Wilkinson, and Mr. Speaker.—22.

So the resolution was lost.

Upon motion of Mr. Lott the House resolved itself into Committee of the Whole, Mr. Gibbs in the chair, for the purpose of taking into consideration (No. 43 H. of R.) A bill granting to Reuben Richmond and John L. Wilson the right to establish and maintain a ferry across the Mississippi river.

Also 45, A bill to authorise the formation of corporations for mining, smelting or manufacturing Iron, Copper, Mineral, Coal and Silver or other ores or minerals and for other manufacturing purposes.

Also (No. 44 H. of R.) A bill for an act to incorporate the St. Cloud Bridge Company.

After some time passed therein the committee rose and by their chairman reported the bills back to the House with amendment and asked leave to sit again.

Mr. Hunt moved that the report of the Committee of the Whole be accepted.

Which motion was adopted.

The members of the Hon. Council then appeared and took their seats in joint convention of the two Houses.

JOURNAL OF THE JOINT CONVENTION.

The Joint Convention was called to order by the Speaker of the House.

The roll being called the following members answered to their names:

Messrs Balcomb, Dooley, Freeborn, Rollins, Rolette, Setzer, Stone, Tillotson, Mr. President, Bradley, Buck, Burdick, Cleaveland, Covell, De La Vergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Journal of the last Joint Convention was read and approved.

Mr. Rollins presented the petition of Thomas Hanson, and 178 others for the re-election of D. Stanchfield for the office of Surveyor General, in the Second District.

Mr. Burdick moved that the convention proceed to elect a Surveyor General for the Second District.

Mr. Rolette moved to amend for the First District.

Which amendment was carried.

The question then recurring on the adoption of amendment, the amendment was agreed to,

Mr. Rolette nominated J. B. Dixon.
 " Setzer " Mr. Black.
 " Kirkman " Robert Hasty.
 " Hunt " Black Dixon.

The clerk then proceeded to call the roll, and the members voted as follows:
 Messrs. Balcomb, Dooley, Bradley, Cleaveland, Farnham, Galbraith, Gibbs, Ide, Jackman, Knauff, Nobles, Pierce, Taylor, Thompson, Thorndike, and Van Vorhes, were those who voted for Mr. Hasty.

Messrs. Freeborn, Ludden, Rollins, Setzer, Tillotson, Mr. President, Gere, Johnson, Lott, Murphy, Norris, and Mr. Speaker, were those who voted for Mr. Black.

Messrs. Rolette, Stone, Buck, Burdick, Covell, De La Vergne, Dunbar, Grant, Hartenbower, Hubbell, Hull, Hunt, McLeod, Sturgis, Wilkinson, and Wilson, were those who voted for Mr. Dixon. Whole number of votes cast, 44—necessary to a choice, 23.

Mr. Dixon received 15 votes; Mr. Black received 12 votes; Mr. Hasty received 16 votes; Mr. Black Dixon received 1 vote. The Speaker announced that no choice had been made.

The convention then proceeded to a second ballot, with the following result:
 Messrs. Balcomb, Dooley, Bradley, Buck, Cleaveland, Farnham, Galbraith, Gibbs, Ide, Jackman, Knauff, Nobles, Pierce, Taylor, Thompson, Thorndike and Van Vorhes, were those who voted for Mr. Hasty.

Messrs. Freeborn, Ludden, Rollins, Setzer, Tillotson, Mr. President, Gere, Johnson, Lott, Murphy, Norris, Mr. Speaker, were those who voted for Mr. Black.

Messrs. Rolette, Stone, Burdick, Covell, DeLaVergne, Dunbar, Grant, Hartenbower, Hubbell, Hull, Hunt, McLeod, Sturgis, Wilkinson and Wilson, were those who voted for Mr. Dixon. Whole number of votes cast, 44—necessary to a choice, 23.

Mr. Dixon received 15 votes, Mr. Black 12 votes, Mr. Hasty 17 votes. The Speaker declared that no choice had been made.

The Convention then proceeded to a third ballot with the following result:
 Messrs. Balcomb, Dooley, Ludden, Bradley, Buck, Cleaveland, Farnham, Galbraith, Gibbs, Ide, Jackman, Knauff, Nobles, Pierce, Taylor, Thorndike, and Van Vorhes, voted for Hasty.

Messrs. Freeborn, Rollins, Setzer, Tillotson, President, Gere, Johnson, Hunt, Lott, Murphy, Norris, Thompson, and Speaker, voted for Black.

Messrs. Rolette, Burdick, Covell, DeLaVergne, Dunbar, Grant, Hartenbower, Stone, Hubbell, Hull, McLeod, Sturgis, Wilkinson, and Wilson, voted for Dixon.

Whole number of votes cast 44.

Necessary to a choice 23.

Mr. Dixon received 12 votes; Mr. Black 13, and Mr. Hasty 17.

The Speaker declared that no choice had been made.

The House then proceeded to a fourth ballot as follows:

Messrs. Balcomb, Dooley, Ludden, Rolette, Stone, Bradley, Buck, Burdick, Cleaveland, Covell, Farnham, Galbraith, Gibbs, Grant, Ide, Jackman, Knauff, McLeod, Nobles, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, and Wilson were those who voted for Mr. Hasty.

Messrs. Freeborn, Rollins, Setzer, Tillotson, Mr. President, Dunbar, Gere, Hartenbower, Hubbell, Hull, Hunt, Johnson, Lott, Murphy, Norris, Sturgis, Wilkinson, and Mr. Speaker, were those who voted for Mr. Black.

Mr. DeLaVergne voted for Mr. Dixon.

Whole No. of votes cast 44.

Necessary to a choice 23.

Mr. Dixon received 1 vote Hasty 25, Black 18.

The Speaker declared that Robert Hasty had received a majority of all the votes cast and was duly elected Surveyor of Logs and Lumber of the first District.

Mr. Wilkinson moved that the Convention proceed to elect a Surveyor for 2nd District, which motion was adopted.

Mr. Farnham nominated Daniel Stanchfield.

Mr. Lott nominated F. E. Collins.

And the convention proceeded to vote as follows :

Messrs. Balcomb, Dooley, Ludden, Rollins, Rolette, Stone, Bradley, Buck, Burdick, Cleveland, Covell, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Hubbell, Hull, Hunt, Ide, Jackman, McLeod, Murphy, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes and Wilson, were those who voted for Stanchfield.

Messrs. Freeborn, Setzer, Tillotson, President, DeLaVergne, Johnson, Knauff, Lott, Nobles, Wilkinson and Speaker, voted for Collins.

Whole number of votes cast 44—necessary to a choice 23. Stanchfield received 33 votes, Collins 11 votes. The Speaker declared that Daniel Stanchfield having received a majority of all the votes cast, was duly elected.

Mr. Setzer moved that the convention now proceed to elect Surveyor General of the third District. Which motion was adopted.

Mr. Freeborn nominated Wm. Lauvre. Mr. Burdick nominated J. B. Dixon. Mr. Buck nominated H. D. Huff—and the convention proceeded to ballot, with the following result :

Messrs. Balcomb, Dooley, Rollins, Bradley, Buck, Cleveland, Galbraith, Gibbs, Holland, Ide, Jackman, Murphy, Norris, Pierce, Taylor, Thorndike, and Van Vorhes, voted for Huff.

Messrs. Freeborn, Ludden, Setzer, Stone, Tillotson, President, DeLaVergne, Hubbell, and Speaker, voted for Lauvre.

Messrs. Rolette, Burdick, Covell, Dunbar, Farnham, Gere, Grant, Hartenbower, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Thompson, Wilkinson and Wilson, voted for Dixon.

Whole number of votes cast, 45 ; necessary to a choice, 23. Mr. Lauvre received 9 votes ; Mr. Dixon, 19 ; Mr. Huff, 17.

The Speaker decided that no choice had been made, and the Convention proceeded to a second ballot, with the following result :

Messrs. Balcomb, Dooley, Rollins, Bradley, Buck, Cleveland, Dunbar, Farnham, Gibbs, Holland, Hubbell, Ide, Jackman, Knauff, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike and Van Vorhes, voted for Huff.

Messrs. Freeborn, Rolette, Setzer, Stone, Burdick, Covell, DeLaVergne, Gere, Grant, Hartenbower, Hull, Johnson, McLeod, Sturgis, Thompson, Wilkinson, Wilson and Speaker, voted for Dixon.

Messrs. Ludden, Tillotson, President, Galbraith, Hunt and Lott, voted for Lauvre.

Whole number of votes cast, 45 ; necessary to a choice, 23. Mr. Dixon received 18 votes ; Mr. Lauvre received 6 ; Mr. Huff received 21.

The Speaker decided that no choice had been made, and upon motion, the Convention then proceeded to a third ballot, as follows :

Messrs. Balcomb, Dooley, Rollins, Bradley, Buck, Cleveland, Galbraith, Gibbs, Ide, Jackman, Knauff, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, and Van Vorhes, were those who voted for Mr. Huff.

Messrs. Freeborn, Setzer, Tillotson, Farnham, Hubbell, and Mr. President, were those who voted for Mr. Lauvre.

Messrs. Rolette, Stone, Burdick, Covell, DeLaVergne, Gere, Grant, Hartenbower, Holland, Hull, Hunt, Johnson, Lott, McLeod, Sturgis, Thompson, Wilkinson, Wilson, and Speaker, were those who voted for Mr. Dixon.

Mr. Dunbar voted for Langford.

Whole number of votes cast—44.

Necessary for a choice—23.

Mr. Dixon received 19, Mr. Lauvre received 6, Mr. Huff received 18, and Mr. Langford received 1.

The Speaker decided that no choice had been made, and the convention proceeded to a fourth ballot as follows :

Messrs. Balcomb, Dooley, Rollins, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Ide, Jackman, Knauff, Murphy, Norris, Pierce, Taylor, Thorndike, and Van Vorhes, were those who voted for Huff.

Messrs. Freeborn, Rolette, Stone, Tillotson, Mr. President, Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Hubbell, Hull, Hunt, Johnson, Lott, McLeod, Nobles, Sturgis, Thompson, Wilkinson, Wilson, and Speaker, were those who voted for Dixon.

Mr. Setzer voted for Lauvre.

Whole number of votes cast—44.

Necessary for a choice—23.

Mr. Dixon 25, Mr. Lauvre 1, Mr. Huff 18.

Mr. Dixon having received a majority of all the votes cast, the Speaker declared that J. B. Dixon was duly elected surveyor of logs and lumber for the third district.

Mr. Sturgis moved that the convention now proceed to ballot for Surveyor General of the fourth District. Which motion was adopted.

Mr. Sturgis nominated David P. Chapman. Mr. Rollins nominated John D. Pue.

Mr. Buck moved that the convention now adjourn. Which motion was lost.

Mr. Sturgis moved that the convention now adjourn until next Monday, at 2 o'clock, P. M.

And the yeas and nays being called for and ordered, there were yeas 30, and nays 10, as follows:

Those who voted in the affirmative were,

Messrs. Balcomb, Dooley, Freeborn, Rolette, President, Bradley, Buck, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Knauff, McLeod, Murphy, Norris, Pierce, Sturgis, Thompson, Wilson, Mr. Speaker—30.

Those who voted in the negative were,

Messrs. Rollins, Setzer, Stone, Burdick, Galbraith, Jackman, Lott, Nobles, Van Vorhes, Wilkinson—10.

So the convention adjourned until Monday next, at 2 o'clock P. M.

Mr. Galbraith on leave granted offered the following resolution:

Resolved, That "Ferry Charters" be and are hereby made the special order for Mondays and Wednesdays of each week at 7 o'clock P. M. until the same are disposed of.

Mr. Gere from the Joint Committee on enrolled bills, made the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bill:

No. 39, H. of R. an act to provide for the survey of logs and lumber in Minnesota Territory.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

That they have presented to his Excellency the Governor the following Bills and Joint Resolutions for his signature:

No. 1, H. of R.—Joint Resolution concerning the furnishing of information relative to the early history of Minnesota.

No. 2, H. of R.—Joint Resolution, relative to the United States Land Office in the Root River Land District.

No. 17, H. of R.—An act to extend the corporate limits of the town of Henderson.

JOS. ROLETTE, Council, } Committee,
WM. B. GERE, H. of R. }

Mr. Wilson moved that the House now adjourn.

And the yeas and nays being called for and ordered, there were yeas 21 and nays 4 as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, DeLaVergne, Gere, Gibbs, Hartenbower, Hubbell, Hall, Ide, Jackman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Thompson, Van Vorhes, Wilkinson, Wilson.—21.

Those who voted in the negative were,

Messrs. Covell, Galbraith, Hunt, and Mr. Speaker.

So the motion was carried and the House adjourned.

CHARLES GARDNER.

Attest :

H. L. EDWARDS, Chief Clerk.

Speaker.

TUESDAY, FEBRUARY 5, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Bradley, Cleveland, De La Vergne, Dunbar, Farnham, Galbraith, Gibbs, Grant, Hartenbower, Holland, Hull, Hunt, Jackman, Johnson, Knauff, Lott, Murphy, Nobles, Pierce, Thorndike, Wilson and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday read, corrected and approved.

Mr. Hunt moved,

That the special order of the day be postponed until this afternoon at half-past two.

Mr. Wilkinson moved to amend by postponing until half-past two to-morrow afternoon.

Which amendment was lost.

The question then recurring on the adoption of Mr. Hunt's motion,

It was lost.

Mr. Gere moved,

That the special order of the day be postponed until half-past ten tomorrow A. M.

Which motion was adopted.

Mr. Lott, on leave granted, offered the following resolution:

Resolved, That the report of the Territorial Librarian be taken up and referred to the Committee on "University Lands," and they be requested to report upon the same at as early a day as practicable.

The resolution was adopted.

Mr. Norris presented the petition of Wm. H. McNutt for a charter for a Ferry across the Minnesota River.

Referred to a committee of one.

The Chair appointed Mr. Norris as said committee.

Mr. Norris asked leave to withdraw from the files of the House a certain petition previously presented by him: A petition granting to Wm. Felton the right to maintain and establish a Ferry across the Mississippi river at Hastings. Leave was granted.

Mr. Johnson presented the petition of G. C. Bower and others for a Territorial road from Austin to Mankato.

And upon motion it was referred to the committee on Territorial Roads.

Mr. Galbraith presented the petition of U. W. Hank and 152 others praying for the establishment of the county of Anoka.

H.—18.

Referred to the committee on County Boundaries.

Mr. Galbraith called for the adoption of the following resolution :

Resolved, That "Ferry Charters" be, and are hereby made the special order for Monday and Wednesday of each week, at 7 o'clock P. M., until the same are disposed of.

After some time spent in debate, Mr. Galbraith moved the previous question, which was ordered.

The question then recurring on the adoption of the resolution.

And the yeas and nays being called for and ordered, there were yeas 27, and nays 5, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Hartenbower, Holland, Hull, Hunt, Jackman, Johnson, Knauft, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thorndike, Wilkinson and Mr. Speaker—27.

Those who voted in the negative were,

Messrs. Buck, Gere, Grant, Haus and Wilson—5.

So the resolution was adopted.

Mr. Buck on leave granted, introduced (No. 148, H. of R.,) an act to provide for laying out a Territorial road from Homer, in Winona county, to Houston city, Houston county.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Burdick gave notice, that on to-morrow or some future day of this session, he would ask leave to introduce a bill changing the county seat of Wright county, from Monticello to Buffalo Lake.

Mr. DeLaVergne introduced (No. 149, H. of R.,) a bill to incorporate the St. Peter Institute.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Johnson introduced (No. 150, H. of R.,) an act to provide for laying out a Territorial road from Mankato to Fort Ridgley.

Which was read a first and second time and laid on the table to be printed.

Mr. Sturgis introduced (No. 151, H. of R.,) a bill granting to Joseph R. Brown and Wm. Chaliford the right to establish and maintain a Ferry across the Mississippi river.

Which was read a first and second time and laid on the table to be printed.

Also, (No. 152, H. of R.,) a bill for the laying out of a Territorial road from Rigger's Ferry in Wright county to Forrest city in Meeker county.

Which was read a first and second time and laid on the table to be printed.

Mr. DeLaVergne gave notice,

That on to-morrow or some future day he would ask leave to introduce a bill to incorporate the Shakopee and Le Seur Plank Road Company.

Mr. Hubbell introduced (No. 153, H. of R.,) an act to incorporate the Mantorville Academy.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Hunt gave notice,

That on to-morrow or some future day of the present session he would ask leave to introduce a bill to lay out a Territorial road from Shakopee by way of Chaska to Glencoe and Forrestville, Meeker county.

Mr. Burdick introduced (No. 154, H. of R.,) a bill to incorporate the Henderson Bridge Company;

Also, a bill to incorporate the Henderson and Belle Plain Plank Road Company.

Which were read a first and second time by their titles and laid on the table to be printed.

Mr. Buck offered the following resolution:

Resolved, That all bills providing for laying out Territorial roads, which have been introduced in this House, and not passed, or may be introduced for the next six days,

shall be referred to the following select committee, to wit: J. M. Holland, W. B. Gere, and O. C. Gibbs; who shall embody all such bills as they deem expedient in one bill, and report the same to this House; and no Territorial road bill shall be introduced in this House, after six days from this date.

Mr. Buck moved the previous question.

And the yeas and nays being called for and ordered, there were yeas 23, and nays 5, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Hubbell, Hull, Jackman, Knaust, Lott, Murphy, Pierce, Sturgis, Taylor, Thorndike, Mr. Speaker.

Those who voted in the negative were,

Messrs. Burdick, Grant, Hunt, Wilkinson, Wilson.

So the main question was ordered.

The question then recurring on the adoption of the resolution, it was adopted.

Mr. Bradley, from the committee to whom was referred the petition of the citizens of Greenwood, to incorporate the city of Greenwood,

Reported by bill No. 156, H. of R., an act to incorporate the city of Greenwood, and for other purposes,

And was read a first and second time, and laid on the table to be printed.

Also, an act (No. 157, H. of R.) to designate the site whereon to erect the county buildings of Hennepin county.

Which was also read a first and second time, and laid on the table to be printed.

Mr. Nobles, from Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following memorials:

No. 13, H. of R.—Memorial to Congress for a modification of the Pre-emption Law.

No. 15, H. of R.—Memorial of the Legislative Assembly of the Territory of Minnesota to Congress, for an appropriation for the construction of a Military Road from Fort Snelling to Pembina, on the West side of the Mississippi, by way of Minneapolis, Monticello and St. Cloud.

WM. H. NOBLES, } Committee.
A. F. DELAVERGNE.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following memorial:

No.—C. F.—A memorial to Congress for a grant of lands, to improve the navigation of the Minnesota river.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R.

Messages from the Council being in order, the Clerk read the following Message:

MR. SPEAKER:—The President has signed the following Joint Resolutions:

A Joint Resolution of the House of Representatives, concerning the furnishing of information, relative to the early history of Minnesota.

And a Joint Resolution relative to the United States Land Office in the Root River Land District.

Also, an act to extend the corporate limits of the town of Henderson.

Also, No. 7, C. F.—An act to legalize acknowledgments of conveyances heretofore taken before either the Supreme or District Court Clerks and Judges of Probate of the Territory.

No. 31, C. F.—A bill to incorporate the Huidacooper Institute.

And No. 32, C. F.—An act to amend an act entitled an act to incorporate the city of St. Paul, Ramsey county, Minnesota Territory.

Also, No. 3, C. F.—A joint resolution relative to estimates for the expenses of the present session.

The Council has also concurred in the following memorial from the House of Representatives :

No. 2, H. of R.—A memorial to Congress for an appropriation of \$15,000, for the construction of the Mendota and Wabashaw Road.

No. 5, H. of R.—A memorial to Congress for the construction of a road and mail route from Lake Superior to Little Falls.

No. 7, H. of R.—A memorial to Congress for an appropriation for certain improvements in this Territory.

And No. 10, H. of R.—A memorial to Congress for an appropriation for the improvement of the Mississippi river between St. Anthony Falls and Sauk Rapids.

Also, the following memorials have been concurred in by the Council, with amendments:

No. 4, H. of R.—A memorial to Congress for the establishment of a mail route from Wabashaw, by way of Greenwood, Rochester and High Forrest, to Austin.

No. 8, H. of R.—A memorial to Congress for a mail route from St. Paul to West Union.

No. 9, H. of R.—A memorial to Congress to establish a mail route from Hamilton to Shakopee.

And No. 11, H. of R., a memorial for certain mail routes.

The Council has also concurred in the following House bills.

No. 10, H. of R., a bill to provide for laying out a Territorial road from Wabashaw to Austin, Mower county.

No. 28, H. of R., an act granting to George A. Bellcourt, the right to construct a Dam across the Pembina river near St. Joseph, Pembina county, M. T.

And No. 29, H. of R., a bill to authorize the Register of Deeds of Scott county, to record a plat of Shakopee city, and legalize the same.

Also the Council has concurred in the following House bill, with an amendment.

No. 11, H. of R., a bill to provide for laying out a Territorial road from St. Cloud to Pembina.

The Council has also amended (No. 25, H. of R., "a bill for an act to incorporate the Watab Bridge Company," by substituting a bill herewith transmitted in its place.

The Council has also concurred in the amendments of the House to [No. 3, C. F.,] a memorial to Congress for a grant of lands to improve the navigation of the Minnesota river.

W. COLVILLE, JR, Secretary of Council.

The question recurring on the concurrence of the House to the amendment as reported by the Council,

Upon motion of Mr. Taylor the amendments to memorial (No. 4, H. of R.) a memorial to Congress for the establishment of a mail route from Wabashaw by the way of Greenwood, Rochester and High Forrest as reported back from the Council were concurred in.

Also, amendments to (No. 8, H. of R.) for a mail route from St. Paul to West Union were concurred in.

Also, amendments to (No. 9, H. of R.) memorial to Congress to establish a mail route from Hamilton to Shakopee were concurred in.

Also, amendments to (No. 11, H. of R.) a memorial for certain mail routes were concurred in.

Also, amendments to bill (No. 11, H. of R.) to provide for laying out a Territorial road from St. Cloud to Pembina be concurred in.

Bill No. 25 H. of R. an act to incorporate the Watab Bridge Company was taken up,

And upon motion of Mr. Taylor,

The bill substituted by the Council as an amendment was concurred in.

Mr. Haus gave notice that on to-morrow or some future day he should introduce a bill to move the county seat of Stearns county to Farmington on Sauk River.

Bills and Resolutions from the Council on their second reading being in order,
 Bill No. 32, C. F. to amend an act to incorporate the city of St. Paul,
 Bill No.—C. F. a bill to incorporate the Huidacooper Institute,
 And Joint Resolution No. 3 C. F. relative to estimates for the expenses of the present Session, were taken up and read a first and second time.

Mr. Nobles from the committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bill:

No. 15. H. of R.—A bill for an act to locate a Territorial Road from the old Sioux Crossing, opposite Traverse des Sioux, by the Dogs Lodge and Vermillion Prairie to the Mendota and Big Sioux Road, at some point near Mendota.

WM. H. NOBLES	} Committee.
A. F. DE LAVERGNE	
CHAS. GRANT	

Mr. Nobles also, on leave granted, presented a petition of Amanda E. Richardson, praying for a divorce from her husband.

And bill No. 158, H. of R., to dissolve the marriage contract between Amanda E. Richardson and David Richardson.

Read a first and second time, and laid on the table to be printed, and upon motion was referred to the Committee on Judiciary.

Upon motion of Mr. Galbraith,

Bill No. 132, H. of R., a bill to dissolve the marriage contract between Wallace McKenzie and Ellen McKenzie.

Was also referred to the Committee on Judiciary.

Upon motion of Mr. Hunt, the House took a recess until half past 3 o'clock P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message.

EXECUTIVE DEPARTMENT,
 M. T. Feb., 5, 1856. }

To the Speaker of the House of Representatives:

SIR.—I am directed by his Excellency the Governor, to inform the House of Representatives, that he has this day approved and signed a joint resolution, "concerning the furnishing of information relative to the early history of Minnesota," which originated in the House of Representatives.

Bills on their third reading being in order,

No. 15, H. of R., a bill to locate a Territorial road from the old Sioux crossing, opposite the town of Traverse des Sioux, by the Dogs Lodge and Vermillion Prairie to the Mendota and Big Sioux Road, at some point near Mendota, was taken up and read a third time.

Mr. Wilson moved a call of the roll. The roll being called, the Clerk reported a quorum present.

The question then recurring on the passage of the bill, it was passed, and the title was also agreed to.

No. 13, H. of R., a memorial to Congress for a modification of the pre-emption law, was taken up, read a third time and passed

The question then recurring on agreeing to its title, it was agreed to.

No. 15, H. of R., a memorial of the Legislative Assembly to Congress for an appropriation for the construction of a Military Road from Fort Snelling to Pembina on the west of the Mississippi River, by way of Minneapolis, Monticello, and St. Cloud.

Was taken up, read a third time, passed, and its title agreed to.

Also No. 3, C. F., a bill to organize the county of Brown.

Was taken up, read a third time and passed, and its title agreed to.

Also No. 2, C. F., a bill to provide for laying out a Territorial road from Manhattan, via the head of Buffalo Lake, and Red Cedar Island Lake to Traverse des Sioux.

Was read a third time and passed, and its title agreed to.

Upon motion of Mr. Wilson, the House resolved itself into a Committee of the Whole, for the purpose of taking into consideration

No. 43, H. of R.—A bill granting to Reuben Richmond and John L. Wilson the right to establish and maintain a Ferry across the Mississippi river.

Also, No. 44, H. of R.—A bill for an act to incorporate the St. Cloud Bridge Company.

Mr. Gibbs in the chair.

After some time passed therein, the committee rose, and by their chairman reported the bills back to the House with sundry amendments.

The report of the committee was accepted.

The amendments to bill No. 43, H. of R., were concurred in, and the bill ordered to be engrossed for a third reading.

On motion, bill No. 44, H. of R., was referred to the committee on Incorporations.

The Speaker signed the following bills :

No. 39, H. of R.—An act to amend an act to provide for the survey of Logs and Lumber in Minnesota Territory.

Also, No. 7, C. F.—An act to legalize acknowledgments of conveyance, heretofore taken before either the Supreme or District Court Clerks, and Judges of Probate of this Territory.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared, and delivered the following written message :

EXECUTIVE DEPARTMENT, M. T.,
Saint Paul, Feb. 5th, 1856.

To the Speaker of the House of Rep. :

SIR,—I am directed by his Excellency the Governor to inform the House of Representatives that he has this day approved and signed H. F. No. 2,—Joint Resolution relative to the U. S. Land Office in the Root River Land District.

The House again resolved itself into a Committee of the whole, Mr. Dunbar in the chair, for the purpose of taking into consideration,

No. 5, C. F., a bill to amend chapter ninety-five (95) of the Revised Statutes of Minnesota.

Also, No. 8, C. F., a bill for an act to authorize School District No. 5, in the city of St. Anthony, Ramsey county, to levy a tax and obtain money for the purchase of ground and the erection of buildings for school purposes.

Also, No. 5, H. of R., a bill for an act to incorporate the Lake Superior, Mississippi and Northern Pacific Railroad Company.

After some time passed therein, the committee rose, and the Speaker resumed his seat.

Upon motion of Mr. Norris,

The House then adjourned until to-morrow at 10 o'clock A. M.

Attest:

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER,
Speaker.

WEDNESDAY, FEBRUARY 6, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, De La Vergne, Dunbar, Farnham, Galbraith, Gibbs, Hartenbower, Holland, Hubbell, Hull, Hunt, Jackman, Johnson, Lott, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Wilkinson, and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday was read, corrected and approved.

Pending the reading of the Journal, a message from the Governor was announced, and Mr. Smith, private Secretary, appeared and delivered the following message :

EXECUTIVE DEPARTMENT, M. T. }
Saint Paul, Feb. 6, 1856. }

I am directed by his Excellency the Governor, to inform the House of Representatives, that he has this day approved and signed an Act to extend the corporate limits of the town of Henderson.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message :

MR. SPEAKER:—The President has signed the following memorials :

No. 2, C. F., a memorial to Congress for an appropriation to construct a military road from Winona on the Mississippi river, to Fort Ridgely.

No. 3, C. F., a memorial to Congress for a grant of lands to improve the navigation of the Minnesota river.

No. 5, C. F., a memorial to Congress for an appropriation of \$15,000, for the improvement of Root river.

The Council has also concurred in the following House bills :

No. 14, H. of R., an act to provide for laying out a Territorial road from the Iowa line past Austin, Owatonia and Faribault, to the Dodd road.

Also, No. 12, H. of R., a memorial for an appropriation to improve the navigation of the Mississippi river, and other purposes.

The Council has refused to concur in (No. 1, H. of R.,) a memorial to Congress for \$15,000, for the construction of a road across the Mississippi bottoms on the Wisconsin side opposite the town of Brownsville in the county of Houston, Minnesota Territory.

Which is herewith returned.

W. COLVILLE, JR., Secretary.

Mr. Nobles from the Joint Committee on engrossed bills, made the following report:

The Committee on Engrossed bills have examined and found correctly enrolled the following bills:

No. —, H. of R. a bill granting to Reuben Richmond and others the right to maintain a Ferry across the Mississippi river.

Mr. Galbraith moved a call of the House.

The roll being called, the Clerk reported the following members absent:

Messrs. Boutillier, Gere, Grant, Ide, Kirkman, McLeod, Thompson and Van Vorhea.

Mr. Wilkinson moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was lost.

The Speaker then directed the Sergeant-at-Arms to notify the absent members to appear in their seats.

Mr. Taylor moved,

To re-consider the vote by which the House refused to dispense with all further proceedings under the call of the House.

Which was carried.

And the question then recurring on the dispensing with farther proceedings under the call of the House,

It was decided in the affirmative.

And upon motion of Mr. Norris,

The House resolved itself into Committee of the Whole, for the purpose of taking into consideration the special order of the day, concerning the matter of Wm. Kingsbury contesting the seat of N. C. D. Taylor in this House.

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again.

The report of the committee was accepted.

And upon motion, the House took a recess until half past 3 o'clock P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Burdick moved a call of the House.

The roll being called, the Clerk reported Messrs. Bontillier, Covel, Gere, Gibbs, Hartenbower, Haus, Ide, Kirkman, Norris and Van Vorhes, as the absent members.

Mr. DeLaVergne moved,

That all further proceedings under the call of the House be dispensed with, which motion was lost.

The Speaker then directed the Sergeant-at-Arms to notify the absent members to appear in their seats.

After being absent for some time, the Sergeant-at-Arms appeared and reported all the members in their seats, except Messrs. Bontillier, Ide, Gere and Van Vorhes, who he had been unable to find.

The report of the Sergeant-at-Arms was accepted,

And, upon motion of Mr. Burdick, the absent members were excused from attendance.

Upon motion of Mr. Galbraith, the House then resolved itself into Committee of the Whole, for the purpose of taking into consideration the special order of the day, the matter of the contested seat of Hon. N. C. D. Taylor and Wm. W. Kingsbury.

After some time spent therein, the committee rose, and by their chairman, reported as follows :

MR. SPEAKER:—The Committee of the Whole have had under consideration the matter relative to the contested seat of N. C. D. Taylor, by Wm. W. Kingsbury, and recommend that the following resolution as reported by the minority report be adopted.

Resolved, That Nathan C. D. Taylor, is entitled to the seat he now holds in this House as a Representative from the First Council District of this Territory.

The Report of the Committee of the Whole was accepted.

Mr. Dunbar moved that the House adjourn.

Which motion was lost.

The question then recurring upon the adoption of the resolution,

And the yeas and nays being called for and ordered, there were yeas 21, and nays 8, as follows :

Those who voted in the affirmative were,

Messrs. Buck, Cleveland, Farnham, Galbraith, Haus, Holland, Hull, Hunt, Jackman, Johnson, Knauf, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Thoradike, Wilkinson, Wilson and Mr. Speaker—21.

Those who voted in the negative were,

Messrs. Bradley, Burdick, Dunbar, Gibbs, Grant, Hartenbower, Hubbell and Sturgis—8.

So the resolution was adopted.

And upon motion of Mr. Burdick the House adjourned until to-morrow at 10 A. M.

Attest.

CHARLES GARDINER, Speaker.

H. L. EDWARDS, Chief Clerk.

THURSDAY, FEBRUARY 7, 1856.

The House met pursuant to adjournment and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Cleaveland, DeLaVergne, Dunbar, Galbraith, Gere, Hartenbower, Hubbell, Hull, Hunt, Ide, Jackman, Knauft, Lott, Nobles, Pierce, Taylor, Thorndike, Wilson, and Mr. Speaker.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and approved.

Mr. Galbraith presented the petition of Levi H. Griffith, praying for the right to establish a Ferry across the Minnesota river, and

Upon motion, it was referred to Mr. Galbraith.

Mr. Norris presented the memorial of the Minnesota Agricultural Society, praying the Legislature to memorialize Congress for the grant of a township of land, to aid said society.

Referred to the Committee on Agriculture.

Mr. Ide introduced,

No. 23, H. of R., a memorial to Congress for an alteration of the Red Wing, Wisconsin and Root River Land Districts.

Which was read a first and second time and laid on the table to be printed.

Mr. Hunt presented a Remonstrance of E. Ellsworth and others, against the attaching of certain portions of Carver county to Scott county.

Which was referred to the Scott and Carver delegation.

Mr. Buck, on leave granted, introduced No. 159, H. of R. an act granting to Wm. Creek the right to maintain a Ferry across the Missouri river.

Which was read a first and second time and laid on the table to be printed.

Mr. Cleaveland introduced No. 160 H. of R., an act to provide for laying out a Territorial Road from Excelsior to Glencoe.

Which was also read a first and second time and laid on the table to be printed.

Mr. DeLaVergne introduced No. 161 H. of R. a bill to incorporate the Shakopee and Le Seur Plank Road Company,

Which was read a first and second time, and laid on the table to be printed.

Mr. De LaVergne gave notice that on to-morrow or some future day he will ask leave to introduce a bill granting to Luman Leach the right to establish a Ferry across the Minnesota river.

Also, to lay out a Territorial road from Leach's Ferry to Fort Ridgley.

Mr. Hunt introduced,

No. 162, H. of R., a bill to locate a Territorial road from Shakopee, by way of Chaska, through Glencoe, to Forestville, Meeker county,

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Hubbell introduced,

No. 163, H. of R., a bill to provide for the location of a Territorial Road from Red Wing to Mantorville.

Which was read a first and second time and laid on the table to be printed.

Mr. Cleaveland gave notice that on to-morrow or some future day of the session, he would introduce a bill to provide for laying out a Territorial Road from Smithtown, on Lake Minnetonka, to Shakopee.

Mr. Galbraith gave notice,

That he would on leave introduce on to-morrow, a bill to authorize the Commissioners of Scott county, to borrow money, to erect county buildings and for other purposes.

Mr. Bradley introduced No. 164, H. of R., an act to incorporate the Minneapolis and Cedar Valley Railroad Company.

Which was read a first and second time by its title and laid on the table to be printed.

H.—19.

Mr. Jackman offered the following Resolution:

Resolved, That this House from to-morrow morning, until the close of this session, (or until otherwise decided by a vote of the House) meet for the morning session at nine o'clock.

Which was adopted.

Mr. Holland gave notice,

That on to-morrow or on some future day of the session, he would introduce a bill to provide for laying out a Territorial road from Shakopee City to Excelsior.

Mr. Gere from the Joint Committee on enrolled bills made the following report:

The Joint Committee on enrolled bills have presented to His Excellency the Gov. for his signature the following bill:

No. 7, C. F., an act to legalize acknowledgements of conveyances heretofore taken before either the Supreme or District Court Clerks, and Judges of Probate of this Territory.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Mr. Gere from the Joint Committee on enrolled bills made the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bill:

No. 3, C. F., a bill to organize the County of Brown.

JOSEPH ROLETTE, Council, } Committee.
WM. B. GERE, H. R. }

Mr. Nobles moved,

That the Rules be suspended, so that bill No. 32, H. of R.—An act to amend an act entitled an act to incorporate the city of St. Paul, Ramsey county, Minnesota Territory, be referred to a select committee.

The chair appointed Messrs. Nobles, Galbraith and Taylor.

Mr. Sturgis, from the Committee on Territorial Roads, made the following Report:

The committee to whom was referred the petition of the citizens of Blue Earth and Steele counties, for the establishing of a Territorial Road from Austin, on the Big Cedar to Mankato, in Blue Earth county, have had the same under consideration, and ask leave to report by bill.

WM. STURGIS, Chairman.

The Report was accepted.

Mr. Sturgis introduced

No. 165, H. of R.—For laying out a Territorial Road from Austin, on the Big Cedar, to Mankato, in Blue Earth county,

Which was read a first and second time, and laid on the table to be printed.

Mr. Galbraith, to whom was referred the petition of Levi W. Griffith, asked leave to report by bill, as follows:

No. 166, H. of R.—Granting to Levi W. Griffith the right to establish and maintain a Ferry across the Minnesota river.

Which was read a first and second time, and laid on the table to be printed.

Mr. Holland from the Scott county delegation to which was referred No. 81, H. of R. an act granting to Thomas A. Holmes the right to maintain a Ferry across the Minnesota river,

Reported back the same without amendment, and recommended its passage.

Mr. Holland from the same delegation to which was referred No. 82, H. of R. an act granting to Sophia Brown the right to establish and maintain a Ferry across the Minnesota river at Shakopee City in Scott county,

Reported back to the same with the following amendment, to wit:

Insert the word "half" between the word "one" and the word "mile" in the third line of the first section of the printed bill.

The report was adopted.

Mr. Nobles presented a memorial of the Clerks of Supreme Courts, praying that the Fireman of this House be removed from office, or be required to refrain from throwing the ashes of this House from the windows of the Capitol.

And upon motion of Mr. Sturgis,

The memorial was referred to the committee on Public Buildings.

Mr. Galbraith from the Scott county delegation, made the following Report :

To the Hon. the House of Representatives :—

The undersigned, one of the Scott county delegation, Committee to which was referred No. 81, and No. 82, H. of R., beg leave to report as follows, to wit :

That he has had under consideration the said bills, and has come to the conclusion that No. 81 should be negatived, and that No. 82, be passed.

THOS. J. GALBRAITH.

February 7, 1856.

The Report was accepted.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—

The President has signed the following Bills:

No. 3, C. F., an act to organize the county of Brown.

No. 39, H. of R., an act to amend an act to provide for the survey of logs and lumber.

The Council has passed the following bills:

No. 27, C. F., an act to legalize and confirm certain elections.

No. 28, C. F., an act to organize the Winona Boom Company.

No. 34, C. F., an act to incorporate the Board of Trustees of the College of St. Paul.

Also, the following joint resolution:

No. 5, C. F., a joint resolution relative to John E. Warren, Esq.

Also, No. 13, H. of R., a memorial to Congress for a modification of the pre-emption laws.

No. 15, H. of R., a memorial of the Legislative Assembly of the Territory of Minnesota, to Congress, for the construction of a Military Road from Fort Snelling to Pembina, on the west side of the Mississippi, by way of Minneapolis, Monticello and St. Cloud.

W. COLVILLE,

Sec'y Council.

Messages from the Council being in order, the Clerk read the following message:

MR. SPEAKER:—

The Council has passed the following Joint Resolution:

No. 4, C. F., joint resolution for the relief of Marcus W. M'Cracken and Warren J. Howell,

Which was read a first and second time by its title.

Mr. Wilkinson moved,

That the rules be suspended and the Joint Resolution be read a third time.

Mr. Norris offered the following amendment to the joint resolution:

Strike out all after the word dollars, in the fourth line, to the word law, in the eighth line, and insert in lieu thereof, "out of the fund appropriated by Congress for Legislative expenditures."

The question recurring on the adoption of the amendment,

And the yeas and nays being called for and ordered, there were yeas 10, and nays 17, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Dunbar, Ide, Jackman, Johnson, Knauff, Norris, Pierce, and Thorndike—10.

Those who voted in the negative were,

Messrs. Buek, Burdick, Covel, Galbraith, Gere, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Kirkmae, Nobles, Sturgis, Wilkinson, Wilson and Mr. Speaker—17.

So the amendment was lost.

Mr. Bradley offered the following amendment to Joint Resolution No. 4, C. F. that the name of Wm. Kingsbury be inserted after the name of McCracken and the names of Joel Bassett and Alanson B. Vaughn after that of Howell.

Which amendment was lost.

The previous question was called for and ordered.

The question then recurring on the reading of the Joint Resolution a third time,

It was carried in the affirmative.

The Joint Resolution was then read a third time and passed.

The question then recurring on the title of the Joint Resolution.

It was agreed to.

Mr. Nobles, on leave granted, gave notice,

That on some future day of this session he would introduce, a Joint Resolution asking Congress to make an appropriation for the relief of certain persons that have contested seats in either branch of this Legislature.

Messages from the Council being in order, the Clerk read the following message :

MR. SPEAKER :—

The President has signed the following Memorials :

No. 2, C. F., a memorial to Congress for an appropriation to construct a Military Road from Winona on the Mississippi river to Fort Ridgely.

No. 3, C. F., a memorial to Congress for a grant of lands to improve the navigation of the Minnesota river.

No. 5, C. F., a memorial to Congress for an appropriation of \$15,000, for the improvement of Root river.

The Council has also concurred in the following House Bills :

No. 14, H. of R., an act to provide for laying out a Territorial road from the Iowa line, past Austin, Owatonia and Faribault, to the Dodd Road..

Also No. 12, H. of R., a memorial for an appropriation to improve the navigation of the Mississippi river and other purposes.

The House has refused to concur in

No. 1, H. of R., a memorial to Congress for \$15,000, for the construction of a road across the Mississippi Bottoms on the Wisconsin side, opposite the town of Brownsville, in the county of Houston, Minnesota Territory.

Which is herewith returned.

W. COLVILLE, JR., Secretary.

Bills and Resolutions from the Council, on their second reading, being in order,

No. 34, C. F.—An act to incorporate the Board of Trustees of the College of St. Paul, was taken up and read a first and second time.

Also, No. 27, C. F.—An act to legalize and confirm certain elections, was read a first and second time.

Also, No. 28, C. F.—An act to organize the Winona Boom Company, was read a first and second time.

Also, No. 5, C. F.—A Joint Resolution to John E. Warren, Esq., was read a first and second time, and ordered to be printed in the Journal :

Joint Resolution of the Council and House of Representatives of the Territory of Minnesota :

Whereas, the President of the United States, unsolicited, conferred upon John Esaias Warren, Esq., the office of United States District Attorney for the Territory of Minnesota, and afterwards, without opportunity of hearing or defence, upon allegations of misconduct in the commencement of a suit against the Minnesota and Northwestern Railroad Company, removed him therefrom : And whereas we believe the official career of Mr. Warren to have been guided throughout by pure and elevated motives, signalled

by a rare union of ability and fidelity, and deem a public expression of approval to be no more than simple justice,—therefore,

Resolved,—(The House of Representatives concurring)—That we deprecate the removal of John E. Warren from the office of United States District Attorney of the Territory of Minnesota, as an act of injustice at once to a high-minded and honorable man, an estimable and respected citizen, and an accomplished, faithful and incorruptible public officer.

Resolved, That these resolutions be inserted in the Journals of the Council and House of Representatives; that they be engrossed and the Secretary of the Council be instructed to transmit a copy thereof to Mr. Warren.

Bills ready for a third reading being in order,

Bill No. 43, H. of R., a bill for an act granting to Reuben Richmond and others the right to establish and maintain a Ferry across the Mississippi River, was taken up and read a third time and passed.

The question then recurring on agreeing to the title of the bill—it was agreed to.

Also No. 1, C. F., a bill to suppress the issue and circulation of unauthorized Bills as currency.

Was taken up, read a third time and passed.

And the question then recurring on agreeing to the title of the bill.

It was agreed to.

Upon motion, the House then resolved itself into a Committee of the Whole with Mr. Gere in the Chair,

For the purpose of taking into consideration No. 5, H. of R. a bill for an act to incorporate the Lake Superior, Mississippi and Northern Pacific Railroad Company.

Also, No. 5, C. F. a bill to amend Chapter ninety-five (95) of the Statutes of Minnesota.

Also, No. 8, C. F. a bill for an act to authorize School District No. 5 in the city of St. Anthony, Ramsey county, to levy a tax and obtain money for the purchase of ground and the erection of buildings for school purposes.

After some time passed therein the committee rose and by their Chairman reported the bills back to the House with the recommendation,

That No. 5, H. of R., be referred to a committee of one.

That No. 5 and 8 C. F. be ordered for a third reading and recommended their passage.

The report of the committee was accepted.

Mr. Taylor moved,

That No. 5, H. of R., be referred to a select committee of one.

Which motion was adopted.

The Chair appointed Mr. Sturgis as said committee.

Upon motion bill No. 5, C. F., a bill to amend chapter ninety-five (95) of the statutes of Minnesota,

Was read a third time and passed.

The question then recurring on agreeing to the title of the bill,

It was agreed to.

Upon motion of Mr. Farnham the rules were suspended and No. 8, C. F., a bill for an act to authorize school district No. 5, in the city of St. Anthony, Ramsey county, to levy a tax and obtain money for the purchase of grounds and the erection of buildings for school purposes—was taken up and read a third time and passed.

The question then recurring on agreeing to the title to the bill.

It was agreed to.

The Speaker signed the following bills and memorial:

No. 3, C. F., a bill for an act to organize the county of Brown.

Also No. 3, C. F., memorial to Congress for a grant of land to improve the Minnesota river.

Also No. 5, C. F., a memorial to Congress for \$15,000, to improve the Root river.

No. 2, C. F., a memorial to Congress to make an appropriation to construct a military road from Winona to Fort Ridgely.

Also a Joint Resolution, No. 4, C. F., for the relief of Marcus W. McCracken, and W. J. Howell.

Mr. Wilson moved that the House adjourn until 2 o'clock, P. M.

Mr. Burdick moved to amend, by adjourning until half-past 2, P. M.

The amendment was accepted, and the question recurring on the motion to adjourn, it was carried, and the House adjourned until half-past 2 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Covell, Dunbar, Farnham, Gere, Hartenbower, Hubbell, Hull, Ide, Jackman, Johnson, Kirkman, Knauff, Murphy, Nobles, Norris, Taylor, Wilkinson and Mr. Speaker.

Mr. Norris moved a call of the House.

The roll being called, the Clerk reported Messrs. Boutillier, Burdick, Cleaveland, DeLaVergne, Gibbs, Haus, Lott, McLeod, Thompson, and VanVorhes, as the absent members.

Mr. Hunt moved,

That all further proceedings under the call of the House be dispensed with.

And the yeas and nays being called for and ordered, there were yeas 19, and nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Covell, Dunbar, Gere, Grant, Hartenbower, Holland, Jackman, Johnson, Kirkman, Knauff, Nobles, Pierce, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—19.

Those who voted in the negative were,

Messrs. Galbraith, Hubbell, Hull, Hunt, Murphy and Norris—7.

So the motion was adopted.

Mr. Nobles from the Select Committee to whom was referred No. 32, H. of R., to amend an act entitled an act amendatory to the charter of the city of St. Paul,

Reported back the bill with amendments, and asked the concurrence of the House.

The report was accepted, and upon motion,

The House resolved itself into a Committee of the Whole, with Mr. Buck in the Chair, for the purpose of taking into consideration,

No. 45, H. of R., a bill to authorize the formation of companies for mining, smelting or manufacturing Iron, Copper, Mineral, Coal and Silver, or other ores or minerals, and for other manufacturing purposes.

Also, memorial No. 14, H. of R., to Congress, asking for a grant of lands to aid in constructing a Railroad in Minnesota.

Also, No. 6, C. F., a memorial for an appropriation for the construction of a Road from the Mississippi to Fort Ridgely.

After some time spent therein, the committee rose, and by their Chairman, reported the bills back to the House, and recommended that

Memorial No. 14, H. of R., to Congress for a grant of Lands to aid in construction of a Railroad, be referred to a special Committee of three, viz. Messrs. Nobles, Norris and Dunbar. And that

Memorial No. 6, C. F., to Congress for an appropriation to construct a Territorial Road from the Mississippi River to Fort Ridgely, be ordered to a third reading.

And also, Bill No. 45, H. of R., to organize a certain Mining and Smelting Company. The Committee reported progress, and asked leave to sit again.

The report of the Committee was accepted, and

Upon motion of Mr. Norris, the Report was concurred in.
Memorial No. 14, H. of R., was referred to Messrs. Nobles, Norris and Dunbar.
And Memorial No. 6, C. F., was ordered to its third reading.
Upon motion of Mr. Ide, the House then adjourned.

CHARLES GARDNER.

Attest:

Speaker.

H. L. EDWARDS,

Chief Clerk.

FRIDAY, FEBRUARY 8, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Bradley, Buck, Cleaveland, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Gibbs, Grant, Hartenbower, Holland, Hull, Hunt, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Wilkinson, Wilson and Mr. Speaker.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and approved.

Mr. Galbraith presented the petition of Edward Wasson, and 44 others, praying that Levi W. Griffith may be granted the right to establish and maintain a Ferry across the Minnesota River.

Mr. Murphy introduced No. 24, H. of R., a memorial to Congress for an appropriation of \$5,000, to construct a road from a point opposite St. Paul to the nearest point on the Mendota and Wabashaw road

Which was read a first and second time and laid on the table to be printed.

Mr. DeLaVergne introduced No. 167, H. of R., a bill authorizing the laying out of a Territorial road from Leach's Ferry to Fort Ridgley.

Also No. 168, H. of R., a bill granting to Lemman Leach the right to maintain a Ferry across the Minnesota river.

Which was read a first and second time and laid on the table to be printed.

Mr. Hull introduced No. 169, H. of R., a bill to regulate the sale of Spirituous Liquors on the west side of the Mississippi river.

Which was read a first and second time and laid on the table to be printed.

Mr. Buck moved,

That the bill be referred to a Select Committee of three consisting of Messrs. Galbraith, De LaVergne and Holland.

Which motion was adopted.

Mr. Buck introduced No. 177, H. R., an act to provide for laying out a Territorial Road from Richmond in Winona county to Houston City in Houston county.

Which was read a first and second time and laid on the table to be printed.

Mr. Ide introduced No. 170, H. of R., an act granting to E. A. Goodell the right to establish and maintain a Ferry across the Mississippi river.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Lott introduced No. 171, H. of R., an act to regulate Mills and Millers.

Also, No. 172, H. of R., a bill granting to John W. Cathcart and Samuel Bolles the right to establish and maintain a Ferry across Lake St. Croix.

Which were read a first and second time by their titles and laid on the table to be printed.

Mr. Wilkinson introduced No. 173, H. of R., an act to incorporate the St. Paul Saving Institution.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Kirkman gave notice that on to-morrow or some future day he would introduce a bill to locate a Territorial Road from the town of Whitewater to the town of Oronoco.

Also that on to-morrow or some future day he would ask leave to introduce a bill to provide for two terms of the District Court, each and every year in Wabashaw county.

Mr. Cleveland introduced No. 174, H. of R., An Act to provide for laying out a Territorial Road from Smithtown to Shakopee.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Thorndike gave notice,

That he would on to-morrow, or some future day of the session, introduce a bill to locate a Territorial Road from the mouth of Crow river to the Forks of said river.

Also a bill to locate a Territorial Road from the mouth of Crow river to Hennepin.

Mr. DeLaVergne gave notice,

That on to-morrow or some future day, he will ask leave to introduce a bill for the relief of Darwin C. Smith.

Mr. Nobles gave notice that on to-morrow, or some future day he would introduce a bill "to define what shall be the Currency of the Territory" and for other purposes.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Joint Resolution :

No. 4, C. F., Joint Resolution for the relief of Marcus W. McCracken and W. J. Howell.

J. ROLETTE, Council.
WM. B. GERE, H. of R. } Committee.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills:

No. 11, H. of R., an act to provide for laying out a Territorial Road from St. Cloud to Pembina.

No. 20, H. of R., an act granting to S. B. Lowry the right to establish and maintain a Ferry across the Mississippi river, at St. Cloud.

JOS. ROLETTE,
Council.
WM. B. GERE,
H. of R. Committee.

Mr. Gere, from the Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have presented to his excellency the Governor for his signature,

No. 4, C. F., joint resolution for the relief of M. W. McCracken and W. J. Howell.

J. ROLETTE,
Council.
WM. B. GERE,
H. of R. Com.

Mr. Knauff offered the following resolution:

Resolved, That the Chief Clerk of this House be instructed to furnish the Territorial Printer with a printed copy of the Constitution of the United States, in the German

language, and that the said Territorial Printer is hereby instructed to print five hundred, copies of the same in the German language, for the use of the members of this House, to be paid for out of the monies appropriated by Congress for Legislative expenses.

Mr. Dunbar offered the following amendment:

That 500 copies also be printed in Norwegian, and 500 copies in the French language.

The amendment was adopted.

The question then recurring on the adoption of the Resolution as amended, It was adopted.

Mr. Sturgis introduced No. 175, H. of R., A Bill to provide for laying out a Territorial Road from Rigg's Ferry to Mille Lac,

Which was read a first and second time and laid on the table to be printed.

Mr. Taylor, from the committee on Territorial Expenditures, made the following Report :

The committee on Territorial Expenditures, to whom was referred that part of the Governor's Message which refers to the salaries of Auditor, Treasurer and Superintendent of Common Schools, having had the same under consideration, beg leave to report by bill, a bill increasing the salaries of the above named officers.

N. C. D. TAYLOR,
ARBA CLEVELAND,

Committee on Territorial Expenditures.

Mr. Taylor introduced No. 176, H. of R., increasing the salaries of Territorial Auditor, Treasurer and Superintendent of Common Schools,

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Farnham moved,

That the Rules be suspended so that the vote be reconsidered by which the Resolution of Mr. Norris was adopted,

And the Yeas and Nays being called for and ordered, there were yeas 13 and Nays 16, as follows : Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Hull, Jackman, Kirkman, Murphy, Sturgis, Wilkinson, Wilson.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleveland, Gere, Grant, Hartenbower, Holland, Hunt, Ide, Knauff, Lott, Nobles, Norris, Pierce, Taylor Mr. Speaker.

So the House refused to reconsider the vote by which the Resolution was adopted.

Bills ready for a third reading being in order,

No. 6. C. F., a memorial to Congress for an appropriation for the construction of a Road from the Mississippi to Fort Ridgley,

Was taken up and read a third time and passed.

The question then recurring on agreeing to the title of the memorial,

It was agreed to.

Upon motion of Mr. Buck the House resolved itself into a Committee of the Whole,

With Mr. Hunt in the chair, for the purpose of taking under consideration No. 4, C. F., a memorial to Congress for an appropriation of \$20,000 for the construction of bridges and culverts on the Territorial road from Elliot to St. Paul.

Also No. 7, C. F., a memorial to Congress for a tri-weekly mail from Hastings to Traverse des Sioux.

Also No. 8, C. F., a memorial to Congress granting to certain Indians the right of citizenship.

Also, No. 45, H. of R., a bill for the formation of a Mining, Smelting, Manufacturing, Iron, Copper, Minerals, Coal or Silver Ores, and for other manufacturing purposes.

After some time passed therein, the Committee rose, and by their Chairman, reported

H.—20.

the Memorials back to the House, with the recommendation that they be passed, and

Bill No. 45, H. of R., was ordered to be engrossed for a third reading.

The report was accepted, and

Bill No. 45, H. of R., for the formation of a Mining, Smelting and Manufacturing Company, was ordered to be engrossed for its third reading.

And upon motion of Mr. Hull,

Memorial No. 4, C. F., a Memorial to Congress for \$20,000, for the construction of Bridges, Culverts, &c., on the Territorial Road from St. Paul to Elliotts, was read a third time and passed, and its title agreed to.

Also, No. 8, C. F.—A memorial to the Postmaster General, for a tri-weekly mail between Hastings and Traverse des Sioux, was also read a third time and passed, and its title agreed to.

Also, No. 7, C. F.—A memorial to the Postmaster General for a tri-weekly mail between Hastings and Traverse des Sioux, was read a third time and passed, its title agreed to.

A message from the Council being announced, Wm. Colville, Esq., appeared and delivered the following message:

MR. SPEAKER:—The Council has passed

No. 15, C. F.—An act to incorporate the Rum River Log Driving Company.

Also, No. 33, H. of R.—An act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota.

WM. COLVILLE, Sec.

The Speaker signed the following bills:

No. 11, H. of R.—A bill to provide for laying out a Territorial Road from St. Cloud to Pembina.

Also, an act granting to S. B. Lowry the right to establish and maintain a Ferry across the Mississippi River at St. Cloud.

Upon motion, the House again resolved itself into a Committee of the Whole, Mr. Knauff in the chair, for the purpose of taking into consideration

No. 38, H. of R.—An act to amend the Revised Statutes:

Also, No. 46, H. of R.—A bill repealing an act entitled an act to incorporate the St. Croix Boom Company.

Also, No. 48, H. of R.—An act entitled an act to authorize School District No. 1, Township 30, Range 20, to levy a special tax, and for other purposes.

After some time passed therein, the Speaker resumed his seat,

And the House adjourned until half-past two o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Hull, Hunt, Jackman, Kirkman, Knauff, Murphy, Nobles, Pierce, Taylor, Thorndike, Wilkinson and Mr. Speaker.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following Report:

The Joint Committee on Enrolled Bills, have presented to his Excellency the Governor, for his signature, No. 39, H. of R., an act to amend "an act" to provide for the survey of Logs and Lumber in Minnesota Territory.

JOS. ROLETTE, Council.

WM. B. GERE, H. of R.

} Committee.

Mr. Gibbs, on leave granted, introduced,

No. 178, For an act to provide for laying out a Territorial Road from Fort Swelling to Tazaska.

Also, No. 179, H. of R., for an act to provide for laying out a Territorial Road from Tazaska to Monticello and Itasca.

Also, No. 180, H. of R., a bill for an act to provide for laying out a Territorial Road from Tazaska to Cedar City.

Which were read a first and second time by their titles and laid on the table to be printed.

Upon motion, the House resolved itself into Committee of the Whole for the purpose of taking into consideration the unfinished business of the Committee of the Whole, House bills No. 38, 46 and 48, and after some time spent therein, the committee rose and by their chairman reported the bills back without amendment.

The report of the committee was accepted.

Mr. Galbraith moved a call of the House.

The roll being called, the Clerk reported

Messrs. Boutillier, Burdick, DeLaVergne, Grant, Hans, Holland, Hubball, Ide, Johnson, Iott, McLeod, Norris, Sturgis, Thompson, Van Vorhes and Wilson, as the absent members.

Mr. Dunbar moved,

That all further proceedings under the call of the House be dispensed with.

And the yeas and nays being called for and ordered, there were yeas 13, nays, 7, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Gere, Hull, Kirkman, Knauff, Pierce, Taylor, Thorndike, and Mr. Speaker.

Those who voted in the negative were,

Messrs. Galbraith, Gibbs, Hartenbower, Hunt, Jackman, Murphy, Nobles, Wilkinson.

Mr. Galbraith moved that the House adjourn.

And the yeas and nays being called for and ordered, there were yeas 1, and nays 20, as follows:

Mr. Gibbs voted in the affirmative.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gere, Hartenbower, Hull, Hunt, Jackman, Kirkman, Knauff, Murphy, Nobles, Pierce, Taylor, Thorndike, Wilkinson, and Mr. Speaker.

So the motion to adjourn was lost.

Mr. Galbraith moved a call of the House.

The roll being called the clerk reported a quorum present.

Mr. Farnham moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

And upon motion of Mr. Buck,

No. 46, H. of R., a bill repealing an act entitled an act to incorporate the St. Croix boom company.

And No. 48, H. of R., an act entitled an act to authorize school district No. 1, Township 30, Range 20, to levy a tax and for other purposes.

Were ordered to be engrossed for a third reading.

And bill No. 38, H. of R., a bill to amend an act entitled an act to amend the revised statutes,

Was made the special order of the day for Tuesday next at ten o'clock.

Mr. Dunbar moved,

That the House now adjourn.

And the Yeas and Nays being called for and ordered, there were Yeas 2, and Nays 18, as follows:

Those who voted in the affirmative were,

Messrs. Galbraith, and Wilkinson—2.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Gere, Gibbs, Hartenbower, Hull, Hunt, Jackman, Kirkman, Kuauft, Murphy, Nobles, Taylor, Thorndike, and Mr. Speaker—18.

So the motion to adjourn was lost.

Upon motion of Mr. Hunt, the House resolved itself into a Committee of the Whole, Mr. Farnham in the chair, for the purpose of taking into consideration,

No. 50, H. of R.—A bill to incorporate the St. Paul Gas Light Company.

Also, No. 52 H. of R.—A bill entitled an act to amend Revised Statutes.

Also, No. 53, H. of R.—A bill to incorporate the St. Paul Water Company.

After some time passed therein the committee rose and by their chairman reported the bills back to the House, without amendments, as follows :

Recommended that No. 50, H. of R., be referred to Committee on Incorporations ;

That in bill No. 53, H. of R., all after the enacting clause be stricken out ;

And No. 52, H. of R., be ordered to be engrossed for a third reading.

The Report was accepted, and

No. 53, H. of R.—A bill to incorporate the St. Paul Water Company, was amended by striking out all after the enacting clause.

And No. 52, H. of R.—A bill entitled an act to amend the Revised Statutes, was ordered to be engrossed for a third reading.

And No. 50, H. of R.—A bill to incorporate the St. Paul Gas Light Company, was referred to the Committee on Incorporations.

Mr. Nobles offered the following resolution :

Whereas, the business now before this House requires the strict attention of every member thereof ; and whereas a number of members seem to be desirous of killing time only ; and whereas business of the House is greatly retarded by members absenting themselves therefrom ;

Resolved, That any member who absents himself, without good cause, shall be publicly reprimanded by the Speaker.

Mr. Norris moved to lay the Resolution on the table.

Which was lost,

And the question recurring on the adoption of the Resolution,

It was decided in the negative.

Upon motion the House again resolved itself into the committee of the whole, with Mr. Hunt in the chair, for the purpose of taking into consideration No. 54, H. of R., A Bill for an act to License and regulate Agencies of Foreign Insurance Companies in the Territory of Minnesota.

Also No. 60, H. of R., an act to define the boundaries of certain counties.

Also No. 63, H. of R., a bill entitled an act to promote Medical Science.

After some time passed therein the committee rose and by their chairman reported the bills back to the House as follows :

No. 54, H. of R., with amendments, and recommended that the amendments be concurred in and the bill be engrossed for a third reading.

That No. 60, H. of R., be referred to the committee on county boundaries.

On No. 63, H. of R., the committee reported progress and asked leave to sit again.

The report was accepted and No. 54, H. of R., an act to license and regulate agencies of Insurance Companies in the Territory of Minnesota ; the amendments to the bill were concurred in,

And upon motion it was ordered to be engrossed for a third reading.

Also No. 60, H. of R., an act to define the boundaries of certain counties, was referred to the committee on county boundaries.

Also bill No. 63, H. of R., a bill entitled an act to promote medical science. The committee reported progress and asked leave to sit again, was concurred in.

Upon motion, the House again Resolved itself into a Committee of the Whole with, Mr. Covell in the Chair for the purpose of taking into consideration No. 64 H. of R. a bill granting to Elijah A. Bissell the right to establish and maintain an Omnibus Line in the city of St. Paul.

Also No. 66 H. of R. a bill to prohibit the introduction of Slavery in the Territory.

Also No. 65 H. of R. an act granting a Charter to the Fort Snelling Bridge Company.

After some time passed therein, the Committee rose and by their Chairman reported the bills back to the House with the recommendation that No. 64 H. of R. be referred to the Committee on Incorporations;

And bill No. 66 H. of R. be indefinitely postponed,

And also bill No. 65 H. of R. with amendments and recommend that it be engrossed for a third reading.

The Report was accepted and upon motion the Report was concurred in, and the bills disposed of accordingly.

Mr. Jackman moved a call of the House.

And the roll being called, the Clerk reported the following members absent :

Messrs. Boutillier, Bradley, DeLaVergne, Gibbs, Grant, Haus, Holland, Hubbell, Ide, Lott, McLeod, Johnson, Sturgis, Thompson, Thorndike, and Van Vorhes.

Mr. Farnham moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

Mr. Farnham moved,

That the House now adjourn until Monday next, at 10 o'clock, A. M.

And the yeas and nays being called for and ordered, there were yeas 13, and nays 7, as follows :

Those who voted in the affirmative were,

Messrs. Buck, Cleaveland, Covell, Farnham, Galbraith, Gere, Hartenbower, Hull, Hunt, Jackman, Kirkman, Murphy and Wilkinson—13.

Those who voted in the negative were,

Messrs. Dunbar, Knauff, Nobles, Norris, Pierce, Taylor and Mr. Speaker—7.

The House adjourned until Monday next, at ten o'clock A. M.

Attest.

H. L. EDWARDS, Chief Clerk.

CHARLES GARDINER, Speaker.

MONDAY, FEBRUARY 11, 1856.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Buck, Burdick, Covell, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Hartenbower, Haus, Hubbell, Hull, Ide, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Thorndike, Van Vorhes, Wilkinson, Speaker.

Prayer by Chaplain, Rev. E. D. Neill.

Journal of Friday last was read, corrected and approved.

Mr. DeLaVergne introduced No. 181 H. of R., a bill granting relief to Darwin C. Smith.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Kirkman introduced No. 182, H. of R., a bill to provide for laying out a Territorial Road from White Water to Oronoco.

Which was read a first and second time and laid on the table to be printed.

Mr. Wilkinson introduced No. 183 H. of R., an act relative to Free Schools in the City of St. Paul.

Which was read a first and second time and laid on the table to be printed.

Also a Joint Resolution No. 3 H. of R. for the relief of Wm. W. Kingsbury.

Which were read a first and second time by their title and laid on the table to be printed.

Mr. Farnham, on leave granted, introduced No. 184 H. of R. an act to amend an act entitled an act to provide for the survey of logs and lumber in Minnesota Territory.

Which was read a first and second time by its title and laid on the table to be printed, and upon motion, it was referred to the Committee on Lumbering Interest.

Mr. Thorndike introduced No. 185 H. of R., an act to locate a Territorial Road from the mouth of Crow river to Hennepin.

Also, No. 186, H. of R. an act to locate a Territorial Road from the mouth of Crow river to the forks of said river.

Which were read a first and second time and laid on the table to be printed.

Mr. DeLaVergne introduced No. 187 H. of R., a bill to lay out a Territorial Road from Dayton City to the Sioux Agency.

Which was also read a first and second time and laid on the table to be printed.

Mr. Nobles on leave introduced No. 188, H. of R., an act to incorporate the Benevolent Society of the United Sons of Erin.

Which was read a first and second time by its title and laid on the table to be printed.

Mr. Knauff offered the following Resolution:

Resolved, That the Chief Clerk of this House be instructed to furnish the Territorial Printer with a printed copy of the Organic Act of this Territory, in the German language, and that the said Printer is hereby instructed to print five hundred copies of the same in the German language, for the use of the members of this House, to be paid for out of the moneys appropriated by Congress for Legislative expenses.

Which resolution was adopted.

Messages from the Council being in order, the Clerk read the following :

Mr. Speaker, the Council has passed No. 15, C. F., an act to incorporate the Rum River Log Driving Company.

Also, No. 33, H. of R., an act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota, with an amendment striking out the 4th section.

W. COLVILLE, JR., Secretary.

Mr. DeLaVergne moved that the amendments to bill No. 33 H. of R., an act to continue in force an act to provide for the appointment of Commissioner of Emigration for M. T. be concurred in.

And the Yeas and Nays being called for and ordered there were Yeas 18, and Nays 8, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covel, DeLaVergne, Gere, Grant, Hartenbower, Haus, Hull, Kirkman, Knauff, Lott, Nobles, Norris, Sturgis, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker—18.

Those who voted in the negative were,

Messrs. Buck, Dunbar, Farnham, Gibbs, Hubbell, Ide, Murphy, Pierce.

So the amendments were concurred in.

A message from his Excellency the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following written communication :

EXECUTIVE DEPARTMENT,

St Paul, Feb. 9, 1856. }

To the Speaker of the House of Representatives :

I am directed by his Excellency to inform the House that he has this day approved and signed

No. 39, H. of R.—Entitled an act to amend an act to provide for the survey of Logs and Lumber in Minnesota Territory.

Bills from the Council on their second reading being in order,

No. 15, C. F.—An act to incorporate the Rum River Log Driving Company was taken up, and upon motion, it was read a first and second time by its title.

Mr. Lott moved to reconsider the vote by which the House concurred in the amendments to No. 53, H. of R., which motion was adopted.

Mr. Lott also moved that

Bill No. 53, H. of R., be referred to the Committee on Internal Improvements, which motion was carried in the affirmative.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has concurred in the House amendments to No. 1, C. F. A bill to suppress the issue and circulation of unauthorized bills as currency.

The Council has passed No. 4, H. of R., a bill to incorporate the Minnesota Life, Fire and Marine Insurance Company with amendments, in which the concurrence of the House is respectfully requested.

The President has signed the following House bill.

An act granting to S. B. Lowry the right to establish and maintain a Ferry across the Mississippi River at St. Cloud.

And an act to provide for laying out a Territorial Road from St. Cloud to Pembina, Which are herewith returned.

W. COLVILLE, Jr., Sec'y.

Upon motion of Mr. Gibbs,

The House resolved itself into a Committee of the Whole, with Mr. Lott in the chair, for the purpose of taking into consideration,

No. 18 C. F., a bill to provide for laying out certain Territorial Roads.

Also, No. 12, C. F., a bill to incorporate the Little Falls Bridge Company.

Also, No. 3, C. F., a joint resolution relative to the estimates of the expenses for the present session.

After some time passed therein, the committee rose and by their chairman reported the bills back to the House without amendment, and recommended that bill No. 12, C. F., be read a third time and passed.

Also, bill No. 18, C. F., with the same recommendation.

And recommended that joint resolution No. 3, C. F., be indefinitely postponed.

The report of the committee was accepted.

Mr. Buck moved,

That joint resolution No. 3, C. F., relative to the estimates for the expenses of the present session, be indefinitely postponed.

Which motion was adopted.

Upon motion, No. 12, C. F., a bill to incorporate the Little Falls Bridge Company, Was ordered to a third reading.

Also, No. 18, C. F., a bill to provide for laying out certain Territorial Roads,

Was ordered to a third reading.

Upon motion of Mr. Burdick,

The House then adjourned until half past two o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment,
And was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Bradley, Buck, Burdick, DeLaVergne, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Knauft, Lott, Murphy, Nobles, Norris, Pierce, Sturgis Van Vorhes, Wilkinson, and Mr. Speaker.

Mr. Gere from the Joint Committee on enrolled bills made the following report:

The Joint Committee on enrolled bills have presented to His Excellency the Gov. for his signature the following bills and memorials:

No. 5, C. F., a memorial to Congress for an appropriation of \$15,000 for the improvement of Root River.

No. 3, C. F., an act to organize the county of Brown.

No. 3, C. F., a memorial to Congress for a grant of lands to improve the navigation of the Minnesota River.

No. 2, C. F., a memorial to Congress to make an appropriation to construct a Military Road from Winona on the Mississippi River to Fort Ridgley.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

The Speaker announced that the Joint Convention had adjourned to meet in the Hall of Representatives at this hour.

Mr. Norris moved,

That the Chief Clerk be directed to inform the Council that the House is now ready to meet them in Joint Convention, pursuant to adjournment,—which motion was adopted.

The Chief Clerk made the following report:

MR. SPEAKER:—I have been unable to comply with the request to inform the Council of the readiness of this House to meet in Joint Convention, as the Council is not now in session.

H. L. EDWARDS,
Chief Clerk, H. of R.

Mr. Sturgis offered the following resolution:

Resolved,—(The Council concurring)—That the two Houses meet in Joint Convention in the Hall of the House on Tuesday, the 12th of Feb'y., at twelve o'clock, M., for the election of a Surveyor General of Lumber for the 4th District.

Mr. Burdick moved to amend by inserting half-past two in lieu of twelve o'clock, M.,—which amendment was lost.

The question then recurring on the adoption of the resolution, it was adopted.

Mr. Wilkinson offered the following resolution:

Resolved, That the Comptroller of the Treasury be, and he is hereby respectfully solicited to inform this House how much has been drawn from the sum appropriated to defray the expenses of the present session of the Legislature of Minnesota, and how much still remains subject to the draft of the Secretary of the Territory, and applicable to the payment of the expenses of the present session.

Resolved,—That the Chief Clerk of this House be, and he is hereby instructed to forward to the Comptroller of the Treasury a copy of the above resolution forthwith.

Mr. Burdick moved,

That the Resolution be referred to the Committee on Territorial Affairs.

And the Yeas and Nays being called for and ordered, there were Yeas 14, and Nays 7, as follows:

Those who voted in the affirmative were,

And the Nays were, as follows:

Messrs. Bradley, Buck, Covell, DeLaVergne, Farnham, Haus, Hubbell, Kirkman, Lott, Murphy, Nobles, Norris, Pierce, Van Vorhes—14.

Those who voted in the negative were,

Messrs. Burdick, Gere, Grant, Hull, Hunt, Wilkinson and Mr. Speaker—7.

So the motion prevailed.

Mr. Burdick, from the Committee on Public Buildings, made the following report:

The committee to whom was referred the memorial of George W. Prescott, Clerk of Supreme Court, Sherwood Hough, Deputy Clerk of Supreme Court, George W. Prescott, Clerk of District Court, Sherwood Hough, Deputy Clerk of District Court, and Sherwood Hough, City Clerk, praying for the removal of the present incumbent of the office of Fireman of this House, for certain reasons as therein set forth, would report:

That your committee fail to see wherein the Fireman is so culpably guilty of an outrage sufficiently criminal as to warrant his removal. He no doubt followed out the example constantly placed before his eyes, viz: "*Every one for himself.*" Another reason set forth by said memorialists is, that he was "often requested to desist." Now, we cannot see wherein he was bound to obey. We think that if the facts as set forth in said memorial had been made known in the first instance, the Speaker, no doubt, would have remonstrated with him in person, and thus have avoided a repetition of the act. And your committee by no means think themselves justified to report favorable, or advise his removal therefrom. As no doubt the members of this House are aware of the fact that he disabled himself in his attempt to render his services acceptable to this honorable body, and as he for a time performed the duties and functions of Fireman *pro tem.*, without the expectation of receiving a single dime as a remuneration for his indispensable services thus performed as fireman *pro tem.*, was not advised of the fact of his appointment to that office until after two or three days had expired. And the present incumbent being present at the first meeting, kindly, at the request of one of the members, agreed to have the fires built until the appearance of the officer *pro tem.*

The members of this House, or some of them at least, are aware that upon the first day of this present session there was no fire, and consequently were obliged to adjourn after the election of a Speaker *pro tem.* But the next morning the House met and, transacted a considerable amount of business without experiencing any inconvenience from the cold weather. And as it was through his instrumentality that this pleasant state of affairs was brought about, your committee would recommend his retention in office upon his complying with the request that "he will carry his ashes down stairs in a tin bucket and deposit them in a place to be at least twenty-five feet from the Capitol building.

All of which is respectfully submitted.

R. C. BURDICK,

J. F. BRADLEY,

R. HAUS,

} Com. on Pub. Buildings

Upon motion the report was accepted.

And upon motion of Mr. Hunt the House resolved itself into Committee of the Whole, with Mr. Gere in the chair, for the purpose of taking into consideration No. 17 H. of R., a memorial to Congress for a donation of lands in Fillmore county, for the endowment of an Academy to be located at Carimona, the county seat of said county.

No. 16, H. of R., a memorial to Congress for certain Territorial Roads.

Also No. 18, H. of R., a memorial to Congress for certain mail routes in Minnesota Territory.

After sometime spent therein the Committee rose and by their chairman reported the bills back to the House with amendments and recommended,

That memorial No. 16, H. of R., without amendment be ordered to be engrossed for a third reading,

That memorial No. 17, H. of R., with amendments, be concurred in and ordered to be engrossed for a third reading.

H.—21.

That memorial No. 18, H. of R., with amendments, be concurred in and ordered to be engrossed for a third reading.

The report of the Committee was accepted.

The amendments were concurred in, and the memorials were ordered to be engrossed for a third reading.

Mr. Nobles made the following reports:

The special Committee to whom was referred No. 14, H. of R., a memorial to Congress asking for a grant of lands to aid in the construction of a Rail Road in the Territory of Minnesota, have examined the bill and report the bill as amended instead of the original.

WM. H. NOBLES.

J. S. NORRIS.

WM. F. DUNBAR.

The report was accepted.

Mr. Nobles, on leave granted, introduced No. 25, H. of R. a memorial to Congress for an appropriation to open a Road from Fort Ridgely to South Pass in the Rocky Mountains, and from thence to California and Oregon.

Which was read a first and second time and laid on the table to be printed.

Mr. Ide made the following report:

The Committee on County Boundaries to whom was referred House bill No. 60 defining the boundary line of certain Counties, report the bill back to the House, and recommend its passage with amendments, as follows:

Sec. 4, third line, strike out the word "Benton."

Sec. 6, first line, strike out, at the town of Watab, and insert by a majority of the voters in said County. Insert after the word "County," at the next general election.

All of which we respectfully submit.

JOHN C. IDE.

J. H. HARTENBOWER.

P. K. JOHNSON.

The Report of the Committee was accepted.

Upon motion of Mr. DeLaVergne, the House resolved itself into a Committee of the Whole, Mr. Ide in the chair, for the purpose of taking into consideration

No. 60, H. of R.—A bill to define the boundaries of certain counties ;

Also, No. 67, H. of R.—An act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company ;

Also, No. 68, H. of R.—A bill for an act to define the boundaries of certain counties.

After some time passed therein, the committee rose, and by their Chairman reported the bills back to the House, and asked leave to sit again.

The Report of the Committee was accepted.

Upon motion, the House again resolved itself into a Committee of the Whole, Mr. Bradley in the chair, for the purpose of taking into consideration

No. 72, H. of R.—An act to incorporate Medical Societies, for the purpose of regulating the practice of Physic and Surgery in this Territory ;

Also, No. 71, H. of R.—An act to incorporate the Minnesota Saving Institution ;

Also, No. 70, H. of R.—A bill for an act to establish County Courts.

After some time passed therein, the committee rose, and by their Chairman reported the bills back to the House with amendments, and recommend that bill No. 70, H. of R., be referred to the Committee on Judiciary ;

Also, that bill No. 71, H. of R., be referred to Committee on Judiciary.

And also reported bill No. 72, H. of R., with amendments, and asked the concurrence of the House in the amendments, and recommended its passage.

The report of the Committee was accepted.

Upon motion, bill No. 72, H. of R., to incorporate Medical Societies for the purpose of regulating the practice of Physics and Surgery in this Territory.

The amendments were concurred in and the bill was ordered to be engrossed for a third reading.

Upon motion, No. 70, H. of R., a bill for an act to establish County Courts was referred to the committee on Judiciary.

Also No. 71, H. of R., an act to incorporate the Minnesota Saving Institution was referred to the committee on Judiciary.

Mr. Norris moved,

That bill No. 77, H. of R., be taken up and referred to a select committee of three, to be appointed by the Speaker.

Which was agreed to,

And the Speaker appointed Messrs. Jackman, Lott, and Farnham as said committee.

Mr. Wilkinson asked leave to withdraw the Resolution offered by him relative to asking information of the comptroller of the U. S. Treasury.

Which was referred to the Committee on Territorial affairs.

Leave was granted.

Mr. Sturgia, on leave granted,

Introduced No. 189, H. of R., a bill for an act to provide for laying out certain Territorial Roads.

Which was read a first and second time and laid on the table to be printed.

Mr. Lott also, on leave granted, introduced No. 190, H. of R., a bill to incorporate the Presbyterian Institute of the Presbytery of St. Paul.

Which was read a first and second time and laid on the table to be printed.

Upon motion of Mr. DeLaVergne the House adjourned until to-morrow at 9 o'clock, A. M.

CHARLES GARDNER.

Attest :

Speaker.

H. L. EDWARDS, Chief Clerk.

TUESDAY, FEBRUARY 12, 1856.

The House met pursuant to adjournment and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Covell, DeLaVergne, Farnham, Gere, Gibbs, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Knauft, Lott, Nobles, Pierce, Thompson, Van Vorhes and Mr. Speaker.

Journal of yesterday was read, corrected and approved.

Mr. Bradley gave notice,

That on to-morrow or some future day of the session, he would ask leave to introduce a bill to incorporate the Minneapolis Mill Company.

Mr. Ide, on leave granted introduced No. 191, H. of R., a bill to legalize and confirm the election and qualification of the officers of the county of Rice.

Which was read a first and second time and laid on the table to be printed.

Messages from the Council being in order, the Clerk read the following message:

MR. SPEAKER:—

The Council has passed,

Bill No. 4, H. of R., to incorporate the Minnesota Life, Fire and Marine Insurance Company.

With amendments, in which the concurrence of the House is solicited.

W. COLVILLE, Secretary,

Mr. Wilkinson moved,

That the amendments to the bill be taken up and acted on separately.

Which motion was adopted.

Upon motion, the amendments to section 8 were concurred in.

Mr. Wilkinson offered the following resolution:

Resolved, That the House refuse to concur in the amendment made to bill No. 4, H. of R., by the Council, viz: Striking out section ten.

And the yeas and nays being called for and ordered, there were yeas 12, nays 9, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, Grant, Haus, Hubbell, Hull, Kirkman, Lott, Sturgis, Wilkinson, Wilson, and Mr. Speaker.

Those who voted in the negative were,

Messrs. Bradley, Farnham, Gibbs, Nobles, Norris, Pierce, Thompson, Thorndike, and Van Vorhes.

So the resolution was adopted, and the House refused to concur in the amendment.

Upon motion, the amendment to section 11 was concurred in.

Upon motion, the amendment to section 12 was concurred in.

Bills on their third reading being in order,

No. 12, C. F., a bill to incorporate the Little Falls Bridge Company,

Was taken up and read a third time.

The question then recurring on the passage of the bill, it was passed.

The question then recurring on agreeing to the title,

It was agreed to.

Also, bill No. 18, C. F., to provide for laying out certain Territorial Roads,

Was read a third time and passed, and the title was agreed to.

Mr. Gere moved.

That Bill No. 38, H. of R., a bill to amend an act entitled an act to amend Sec. 16, article 8th of the Revised Statutes be ordered to be engrossed for a third reading.

Which motion was adopted.

Mr. Hull moved,

To reconsider the vote, by which bill No. 77, H. of R., was referred to a select Committee.

After sometime spent in debate, Mr. Hull called for the previous question.

Which was ordered.

The question then recurring on the motion to reconsider.

And the yeas and nays being called for and ordered, there were yeas 16, and nays 13, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Covell, DeLaVergne, Dunbar, Gere, Haus, Holland, Hubbell, Hull, Hunt, Johnson, Sturgis, Thompson, Wilkinson, Wilson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Buck, Burdick, Farnham, Grant, Ide, Kirkman, Knauff, Lott, Nobles, Norris, Pierce, Thorndike and VanVorhes.

Which was decided in the affirmative.

The question then recurring on adoption of the motion to refer No. 77, H. of R., to a select Committee.

And the yeas and nays being called for and ordered, there were yeas 8 and nays 22, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, Farnham, Kirkman, Lott, Norris, Pierce and Mr. Speaker.

Those who voted in the negative were,

Messrs Bradley, Buck, DeLaVergne, Dunbar, Gere, Gibbs, Grant, Hans, Holland, Hubbell, Hull, Hunt, Ide, Johnson, Knauff, Nobles, Sturgis, Thompson, Thorndike, Van Vorhes, Wilkinson, and Wilson.

So the motion to refer to a select Committee was lost.

Mr. Dunbar moved,

That bill No. 77, H. of R., be referred to the Committee on Lumbering Interests.

Mr. DeLaVergne moved to amend by referring it to the Committee on Incorporations.

And the yeas and nays being called for and ordered, there were yeas 15, and nays 14, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Covell, DeLaVergne, Gere, Gibbs, Hans, Hull, Nobles, Pierce, Thompson, Thorndike, Wilkinson, Wilson.—15.

Those who voted in the negative were,

Messrs. Dunbar, Farnham, Grant, Holland, Hubbell, Hunt, Ide, Johnson, Knauff, Lott, Norris, Sturgis, Van Vorhes, and Mr. Speaker.

So the amendment was adopted.

The question then recurring on the adoption of the motion as amended, it was adopted.

Mr. Holland on leave granted, introduced

No. 192, H. of R.—An act to provide for laying out a Territorial Road from Shakopee to Excelsior.

Also No. 193, H. of R.—An act to change a portion of the Territorial Road from St. Paul to Traverse des Sioux.

Mr. Wilson on leave granted, introduced

No. 194, H. of R.—An act to locate a Territorial Road from the mouth of Crow river to Henderson.

All of which were read a first and second time and laid on the table to be printed.

On leave granted Mr. Sturgis from the committee to whom was referred No. 5, H. of R., an act to incorporate the Lake Superior and Northern Pacific Railroad Company, reported back the bill with amendments and upon motion of Mr. Sturgis the bill was ordered to be printed with the amendments.

Upon motion, the House resolved itself into a Committee of the Whole, Mr. Thompson in the chair, for the purpose of taking into consideration bills reported by the Committee of the Whole, and leave granted to sit again.

After some time spent therein, the committee rose, and by their Chairman reported the bills back to the House with the recommendation, that

No. 60, H. of R., with amendments, be engrossed for a third reading;

That No. 63, H. of R., with the recommendation that it be indefinitely postponed;

Also, that No. 68, H. of R., be indefinitely postponed.

The Report of the committee was accepted.

Mr. DeLaVergne moved,

That Bill No. 63, H. of R.—A bill entitled an act to promote Medical Science;

Also, Bill No. 68, H. of R.—A bill for an act to define the boundaries of certain counties, be indefinitely postponed;

Which motion was adopted.

Upon motion, Bill No. 60, H. of R.—An act to define the boundaries of certain counties, with amendments, was concurred in, and the bill was ordered to be engrossed for a third reading.

A message from the Council being announced, Wm. Colville, Esq., appeared, and delivered the following message:

MR. SPEAKER:—The Council has passed the following bills:

No. 39, C. F.—An act to amend an act entitled an act to incorporate the city of Stillwater.

No. 48, C. F.—An act to provide for locating the County Seat of certain counties.

W. COLVILLE, JR.,

Secretary Council.

Upon motion of Mr. De La Vergne,

The House resolved itself into a Committee of the Whole, Mr. Wilson in the chair, for the purpose of taking into consideration,

No. 67, H. of R., an act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

Also, No. 74, H. of R., an act to incorporate the Mankato Library Association.

Also, No. 88, H. of R., an act to incorporate the Mississippi and Missouri Railroad Company.

After some time spent therein, the committee rose, and by their chairman reported the bills back to the House with the recommendation that

Bill No. 67, H. of R., without amendment, be ordered to be engrossed for a third reading.

Also, that bill No. 74, H. of R., without amendment, be engrossed for a third reading.

That Bill No. 88, H. of R., with amendments, be engrossed for a third reading.

The report was accepted, and upon motion,

No. 88, H. of R., an act to incorporate the Mississippi and Missouri Railroad Company,

The amendments were concurred in, and the bill was ordered to be engrossed for a third reading.

No. 67, H. of R., an act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

Also, No. 74, H. of R., an act to incorporate the Mankato Library Association,

Without amendments, were ordered to be engrossed for a third reading.

On leave granted, Mr. Nobles, from the Committee on Enrolled Bills, made the following Report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills and Memorial:

No. 65, H. of R.—A bill for an act granting a charter to the Fort Snelling Bridge Company;

No. 46, H. of R.—A bill for an act entitled an act to incorporate the St. Croix Boom Company;

No. 48, H. of R.—An act entitled an act to authorize School District No. 1, Town 30, Range 20, to levy a special tax, and for other purposes.

No. 16.—A memorial of the Legislative Assembly of the Territory of Minnesota.

WM. H. NOBLES,
A. F. DE LA VERGNE, } Committee.
CHAS. GRANT,

Upon motion of Mr. Hunt, the House then took a recess until two o'clock, P. M.

AFTERNOON SESSION.

The House met, and was called to order by the Speaker.

Upon motion of Mr. Hunt, the House resolved itself into a Committee of the Whole, with Mr. Lott in the chair, for the purpose of taking into consideration

No. 19, H. of R.—A memorial to Congress for the relief of the settlers who have settled upon school lands, with a view to pre-emption, previous to the Government surveys;

Also, No. 20, H. of R.—A memorial to Congress for an appropriation of \$20,000, to construct the Brownsville and Mankato Territorial Road;

Also, No. 14, H. of R.—A memorial to Congress, asking for a grant of lands to aid in constructing a Railroad in the Territory of Minnesota.

After some time spent therein, the committee rose, and by Chairman reported the memorial back to the House and recommended

That No. 19, H. of R., without amendments, be ordered to be engrossed for a third reading.

Also, No. 20, H. of R., without amendments, and that it be ordered to be engrossed for a third reading.

Upon No. 14, H. of R., the committee asked leave to sit again.

The Report of committee was accepted.

Upon motion, No. 19, H. of R.—A memorial to Congress for the relief of settlers who have settled upon School Lands, with a view to pre-emption, previous to the Government surveys.

And No. 20, H. of R.—A memorial for an appropriation of \$20,000, to construct the Brownsville and Mankato Territorial Road, were ordered to be engrossed for a third reading.

Mr. Norris moved,

That the amendments to memorial No. 14, H. of R., to Congress, asking for a grant of land, to aid in constructing a Railroad in Minnesota Territory, be taken up, and the amendments be acted upon separately ;

Which motion was adopted.

Upon motion, the amendments were concurred in, and the memorial was ordered to be engrossed for a third reading.

Upon motion of Mr. DeLaVergne,

The House again resolved itself into a Committee of the Whole, Mr. Buck in the Chair, for the purpose of taking into consideration

No. 24, H. of R., a memorial to Congress for a certain Territorial road.

Also, No. 23, H. of R., a memorial to Congress to alter the form of Red Wing, Winona and Root River Land Districts.

After sometime spent therein the committee rose, and by their Chairman, reported the memorials back to the House, as follows :

That memorial No. 2, H. of R., and memorial No. 24, H. of R., without amendments, and recommend that they be ordered to be engrossed for a third reading.

The report of the Committee of the Whole was accepted.

Upon motion of Mr. De La Vergne,

Memorial, No. 23, H. of R., to Congress to alter the form of Red Wing, Winona, and Root River Land Districts, was referred to a select committee of three.

The Speaker appointed Messrs. DeLaVergne, Ide, and Hubbell as said committee.

Upon motion, memorial No. 24, H. of R., for a certain Territorial Road, was ordered to be engrossed for a third reading.

Upon motion, the House again resolved into a Committee of the Whole, Mr. Nobles in the chair, for the purpose of taking into consideration

No. 75, H. of R., a bill for the relief of certain persons having claims against the Territory for services done in 1855.

Also, No. 86, H. of R., an act to establish the county seat of Dodge county.

Also, No. 87, H. of R., a bill for an act entitled an act to change the name of Alexander Paul to Francis H. Milligan.

After some time spent therein, the committee rose, and by their chairman reported the bills back to the House, and recommended that bill No. 86, H. of R., be ordered to be engrossed for a third reading.

Also, that bill No. 87, H. of R., be ordered to be engrossed for a third reading.

That No. 75, H. of R., be referred to the Committee on Legislative Expenditures.

The report of the committee was accepted.

Upon motion of Mr. Hunt,

No. 75, H. of R., a bill for the relief of certain persons having claims against the Territory, was referred to the Committee on Legislative Expenditures.

Upon motion,

No. 87, H. of R., a bill to change the name of Alexander Paul to Francis H. Milligan,

And No. 86, H. of R., an act to establish the county seat of Dodge county, Were ordered to be engrossed for a third reading.

A message from the Governor being announced, Mr. Smith, private secretary, appeared and delivered the following message:

I am directed by His Excellency to inform the House of Representatives that he has forwarded to the Delegate in Congress, by mail,

No. 2, Council File, entitled a memorial to Congress to make an appropriation to construct a military road from Winona, on the Mississippi River, to Fort Ridgley.

Also, No. 3, Council File, a memorial to Congress for a grant of lands to improve the navigation of the Minnesota River.

Also, No. 5, Council File, a memorial to Congress for an appropriation of fifteen thousand dollars for the improvement of Root River.

Upon motion the House again resolved itself into a Committee of the Whole, Mr. Burdick in the Chair,

For the purpose of taking into consideration No. 88, H. of R. A Bill for the relief of School Districts.

Also, No. 90, H. of R., to amend an act entitled an act to incorporate the Pittsburg Mining Company, passed by the Legislative Assembly of Minnesota Territory and approved the 3d of March, A.D., 1855.

Also, No. 91, H. of R., an Act entitled an act to define and establish the boundaries of the county of St. Anthony and for other purposes.

After some time passed therein the Committee rose, and by their Chairman, reported the bills back to the House as follows:

No. 88, H. of R., without amendments and recommended that it be engrossed for a third reading.

Also, No. 90, H. of R., without amendments and recommend that it be engrossed for a third reading.

Also, No. 91, H. of R., and recommended that it be referred to a committee on county boundaries.

Mr. Hunt moved,

That bill No. 90, H. of R., an act to amend an act to incorporate the Pittsburg Mining Company be engrossed for a third reading.

And the yeas and nays being called for and ordered, there were yeas 16, and nays 7, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Covell, Galbraith, Gere, Gibbs, Hubbell, Hunt, Kirkman, Norris, Pierce, Sturgis, Thompson, Van Vorhes, and Mr. Speaker—16.

Those who voted in the negative were,

Messrs. Dunbar, Grant, Hartenbower, Haus, Johnson, Knauff, and Nobles—7.

So the bill was ordered to be engrossed for a third reading.

Upon motion, No. 88, H. of R., a bill for the relief of School Districts was ordered to be engrossed for a third reading.

Upon motion, No. 91, H. of R., an act entitled an act to define and establish the boundaries of St. Anthony, and for other purposes, was referred to the committee on County Boundaries.

Upon motion, the House again resolved itself into a Committee of the Whole, Mr. Gibbs in the chair, for the purpose of taking into consideration

No. 84, C. F.—An act to incorporate the Board of Trustees of the College of St. Paul.

Also, No. 5, C. F.—A Joint Resolution, relative to John E. Warren, Esq.

Also, No. 82, C. F.—An act to amend an act entitled an act to incorporate the city of St. Paul, Ramsey county, M. T.

After some time spent therein, the committee rose, and by their Chairman reported the bills and joint resolution back to the House, and recommended

That Joint Resolution, No. 5, C. F., without amendment, be ordered to its third reading ;

And that No. 34, C. F., without amendment, be also ordered to its third reading ;

That No. 32, C. F., with amendments, be read a third time and passed, and the Council be requested to concur in the same.

The Report of the committee was accepted.

And upon motion, the report was concurred in, and the memorial and bills were ordered to a third reading.

The House again resolved itself into a Committee of the Whole, Mr. Norris in the chair, for the purpose of taking into consideration,

No. 94, H. of R., a bill for an act to amend an act entitled an act legalizing the town of Winona, and for other purposes.

Also, No. 95, H. of R., an act to provide for the destruction of wolves.

Also, No. 93, H. of R., a bill for an act to authorize the location of the county seat of Wabashaw county by a vote of the people.

After some time spent therein, the committee rose and by their chairman reported the bills back to the House, and recommended that No. 93, H. of R., be referred to the Wabashaw delegation.

Also, No. 94, H. of R., with amendments, and ordered to be engrossed for a third reading.

Also, that No. 95, H. of R., without amendment, be ordered to be engrossed for a third reading.

The Report of the Committee of the Whole was accepted.

Upon motion, No. 95, H. of R., an act to provide for the destruction of Wolves, was ordered to be engrossed for a third reading.

Also, No. 94, H. of R., a bill for an act to amend an act entitled an act legalizing the town of Winona, and for other purposes.

The amendment was concurred in, and was ordered to be engrossed for a third reading.

Upon motion, No. 93, H. of R., a bill for an act to authorize the location of the county seat of Wabashaw county, by a vote of the people, was referred to the Wabashaw County delegation.

Mr. DeLaVergne offered the following resolution :

Resolved, That this House adjourn to meet at half-past six o'clock, P. M., and that bills granting ferry charters be made the special order for the evening.

The resolution was adopted, and the House adjourned until half-past six o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Cleaveland, DeLaVergne, Galbraith, Holland, Hubbell, Hunt, Ide, Jackman, Johnson, Knauff, Norris, Pierce, Thorndike, Wilson and Mr. Speaker.

Mr. Hunt moved a call of the House.

The roll being called, the Clerk reported,

Messrs. Boutillier, Burdick, Covel, Dunbar, Farnham, Gere, Gibbs, Grant, Hartenbower, Haus, Hull, Kirkman, Lott, McLeod, Murphy, Nobles, Sturgis, Taylor, Thompson, Van Norhes and Wilkinson, as absent members.

The Speaker then directed the Sergeant-at-Arms to notify the absent members to appear in their seats.

After being absent for some time, the Sergeant-at-Arms appeared and reported that he had been unable to find the absent members, with the exception of Messrs. Gere, Covel, Wilkinson and Hull, whom he had notified to appear in their seats.

H.—22.

The report of the Sergeant-at-Arms was accepted.

The Speaker then adjourned the House until to-morrow at 10 o'clock, A. M.

Attest:

H. L. EDWARDS, Chief Clerk,

CHARLES GARDNER,
Speaker.

WEDNESDAY, FEBRUARY 13, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Cleaveland, DeLaVergne, Galbraith, Gibbs, Hartenbower, Haus, Hubbell, Hull, Jackman, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes and Mr. Speaker.

Prayer by the Chaplain, Rev. E. D. Neill.

The Journal of yesterday was read, corrected and approved.

Pending the reading of the Journal, Mr. Grant moved,

That all further reading of the Journal be dispensed with,—which motion was lost.

Mr. DeLaVergne offered the following resolution :

Resolved,—That all bills granting Ferry Charters, not yet considered in Committee of the Whole, be referred to a committee, consisting of Messrs. Johnson, Buck and Wilson, with instructions to embody the same in one bill, and report the same to this House as soon as practicable.

Which resolution was adopted.

Mr. Bradley introduced No. 195, H. of R. A Bill for an act to incorporate the Minneapolis Mill Company.

Which was read a first and second time and laid on the table to be printed.

Mr. Kirkman introduced No. 26, H. of R. A Memorial to the Postmaster General praying for the establishment of a way mail and mail agent on the Galena and Minnesota Mail Packets and for other purposes.

Which was read a first and second time and laid on the table to be printed.

Mr. Sturgis offered the following Resolution :

Resolved, The Council concurring, that the two Houses meet in Joint Convention in the Hall of the House of Representatives on the 18th of February, at 12 o'clock, M., for the election of a Surveyor General of lumber, for the Fourth District.

Which Resolution was adopted.

Mr. Wilson introduced No. 196, H. of R. A Bill to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company.

Which was read a first and second time and laid on the table to be printed.

Mr. Sturgis introduced No. 197, H. of R. A Bill for an act to divide a portion of Minnesota Territory into counties and define the boundaries.

Which was read a first and second time and laid on the table to be printed.

Mr. Galbraith introduced No. 198, H. of R. an act to authorize the Commissioners of Scott county to borrow money for the purpose of erecting county buildings.

Which was read a first and second time, and laid on the table to be printed.

Mr. Lott, from the committee on the Judiciary, made the following Report :

The Judiciary Committee, to whom was referred Bill No. 70, H. of R.—A Bill for an act to establish county courts, have had the same under consideration, and would report :

That they consider the institution of such a court as is contemplated by the said bill, clearly unconstitutional, and should not, therefore, become a law.

The committee would therefore recommend that the said Bill be indefinitely postponed.

The committee have also had under consideration No. 71, H. of R.—A Bill for an act to incorporate the Minnesota Saving Institution, and can find nothing objectionable in any of the provisions thereof.

They would therefore report the same back to the House, and recommend its passage.

All of which is respectfully submitted,

B. W. LOTT,
A. F. DE LA VERGNE, } Judiciary
T. J. GALBAITH, } Committee.

The Report was accepted.

Mr. Hubbell from the committee on Elections made the following report:

The committee to whom was referred the petition of A. B. Cornell, claiming a seat in this House, now occupied by George A. McLeod, would respectfully submit the following report.

Your Committee having carefully examined the evidence produced by both parties in this case, (all of which accompanies this report,) and while they believe that in the precinct of Medford in Steele county, there was some irregularity in the preliminary steps necessary to be taken in holding elections, yet as it is not claimed by either party, that there was a man voted in that precinct who was not entitled to a vote, and as the election was conducted in accordance with law, your Committee are of opinion that the election should not be annulled for the reason of the irregularity stated above. It is in evidence also before the Committee, that some votes were given for George A. McLeod, some for Geo. McLeod, some for G. A. McLeod, and some McLeod, without a given name of any kind. Your Committee are aware that if they followed the precedent laid down and established in the Council in the case of Howell against Tillotson, that they would be obliged to report averse to George A. McLeod the sitting member. But as your Committee believe that the precedent laid down in the Council is a dangerous one, and one founded upon *wrong* and *injustice*, and if permanently established by this Legislature would often defeat the popular will. And as your Committee believe from the evidence that the votes cast for Geo. A. McLeod, for Geo. McLeod for G. A. McLeod and for McLeod, were intended for George A. McLeod the sitting member, your Committee would recommend the passage of the following resolution.

Resolved: That George A. McLeod is justly entitled to the seat he now occupies in this House as a Representative from the 10th Council District.

J. B. HUBBELL,
C. F. BUCK, } Committee on Elections.
R. C. BURDICK. }

The report was accepted.

Mr. Van Vorhes offered the following resolution:

Resolved, That the report be recommitted with instructions to strike out the following words:

"And founded upon *wrong* and *injustice*."

Which was adopted.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bill:

No. 60, H. of R., a bill for an act to define the boundaries of certain counties.

WM. H. NOBLES,
A. F. DELAVERGNE, } Committee.

Bills and resolutions from the Council on their second reading being in order,

No. 48, C. F., an act to provide for locating the county seats of certain counties,
Was taken up and read a first and second time.

Also, No. 39, C. F., an act to amend an act entitled an act to incorporate the City
of Stillwater,

Was read a first and second time.

Bills and resolutions for a third reading being in order,

Joint resolution No. 5, C. F., relative to John E. Warren,

Was read a third time and passed, and title agreed to.

Also, No. 34, C. F., an act to incorporate the Board of Trustees of St. Paul College,

Was read a third time and passed, and the title agreed to.

Also, No. 32, C. F., an act to amend an act entitled an act to incorporate the City
of St. Paul, Ramsey county, M. T., was read a third time.

Mr. Lott moved,

That bill No. 32, C. F., be referred to the St. Paul Delegation.

Which motion was adopted.

A message from the Council being announced, Wm. Colville, Esq., appeared and delivered the following message :

MR. SPEAKER :—The Council has passed No. 36, H. of R.—A bill to locate the
County Seat of Wabashaw, which is herewith returned.

The Council has refused to rescind its amendments, striking out sec. 10 of No. 4, H.
of R.—A bill to incorporate the Minnesota Life, Fire and Marine Insurance Company,
which is herewith returned.

The President has appointed Messrs. Freeborn and Stone a Committee of Conference
to confer with a similar Committee on the part of the House, in regard to said amend-
ment.

W. COLVILLE, JR., Secretary Council.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following Report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled
the following bills and memorials:

No. 8, C. F.—An act to authorize School District, No. 5, in the city of St. Anthony,
Ramsey county, to levy a tax and obtain money for the purchase of ground, and the
erection of buildings for School purposes ;

No. 8, C. F.—A memorial relative to granting to certain Indians the right of citizen-
ship ;

No. 1, C. F.—An act to suppress the issue and circulation of unauthorized Bills as
currency ;

No. 4, C. F.—A memorial to Congress for an appropriation of \$20,000, for the
construction of bridges and culverts on the Territorial Road from St. Paul to Elliot.

No. 5, C. F.—An act to amend chapter ninety-five of the Statutes of Minnesota ;

No. 6, C. F.—A memorial to Congress for the construction of a Road from the Mis-
sissippi river to Fort Ridgley ;

No. 7, C. F.—A memorial for a tri-weekly mail between Hastings and Traverse des
Sioux.

J. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly Enrolled
the following Bills, and Memorials :

No. 18, H. of R. An Act to attach a certain portion of Sibley county to Le Sueur
county.

No. 11, H. of R. Memorial for certain mail routes.

No. 25, H. of R. An Act to incorporate the Watab Bridge Company.

No. 21, H. of R. An Act to change the name of Serena M. Huntley to Serena Maria Ames.

No. 1, H. of R. An Act to provide for laying out a Territorial Road from the forks of the Crow river opposite Greenwood via the head of Buffalo Lake to intersect the Territorial Road running from Minneapolis to St. Cloud.

No. 28, H. of R. An Act granting to George A. Bellecour the right to construct a Dam across the Pembina river, near St. Josephs, Pembina county, M. T.

No. 8, H. of R. Memorial for a mail route from St. Paul to West Union.

No. 7, H. of R. An Act to locate a Territorial Road in the county of Houston to the town of Mankato in Blue Earth County.

No. 8, H. of R. An Act to provide for laying out a Territorial Road from Wabashaw by Ide's settlement to Faribault and from thence West to intersect the Dodd road running to St. Peter.

JOSEPH ROLETTE, Council, } Committee.
WM. B. GERE, H. R.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills :

No. 38, H. of R., an act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

Mr. Geere from the Joint Committee on Enrolled Bills made the following report :
The Joint Committee on Enrolled Bills have presented to his Excellency the Governor, for his signature the following bills:

An act granting to S. B. Lowry the right to establish and maintain a Ferry across the Mississippi River at St. Cloud.

An act to provide for laying out a Territorial Road from St Paul to Pembina.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

Mr. Taylor moved, that the rules be suspended, and
Joint resolution No. 3, H. of R., for the relief of W. W. Kingsbury, be taken up and passed.

Which motion was adopted.

And upon it being ascertained that the resolution was not in the possession of the House. Mr. Taylor, with the consent of the House, withdrew the motion.

Bills on their third reading being in order,

No. 60, H. of R, an act to define the boundaries of certain counties, was taken up.

Mr. Norris moved, that it be referred to the Committee on County Boundaries.

After some time spent in debate, Mr. Burdick called for the previous question.

And the yeas and nays being called for and ordered, there were yeas 18, nays 14, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleveland, DeLaVergne, Galbraith, Gere, Gibbs, Grant, Knauff, Lott, Murphy, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker.

Those who voted in the negative were,

Messrs. Burdick, Covell, Hartenbower, Haus, Hubbell, Hull, Hunt, Jackman, Johnson, Kirkman, Nobles, Norris, Sturgis, and Wilson.

So the previous question was ordered.

And the question then recurring on the adoption of this motion for Mr. Norris to refer the bill to the Committee on County boundaries,

And the yeas and nays being called for and ordered, there were yeas 10 and nays 23 as follows:

Those who voted in the affirmative were

Messrs. Bradley, Cleveland, Galbraith, Gibbs, Knauff, Murphy, Norris, Pierce, Thorndike and Van Vorhes.

Those who voted in the negative were

Messrs. Buck, Burdick, Covell, DeLaVergne, Farnham, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Jackman, Johnson, Kirkman, Lott, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson and Mr. Speaker.

So the motion to refer was lost.

Mr. Norris asked leave to present a remonstrance of the county of Benton, against the bill.

Objected to.

Mr. Wilson moved, that the bill be put upon its third reading,

And upon that motion he called for the previous question.

Which motion was adopted.

The question then recurring on ordering bill No. 60, H. of R., to a third reading.

And the yeas and nays being called for and ordered, there were yeas 23, and nays 9, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Jackman, Johnson, Kirkman, Lott, Nobles, Sturgis, Taylor, Wilkinson, Wilson, and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Bradley, Cleveland, Gibbs, Knauff, Murphy, Norris, Pierce, Thorndike, and Van Vorhes—9.

So the motion was carried and the bill ordered to its third reading.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER:—The President has signed Memorials Nos. 4, 6, 7 and 18; also, Bills Nos. 1, 5, 8, 12 and 18,—all of which originated in the Council, and are herewith transmitted.

W. COLVILLE, Jr., Secretary.

Mr. Nobles, from the Committee on Engrossed Bills, made the following Report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills:

No. 67, H. of R.—A bill for an act to amend an act to incorporate the Root River Valley and Southern Minnesota R. R. Co.;

No. 54, H. of R.—A bill for an act to licence and regulate Agencies of Insurance Companies in the Territory of Minnesota.

WM. H. NOBLES,

A. F. DE LA VERGNE, } Committee.

Mr. Lott moved, that a committee of two be appointed, to act with a similar committee appointed by Council upon the disagreeing vote on House Bill No. 4.

Which motion was adopted, and the Speaker appointed Messrs. Lott and Hull said committee.

Ont motion of Mr. Hunt, the House took a recess until three o'clock, P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Bills ready for a third reading being in order,

No. 60, H. of R.—A Bill for an act to define the boundaries of certain counties, was taken up and read a third time.

Mr. Norris moved a call of the House. The roll being called, the Clerk reported Messrs. Boutillier, Holland, Knauff, and Van Vorhes as the absent members.

Mr. Hull moved

That all further proceedings under the call be dispensed with,

Which motion was adopted.

The question then recurring on the passage of the bill, and the Yeas and Nays being called for and ordered, there were Yeas 29, and Nays 5, as follows :

Those who voted in the affirmative were,

Messrs. Buck, Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Lott, McLeod, Murphy, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, Speaker.

Those who voted in the negative were,

Messrs. Bradley, Cleaveland, Norris, Pierce, Thorndike.

So the bill was passed.

The question then recurring on agreeing to the title of the bill, it was agreed to.

Mr. Lott, on leave granted, offered the following resolution:

Resolved, That five copies of each joint resolution, memorial, &c., which requires the signature of the Governor, and the transmission of the same to our Delegate in Congress, be printed, after their passage, and after having been signed, for the use of his Excellency, the Governor.

Which was adopted.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bills:

No. 90, H. of R., a bill for an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining Company.

No. 38, H. of R., a bill to amend an act entitled an act to amend section 86, article 8, of the Revised Statutes,

No. 88, H. of R., a bill for the relief of School Districts.

WM. H. NOBLES,
A. F. DE LA VERGNE, } Committee.

No. 32, C. F. having been read a third time, the question then recurring on the passage of the bill,

It was passed, and the title agreed to.

Bill No. 66, H. of R., to amend an act to incorporate the Root River Valley Railroad, Was read a third time and passed, and the title agreed to.

Bill No. 16, H. of R., a memorial to Congress of the Legislative Assembly of Minnesota was read a third time and passed, and the title agreed to.

No. 46, H. of R., a bill repealing an act entitled an act to incorporate the St. Croix Boom Company was read a third time and passed, and the title agreed to.

No. 48, H. of R., an act entitled an act to authorize School District No. 1, in township 30, range 20 to levy a special tax, and for other purposes, was read a third time and passed, and the title agreed to.

No. 54, H. of R., a bill for an act to regulate Agencies of Insurance Companies in this Territory was read a third time and passed, and its title agreed to.

No. 65, H. of R., an act granting a charter to Fort Snelling Bridge Company, was read a third time by its title and passed, and the title agreed to.

No. 90, H. of R., an act to amend an act entitled an act to incorporate the Minnesota and Pittsburgh Mining Company was read a third time.

Mr. Haus moved,

That the bill, No. 90, H. R., be laid aside until next Friday.

And the yeas and nays being called for and ordered, there were yeas 12, and nays 19, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Galbraith, Haus, Ide, Kirkman, Knauff, Lott, Murphy, Pierce, Sturgis, and Wilkinson—12.

Those who voted in the negative were,

Messrs. Buck, Covell, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Hartenbower, Hubbell, Hunt, Jackman, Johnson, McLeod, Norris, Taylor, Thompson, Thorndike, Wilson, and Mr. Speaker—19.

So the motion was lost.

A message from the Governor, being announced, Mr. Smith, private Secretary appeared and delivered the following message :

I am directed by His Excellency, the Governor, to inform the House of Representatives that he has this day approved and signed an act entitled an act to provide for laying out a Territorial Road, from St. Cloud to Pembina, which originated in the House of Representatives.

EXECUTIVE DEP.,
Saint Paul.

Feb. 13th, 1856.

The question then recurring on the passage of the bill,

It was passed.

The question then recurring on agreeing to the title of the bill,

And the yeas and nays being called for and ordered, there were yeas 24 and nays 6, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hubbell, Hunt, Jackman, Johnson, Lott, McLeod, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, Wilson, and Mr. Speaker—24.

Those who voted in the negative were,

Messrs. Hartenbower, Haus, Ide, Kirkman, Knauff, and Sturgis—6.

So the title was agreed to.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message :

MR. SPEAKER :—I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed an act entitled an act granting to S. B. Lowry the right to establish and maintain a Ferry across the Mississippi river at St. Cloud, which originated in the House of Representatives.

Feby. 13, 1856.

No. 38, H. of R.—A bill to amend an act entitled an act to amend the Revised Statutes, was read a third time and passed and the title agreed to.

No. 88, H. of R.—A bill for the relief of School Districts, was read a third time and passed, and the title agreed to.

Upon motion of Mr. Buck, the House resolved itself into a Committee of the Whole, Mr. Kirkman in the chair, for the purpose of taking into consideration

No. 96, H. of R.—A bill entitled an act to incorporate the Chatfield Academy at Chatfield ;

Also, No. 98, H. of R.—An act regulating the time of holding two terms of the District Court in and for the county of Carver ;

Also, No. 99, H. of R.—An act to establish the county of McLeod, and for other purposes.

After some time spent therein, the committee rose, and by their Chairman reported the bills back to the House, with the recommendation that the amendments reported

with Bill No. 99, H. of R., be concurred in and the bill ordered to be engrossed for a third reading.

That bill No. 96, H. of R., without amendments, be ordered to be engrossed for a third reading.

Also, bill No. 98, H. of R., without amendments be engrossed for a third reading.

The report was accepted, the amendments concurred in and the bills were ordered to be engrossed for a third reading.

Upon motion of Mr. Hull, the House again resolved itself into a Committee of the Whole,

Mr. Galbraith in the chair, for the purpose of taking into consideration No. 102, H. of R., an act to incorporate the Western University of Minnesota.

Also No. 104, H. of R., an act to amend the Revised Statutes.

Also No. 105, H. of R., an act relating to bills of exchange, bank checks, and promissory notes, falling due on New Years Day, Fourth of July, Fast, Thanksgiving Day, and Christmas.

After some time spent therein the Committee rose and by their chairman reported the bill back to the House.

That the amendments to No. 102, H. of R., be concurred in, and the bill ordered to be engrossed for a third reading,

And that No. 105, H. of R., without amendments be also ordered to be engrossed for a third reading.

The report of the Committee of the Whole was accepted, the amendments were concurred in and the bills were ordered to be engrossed for a third reading.

Mr. Lott moved that bills No 70 and 71, H. of R., be taken up and acted upon.

And upon motion No. 70, H. of R., a bill for an act to establish County Courts was indefinitely postponed.

And No. 71 H. of R., an act to incorporate the Minnesota Savings Institution was ordered to be engrossed for a third reading.

The Speaker signed the following bills and memorials :

No. 8, H. of R.—An Act to provide for laying out a Territorial Road from Wabashaw, by Ide's settlement, to Faribault, and from thence West, to intersect the Dodd road running to St. Peter.

No. 33, H. of R.—An Act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota.

No. 7, H. of R.—An Act locating a Territorial Road in the county of Houston to the town of Blue Earth in Blue Earth county.

No. 28, H. of R.—An Act granting to George A. Bellecourt the right to construct a Dam across Pembina river, near St. Joseph, Pembina county, M. T.

No. 21, H. of R.—An Act to change the name of Serena M. Huntley to Serena Marie Ames.

No. 1, H. of R., an act to provide for laying out a Territorial Road from the forks of the Crow River, via the head of Buffalo Lake to intersect the Territorial Road running from Minneapolis to St. Cloud.

With the recommendation that No. 104, H. of R., without amendments be ordered to be engrossed for third reading.

No. 18, H. of R., an act to attach certain portions of Sibley county to Le Seur county.

No. 25, H. of R., an act to incorporate the Watab Bridge Company.

Also, No. 18, C. F., a bill to provide for laying out certain Territorial Roads.

No. 12, C. F., a bill to incorporate the Little Falls Bridge Company.

No. 8, C. F., an act to authorize School District No. 5, in St. Anthony, to levy a tax and obtain money for the purchase of ground, and the erection of buildings for School purposes.

No. 5, C. F., an act to amend chapter ninety-five (95) of the Revised Statutes of Minnesota.

No. 1, C. F.—An act to suppress the issue and circulation of unauthorized bills as currency ;

Also, No. 8, C. F.—A memorial, relative to granting to certain Indians the right of citizenship ;

No. 6, C. F.—A memorial to Congress for an appropriation for the construction of a Road from the Mississippi to Fort Ridgley ;

No. 4, C. F.—A memorial to Congress for an appropriation of \$20,000 for the construction of bridges and culverts on the Territorial Road from St. Paul to Elliot ;

No. 7, C. F.—A memorial for a tri-weekly mail between Hastings and Traverse des Sioux ;

Also, No. 8, H. of R.—A memorial for a mail route from St. Paul to West Union ;

No. 11, H. of R.—A memorial for certain Mail Routes.

Upon motion the House again resolved itself into a Committee of the Whole.

Mr. Buck in the Chair for the purpose of taking into consideration No. 23, C. F., a bill granting to J. H. Fairbanks the right to establish and maintain a Ferry across the Mississippi river.

Also 26, C. F., a bill for an act to legalize a Road from Crow Wing to Mille Lac to the head of Lake Superior in Minnesota.

Also No. 10 C. F. a bill to provide for laying out certain Territorial Road.

After some time spent therein, the committee rose, and by their Chairman reported the bills back to the House, with the recommendation that No. 10, C. F., and No. 26, C. F., without amendment, be ordered to a third reading ;

That No. 23, C. F., be referred to the Special Committee to whom have been referred the Ferry Charters of the House.

The report of the Committee of the Whole was accepted, and

Upon motion, the report was concurred in, and bills Nos. 10 and 26, C. F., were ordered to a third reading, and bill No. 23, C. F., was referred to the special committee on Ferry charters.

The House again resolved itself into a Committee of the Whole,

Mr. Bradley in the chair, for the purpose of taking into consideration No. 10, C. F., a memorial to the Postmaster General for additional mail services.

Also, No. 28, C. F., an act to organize the Winona Boom Company.

Also, No. 9, C. F., a memorial to Congress to amend that part of the trade and intercourse laws that relates to the payments of damages for depredation committed by the Indians upon the property of the whites.

After some time spent therein the committee rose, and by their Chairman reported, the bills back to the House, with the recommendation

That No. 28, C. F., without amendments, also No. 10 and 9, C. F., without amendments, be ordered to their third readings.

The Report was accepted and on motion of Mr. Buck it was concurred in,

And on motion of Mr. Norris the Rules were suspended and the bill and memorials were taken up, read a third time and passed, and the titles were agreed to.

On motion of Mr. Wilkinson the House then adjourned.

CHARLES GARDNER.

Attest :

Speaker.

H. L. EDWARDS, Chief Clerk.

THURSDAY, FEBRUARY 14, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker. The roll being called, the following members answered to their names:

Messrs. Boutillier, Bradley, Buck, Cleaveland, Covell, DeLaVergne, Galbraith, Gibbs, Hartenbower, Holland, Hubbell, Hull, Jackman, Lott, McLeod, Norris, Pierce, Thompson, Thorndike, Van Vorhes and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday was read, corrected and approved.

Mr. Holland presented the petition of Frank Warner and 24 others, praying for the incorporation of the Shakopee Mutual Friend Association,

Which was referred to Mr. Holland.

Mr. Cleaveland presented the petition of W. F. Russell, and 98 others, to regulate Fishing in Lake Minnetonka, and it was referred to Mr. Cleaveland.

Mr. Holland gave notice, that on to-morrow, or on some future day of the session, he would introduce a bill to amend section 73 of chapter 70 of the Revised Statutes of Minnesota Territory.

Mr. Holland also gave notice that on to-morrow, or on some future day of the session, he would introduce a bill for the relief of William H. Stodder and others.

Mr. Holland also gave notice, that on to-morrow, or on some future day of the session, he would introduce a bill to incorporate the Shakopee Academy of Learning, at Shakopee city.

Mr. McLeod, on leave granted, introduced

No. 199, H. of R.—An act to incorporate the Clinton University in the County of Steele and Territory of Minnesota.

Also, Mr. Holland, on leave granted, introduced

No. 27, H. of R.—A memorial to the Postmaster General for further mail service in the Minnesota Valley;

Which were read a first and second time, and laid on the table to be printed.

Mr. Bradley gave notice,

That on to-morrow he should offer a resolution, changing the hours for the daily meeting of this House;

Also, That on to-morrow, or some future day of the session, he would ask leave to introduce a bill to incorporate the Minnesota Central Railroad Company.

Mr. Gibbs introduced No. 200, H. of R., an act to attach a portion of Township 112 of Range 19 West to Dakota County.

Which was read a first and second time and laid on the table to be printed.

Mr. Taylor gave notice

That on to-morrow or some future day he would introduce a bill for an act granting to Hiram Burkey, the right to establish and maintain a Ferry across the Saint Croix River at Marine Mills in Washington County.

Also gave notice

That on to-morrow or some future day he would ask leave to introduce a bill authorizing the collection of taxes to assess real estate and other property in certain cases.

Mr. Wilkinson from the Committee on Incorporation to whom was referred No. 50, H. of R., a bill to incorporate the St. Paul Gas Light Company reported the bill without amendments and recommend its passage.

Also reported No. 44 H. of R. a bill for an act to incorporate the St. Cloud Bridge Company with another bill transmitted as a substitute.

Also No. 22 H. of R. a bill to incorporate the town of Minneapolis in the county of Hennepin with amendment and asked the concurrence of the House.

The report of the Committee was accepted.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills and Memorials:

- No. 86 H. of R.—A bill for an act to establish the county seat of Dodge county;
 No. 87 H. of R.—A bill for an act to change the name of Alexander Paul to Francis H. Milligan;
 No. 18 H. of R.—Memorial to Congress;
 No. 19 H. of R.—Memorial to Congress;
 No. 20 H. of R.—Memorial to Congress;
 No. 24 H. of R.—Memorial to Congress;
 No. 74 H. of R.—An act to incorporate the Mankato Library Association;
 No. 17 H. of R.—Memorial to Congress.

WM. H. NOBLES }
 A. F. DE LA VERGNE } Committee.

Mr. Norris from the Select Committee, to whom was referred the petition of Wm. H. McNutt, report by bill as follows:

No. 201, H. of R., an act granting to Wm. H. McNutt the right to establish and maintain a Ferry across the Minnesota River.

Which was read a first and second time, and laid on the table to be printed.

Mr. Gere on leave granted,

Introduced No. 28, H. of R., a memorial to Congress for an appropriation of 10,000 dollars for the construction of bridges and culverts on a Territorial Road from the Iowa State line, via Chatfield to Rochester.

Which was read a first and second times, and laid on the table to be printed.

Bills on their third reading being in order,

No. 10, C. F., a bill to provide for laying out certain Territorial Roads;

Also, No. 20, H. of R., a memorial to Congress, for an appropriation of 20,000 dollars to construct the Brownsville and Mankato Territorial Road,

Were taken up, read a third time and passed, and their titles agreed to.

Also No. 18 H. of R., a Memorial to Congress for certain Mail Routes in Minnesota Territory was read a third time and passed and the title agreed to.

Also No. 17, H. of R., a Memorial to Congress for a donation to the County of Fillmore, M. T., of all the swamp lands in the county for the endowment of an Academy.

Also No. 24 H. of R. a memorial of the Legislative Assembly of M. T. to the Congress of the United States was read a third time, passed and the title agreed to.

No. 86, H. of R., an act to establish the county seat of Dodge County was read a third time and passed, the title agreed to.

No. 74 H. of R., an act to incorporate the Mankato Library Association was read a third time and passed, and the title agreed to.

No. 19, H. of R., a Memorial to Congress for the relief of the settlers who have settled upon School Lands with a view of pre-emption previous to the Government surveys,

Which was read a third time and passed, and the title agreed to.

No. 87 H. of R., a bill for an act entitled an act to change the name of Alexander Paul to Francis H. Milligan, was read a third time and passed and the title agreed to.

Mr. Ide, from the committee on County Boundaries, made the following report:

The committee to whom was referred the petition of Robert A. Irwin, and one hundred and eighty others in Chatfield precinct, Scott county and vicinity, praying this body to erect the county of Jefferson, by detaching certain portions of the counties of Scott, Le Seur, Sibley, and Carver for that purpose,

Having had the same under careful consideration, beg leave to submit the following report:

Your committee are aware that the petition alluded to is a very strong petition, having one hundred and eighty-one names in support of its propositions, and whose interests we doubt not, would be promoted by such a measure as is proposed in their petition. Yet while your committee would regard the interests of these numerous petitioners, they cannot forget the interests of others. That such a measure would tend directly to derange

and injure a vastly greater interest in various ways than it would promote, is the unbiased opinion of your committee. We beg leave to say that in erecting the county of Jefferson as proposed, you would endanger the county organization of Scott, Le Seur, and Sibley, for none of the above named counties are large, and some of them are even small. Your committee cannot see the propriety of erecting this new county, while at the same time, the counties from which it is proposed to build it, are in our opinion now too small to maintain a sound and healthy organization, especially as it does not appear that there are any great natural disadvantages in the topography of these counties as they now exist. Another very strong objection we urge against this proposed measure is, the manner in which the boundary lines are proposed to be run, for instance, such as commencing at the corner of certain townships and running zigzag on section lines through the township to its opposite corner, its general course being diagonal from corner to corner. Your committee are of the opinion, that there are no natural barriers in that country, or in any part of Minnesota, to prevent the people from commingling together either for political, religious or business purposes that would justify us in recommending such lines as those proposed in the said petition, or the bill accompanying it. Your committee view with some alarm this mania among our citizens to disjoint and disrupt established county lines for the purposes of individual interest. The pertinacity with which these claims are enforced upon us, to the injury of other parties, is an evil to which we respectfully call your attention.

There are cases no doubt, where change may be made, where one party may be greatly benefitted, without material injury to the other party; also, cases of hasty or negligent former legislation, as in the boundary lines between Dakota and Scott; also, between Dakota and Rice, where it is manifestly the duty of your body to interpose and correct such errors. But in all cases where the measure proposed tends to a general derangement of county boundaries as established, and where even no apparent inconvenience is proven in the existing state of things, your committee think it unsafe to make changes: that it is establishing a precedent for eternal trouble, and that this is one of those cases clearly proven to the minds of your committee; therefore, we recommend that the petition be laid on the table. All of which we respectfully submit.

J. C. IDE,
P. K. JOHNSON,
J. H. HARTENBOWER.

Also,

The Committee to whom was referred the bill to establish the common boundary between the counties of Dakota and Scott the second time, together with a remonstrance against said bill, would report the same back to the House and again recommend its passage.

Your Committee can see nothing in the remonstrance to cause us to change our opinion or to justify us in recommending a diagonal line through several towns.

We view this as one of the cases where this body may and should interpose and correct a line which is a gross error or an evident wrong.

All of which we respectfully submit.

J. C. IDE	} Committee.
P. K. JOHNSON	
J. H. HARTENBOWER	

Upon motion the reports were accepted.

And upon motion of Mr. Holland, the rules were suspended, and

No. 34, H. of R.—To establish the common boundaries between the counties of Dakota and Scott, was taken up, read a third time and passed and its title agreed to.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following Report

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills:

No. 12, C. F.—A bill to incorporate the Little Falls Bridge Company;

No. 18, C. F.—A bill to provide for laying out certain Territorial Roads.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

The Report was accepted.

Upon motion, the House resolved into a Committee of the Whole, with Mr. Murphy in the chair, for the purpose of taking into consideration

No. 25, H. of R.—A memorial to Congress for an appropriation to open a Road from Fort Ridgley to the South Pass;

Also, No. 109, H. of R.—An act to establish the county of Orleans;

Also, No. 126, H. of R.—An act entitled an act to increase the powers of Regent of the University of Minnesota, and for other purposes.

After some time passed therein, the committee rose, reported the memorial and bills back to the House, with the recommendation that the amendments to No. 126, H. of R., be concurred in, and that it be ordered to be engrossed for its third reading; and that No. 109, H. of R., without amendments, be referred to the Committee on County Boundaries.

Also, that the amendments to No. 25, H. of R. be concurred in and it be ordered to be engrossed for its third reading.

The Report of the Committee was accepted, and upon motion the report was concurred in and the amendments to bill No. 126 and memorial No. 25, H. of R. were concurred in, and they were ordered to be engrossed for a third reading.

Also, No. 109, H. of R. was referred to the Committee on County Boundaries.

Upon motion the House again resolved itself into a Committee of the Whole Mr. Holland in the Chair.

For the purpose of taking into consideration No. 111, H. of R. a bill to incorporate the Minnesota Mining Company.

Also, No. 112, H. of R. a bill to provide for supplying vacancies in the office of County Commissioner and for assessment of Real Estate when the same lies in two counties.

No. 110, H. of R. an act to provide for the election of Superintendent of Common Schools.

After some time passed therein the Committee rose and, by their Chairman, reported the bills back to the House with the recommendation that No. 110, H. of R., without amendments, be ordered to be engrossed for its third reading, and that No. 111, H. of R., with amendments, be concurred in and the bill be ordered to be engrossed for its third reading.

Also, No. 112, without amendment, be ordered to be engrossed for its third reading.

The report of the Committee was accepted.

Upon motion the amendments to No. 111, H. of R., were concurred in, and the bill was ordered to be engrossed for a third reading.

Also the amendment to No. 110, H. of R., be concurred in, and the bill be ordered to be engrossed for its third reading,

And No. 112, H. of R., was also ordered to be engrossed for its third reading.

Mr. DeLaVergne moved,

That the vote be reconsidered, whereby No. 63, H. of R., A bill entitled an act to promote Medical Science, was indefinitely postponed.

Which motion was adopted.

The question then recurring on indefinitely postponing bill No. 63, H. of R.,

It was lost.

A message from the Council being announced, Wm. Colville, Secretary thereof appeared and delivered the following message:

Mr. SPEAKER:—The Council has passed the following bills:

No. 19 C. F.—A bill to organize the St. Croix Boom Company;

And No. 30 C. F.—An act to incorporate the Winona and La Crosse Railroad Company.

It has also passed the following resolution:

Resolved by the Council, the House of Representatives concurring, That Hon. J. B. Brisbin, J. Rollins and D. M. Hanson be appointed a Committee on the part of the Council to confer with a similar Committee to be appointed by the House, and the Joint Committee be instructed to take into consideration the intended division of the county of Ramsey, to organize the county of St. Anthony and report by bill or otherwise.

W. COLVILLE, JR.,
Secretary Council.

Upon motion, the House again resolved itself into a Committee of the Whole, Mr. Lott in the chair, for the purpose of taking into consideration

No. 63, H. of R.—A bill for an act to promote Medical Science;

Also, No. 115, H. of R.—A bill to incorporate the Owatonia Institute at Owatonia;

Also, No. 116, H. of R.—An act providing for two terms of the District Court, in Winona county.

After some time passed therein, the committee rose, and by their Chairman reported progress, and asked leave to sit again.

The Report of the committee was accepted.

Mr. Norris, on leave granted, gave notice,

That he would on to-morrow, or some subsequent day of the session, ask leave to introduce a bill granting Charles S. Getchell the right to establish and maintain a Ferry across Lake St. Croix, at Alton.

Upon motion of Mr. Nobles, the House took a recess until half-past 2 o'clock, P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Upon motion of Mr. Buck, the House resolved itself into a Committee of the Whole, Mr. Norris in the chair,

For the purpose of taking into consideration the unfinished business of the Committee.

After sometime spent therein the Committee rose and by their chairman reported the bills back to the House, with the recommendations that bill No. 63, H. of R., be referred to a Select Committee of three, consisting of Messrs. Norris, Boutillier, and Van Vorhes, and recommend that No. 115, H. of R., without amendments be ordered to be engrossed for its third reading.

Also the amendment to No. 116, H. of R., be concurred in, and the bill be ordered to be engrossed for its third reading.

The report was accepted.

Upon motion, No. 63, H. of R., was referred to a Select Committee, consisting of Messrs. Norris, Boutillier and Van Vorhes,

Also, upon motion, No. 115 and 116, the amendments were concurred in, and the bills ordered to be engrossed for a third reading.

Upon motion the House again resolved itself into a Committee of the Whole,

Mr. Taylor in the Chair,

For the purpose of taking into consideration No. 119, H. of R. an act to organize the county of Freeborn.

Also, No. 120, H. of R. an act to amend article fourth (4th) of the Statutes of Minnesota.

Also, No. 118, H. of R. an act to incorporate the Carimona Academy.

After some time passed therein the Committee rose and, by their Chairman, reported the bills back to the House with the recommendation that No. 119, H. of R. an act to organize the county of Freeborn be engrossed for a third reading.

Also No. 120, H. of R., with amendments, and that it be referred to the Committee on Judiciary.

That No. 118, H. of R., be ordered to be engrossed for its third reading.

The report was accepted.

And upon motion, No. 120, H. of R., an act to amend the Revised Statutes was referred to the Committee on Judiciary.

Also upon motion the amendment to No. 119, H. of R., be concurred in, and the bill was ordered to be engrossed for its third reading.

Also No. 118, H. of R., was ordered to be engrossed for its third reading.

Mr. Nobles from the Committee on engrossed bills made the following report:

The Committee on engrossed bills have examined and found correctly engrossed the following bill:

No. 32, H. of R., a bill to provide for laying out a Territorial Road from Cannon Falls, to the Iowa Line.

WM. H. NOBLES, }
CHAS. GRANT, } Committee.

Mr. Nobles, from the Committee on Engrossed Bills, made the following Report :

The Committee on Engrossed Bills have examined and found correctly engrossed the following Memorial :

No. 25, H. of R.—Memorial to Congress for an appropriation to open a road from Fort Ridgley to the South Pass in the Rocky Mountains.

WM. H. NOBLES, }
A. F. DE LA VERGNE, } Committee.
CHAS. GRANT, }

Mr. Ide, from the Committee on County Boundaries, submitted the following Report:

The committee to whom was referred the petition for the erection of Anoka county ; also, the bill No. 91, to establish the boundaries of St. Anthony county, beg leave to report as follows :

On examining the propositions contained in bill 91, for the county of St. Anthony, and comparing them with those of the petition for the county of Anoka, we find the propositions conflict one with another, or more properly overlap each other. For the want of the proper geographical knowledge of this portion of the country, your committee are unable to report understandingly. Therefore, we beg leave to report both propositions back to the House with the recommendation that they be made the special order of the day for Monday evening next at seven o'clock, for the purpose of eliciting debate, that we may gain light upon the whole matter.

All of which we respectfully submit.

J. C. IDE,
P. K. JOHNSON,
J. H. HARTENBOWER.

The Report was accepted.

Upon motion, the following Joint Resolution was taken up and adopted :

Resolved, by the Council of the Legislative Assembly of the Territory of Minnesota, the House of Representatives concurring,

That Hon. J. B. Brisbin, J. Rollins, and D. M. Hanson, be appointed a committee on the part of the Council, to confer with a similar committee appointed on the part of the House, and the Joint Committee to be instructed to take into consideration the intended division of the county of Ramsey, to organize the county of St. Anthony and the county of Anoka, and report by bill or otherwise.

Mr. Galbraith nominated Messrs. Farnham, Nobles, Bradley and Norris, and moved that they be appointed as said committee,—which was agreed to.

Mr. Galbraith moved to reconsider the vote by which the resolution was adopted,—which was decided in the affirmative.

Mr. Galbraith offered the following amendment :

Between the words "St. Anthony" and the word "and," insert the words "and the county of Anoka."

The amendment was agreed to, and the resolution, as amended, was adopted.

Upon motion, the Rules were suspended and

No. 25, H. of R.—A memorial to Congress for an appropriation to open a Road from Fort Ridgley to the South Pass, was taken up and read a third time and passed and the title agreed to.

Mr. Galbraith moved

To reconsider the vote by which the House appointed the committee to act in conjunction with a similar one appointed by the Council, to consider the matter relative to the division of Ramsey county.

Which motion was adopted.

Mr. Hunt moved,

That Messrs. Nobles, Norris, Galbraith, Farnham and Bradley, be appointed as said committee,—which was agreed to.

Mr. Gere moved,

That the House now adjourn,—which motion was lost.

Mr. Hunt gave notice

That he would, on to-morrow, or some future day of this session, ask leave to introduce a bill to incorporate the Lake Minnetonka Free Bridge Company.

Upon motion of Mr. Hunt,

The House resolved itself into a Committee of the Whole,

Mr. Holland in the chair,

For the purpose of taking into consideration No. 124, H. of R., an act entitled an act to incorporate the Caledonia Academy at Caledonia.

Also, No. 128, H. of R., an act to provide for the more speedy publication of the laws of the Territory.

Also, No. 121, H. of R., an act to provide for locating the county seat of the county of Steele, and for other purposes.

After sometime spent therein, the committee rose and by their Chairman reported the bills back to the House, with the recommendation that No. 121, H. of R., be referred to a select committee of three, and recommend that the amendment to No. 124, H. of R. be concurred in, and the bill be engrossed for its third reading.

Also, No. 128, H. of R., without amendment, be ordered to its third reading.

The report was accepted.

Upon motion bill No. 121, H. of R. was referred to a Select committee of three.

The Chairman appointed Messrs. Hull, McLeod and Hubbell as said committee.

Mr. Bradley offered the following amendment to bill 128, H. of R. ; add to section 3d the words "and such expenses shall in no case be paid out of the Territorial treasury,"

Which amendment was adopted and the bill was ordered to its third reading.

Also upon motion No. 124, H. of R.—An Act entitled an act to incorporate the Caledonia Academy was ordered to be engrossed for its third reading.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following Report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following memorial :

No. 5, H. of R., memorial to Congress for an appropriation for the construction of a road and mail route from Lake Superior to Little Falls.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

The report was accepted.

Mr. Dunbar moved

That the House now adjourn until 9 o'clock to-morrow, A. M.

The Yeas and Nays being called for and ordered, there were Yeas 17 and Nays 7 as follows :

Those who voted in the affirmative were,

H.—24.

Messrs. Bradley, Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Gere, Hartenbower, Hubbell, Hull, Hunt, Ide, McLeod, Nobles, Pierce, VanVorhes, Speaker.

Those who voted in the negative were,

Messrs. Boutillier, Galbraith, Holland, Jackman, Knauff, Norris, Wilson.

So the House adjourned until to-morrow at 9 o'clock, A. M.

Attest:

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER,
Speaker.

FRIDAY, FEBRUARY 15, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, De La Vergne, Farnham, Galbraith, Gibbs, Holland, Hubbell, Hunt, Hull, Johnson, Knauff, McLeod, Nobles, Norris, Pierce, Thompson, Van Vorhes, Wilson, and Mr. Speaker.

The Journal was read and approved.

The Speaker signed No. 5, H. of R., a memorial to Congress for the construction of a road and mail route from Lake Superior to Little Falls.

The Speaker called Mr. Van Vorhes to the chair.

Mr. Taylor introduced No. 202, H. of R., a bill for an act granting Hiram Burkey the right to establish and maintain a Ferry across the St. Croix River at Marine Mills.

Which was read a first and second time and laid on the table to be printed.

Mr. Holland introduced,

No. 203, H. of R., an act to amend section 73 of chapter 70, of the Revised Statutes of the Territory of Minnesota ; also,

No. 204, H. of R., an act to incorporate the Shakopee City and Chaska Plank Road Company ; also,

No. 205, H. of R., a bill for the relief of Wm. H. Stodder and others,

Which were read a first and second time and laid on the table to be printed.

Mr. Burdick gave notice,

That on to-morrow, or some future day, he would ask leave to introduce the memorial of certain citizens of Scott and adjoining counties, praying for the erection of "Jefferson" county.

Mr. Bradley offered the following resolution :

Resolved, That the 48th rule be amended, by striking out the word "ten" in the first line, and inserting the word "nine," so that it shall read—"The standing hour for the daily meeting of the House shall be nine o'clock in the morning, until the House direct otherwise."

And the Yeas and Nays being called for and ordered, there were Yeas 20, and Nays 10, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, DeLaVergne, Gibbs, Holland, Hunt,

Ide, Jackman, Johnson, Lott, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes and Wilson—20.

Those who voted in the negative were,
Messrs. Dunbar, Galbraith, Grant, Haus, Hull, Knauff, McLeod, Murphy, Nobles and Wilkinson—10.

So the resolution was adopted.

Mr. Bradley introduced,

No. 206, H. of R.—An act to incorporate the Minnesota Central Railroad Company.

Which was read a first and second time and laid on the table to be printed.

Mr. Galbraith gave notice, that he would on to-morrow introduce a resolution changing the hour of the meeting of this House in the morning.

Mr. Ide on leave granted, presented the petition of Wm. Barton and others, praying for the removal of the boundaries of Fillmore county.

Mr. Hull moved, that the petition be referred to the committee on County Boundaries.

Which was adopted.

Mr. Johnson, from the committee to whom were referred sundry bills authorizing the establishment and maintenance of Ferries in this Territory, would respectfully report. That your Committee has examined the provisions of said bills, and without offering any objections thereto, are of the opinion that the form in which they were introduced, is calculated to burden our laws unnecessarily, and therefore recommend the indefinite postponement of said bills, and the passage of the substitute herewith submitted, all of which is respectfully submitted.

P. K. JOHNSON,
JOHN. L. WILSON,
C. W. BUCK.

The report was accepted.

Mr. Johnson then introduced,

No. 207, H. of R., to grant to certain persons the right to establish and maintain Ferries in Minnesota Territory, as a substitute for the bills referred to said committee.

Which was read a first and second time, and laid on the table to be printed.

Mr. Wilkinson, from the Committee on Incorporations, made the following report:

The Committee on Incorporations, have had under consideration,

Bill No. 77, H. of R., and beg leave to report the same back with amendments, and recommend its passage.

R. WILKINSON,
WM. H. NOBLES, } Committee.
JNO. L. WILSON, }

The report was accepted.

Upon motion, the amendments to

No. 77, H. of R., an act entitled an act to incorporate the St. Anthony Falls Water Power Company, were concurred in.

Mr. Hull from the Committee on Agriculture, submitted the following report.

The Committee on Agriculture and Manufactures, to whom was referred the communication of the Minnesota Agricultural Society asking that Congress be memorialized for a grant of one township of land to "aid the Society in their efforts to improve and extend the art and science of agriculture, in the Territory of Minnesota," respectfully report:

That your committee has given the subject, matter embraced in the communication from the Minnesota Agricultural Society, the deliberate consideration which the importance of the subject demands.

The science of agriculture for which Minnesota presents so fair a field, but which, owing to our political infancy, is yet undeveloped, demands at the hand of the general government, all the aids necessary to insure its successful cultivation.

It is a well known fact that this Territory is peculiarly adapted for agricultural pur

suits. The health of our climate, the productiveness of our soil, the ample supply of wood and water, and the natural beauty of our Territorial surface are destined to lead Minnesota to an enviable position among the agricultural States of this Union.

If, then, agriculture causes the settlement of our Territory, enhances the value of the public domain, and fills the coffers of our national treasury, your committee can see no reason why government should not, in justice to herself, contribute liberally to aid in "efforts to improve the art and science" which directly involves the value, as well as the sale of the public lands.

Your committee believe that if the Government was not interested pecuniarily in the progress of agriculture in this territory, that a philanthropic desire to aid the advance of a science upon which our prosperity is so intimately connected, would furnish a sufficient incentive to induce Congress to donate liberally for so laudable an object; but when we reflect that every acre of land that is put under cultivation enhances the value of the adjoining acre one hundred per cent., and that the government, owning four-fifths of the land in this Territory, has been benefitted almost beyond computation by the present inefficient system of farming within our territory, we are irresistably led to the conviction that Congress will not for a moment hesitate to donate, from her ample domain, a township of land for the purposes named by the Agricultural Society.

Believing in the more than probability that Congress will make a liberal donation if solicited, and highly impressed with the great good which must result from this donation to agricultural interests of this Territory,

Your Committee recommend the adoption of the accompanying "Memorial to Congress for the grant of a township of land to aid the Minnesota Agricultural Society in their efforts to improve and extend the art and science of agriculture in the Territory of Minnesota."

All of which is respectfully submitted.

SAMUEL HULL.
J. C. IDE.
JAS. KIRKMAN.

The report was accepted.

Mr. Norris submitted the following Report:

The committee to whom was referred House Bill No. 63—a bill to promote Medical Science, beg leave to report the bill back to the House, with the amendments attached thereto, and ask the concurrence of the House therein, and recommend its passage.

J. S. NORRIS,
A. VAN VORHES,
C. W. LE BOUTILLIER.

The Report was accepted.

Upon motion, the amendments to bill

No. 63, H. of R.—An act to promote Medical Science, were concurred in.

Mr. Bradley moved,

That the bill be engrossed for its third reading.

And the yeas and nays being called for and ordered, there were yeas 24, and nays 9 as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Coval, Dunbar, Farnham, Gibbs, Grant, Holland, Hunt, Ide, Jackman, Johnson, Lott, McLeod, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes and Willson—24.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Galbraith, Hubbell, Hull, Knauft, Nobles, Sturgis and Wilkinson—9.

So the bill was ordered to be engrossed to its third reading.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following written message:

February 15, 1856.] HOUSE OF REPRESENTATIVES.

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EXECUTIVE DEPARTMENT, M.T.
Saint Paul, Feb. 15th, 1856.

To the Speaker of the House of Reps.:

I have the honor to lay before the House of Representatives the Annual Report of the Board of Inspectors of the Territorial Prison.

Respectfully your obt. servt.,

W. A. GORMAN,

The report was accepted, and upon motion it was laid on the table and ordered to be printed in the Journal.

INSPECTOR'S OFFICE, TERRITORIAL PRISON, }
April 2nd, 1855.

Board met. No quorum being present, adjourned to meet the first Monday in July.

J. B. DIXON,

President Board.

Attest:

F. R. DELANO, Clerk.

INSPECTOR'S OFFICE, TERRITORIAL PRISON, }
July 2nd, 1855.

Board met. No quorum being present, adjourned to meet the first Monday in October.

J. B. DIXON,

President Board.

Attest:

F. R. DELANO, Clerk.

INSPECTOR'S OFFICE, TERRITORIAL PRISON, }
October 1st, 1855.

Board met. Present, Messrs. Dixon and Cave. No business of importance, requiring the action of the Board. Adjourned to meet the first Monday in January next.

J. B. DIXON,

President Board.

Attest:

F. R. DELANO, Clerk.

INSPECTOR'S OFFICE, TERRITORIAL PRISON, }
January 7th, 1856.

Board met. Present, Messrs. Dixon and Cune. The accounts of the Warden, with the Prison, for the past year, were presented and approved. A communication was received from the Warden, notifying the Board of the removal of Roswell B. Johnson from the office of Deputy Warden thereof. No further business being before the Board, adjourned to meet the first Monday in April next.

J. B. DIXON,

President Board.

Attest:

F. R. DELANO, Clerk.

TERRITORIAL PRISON, STILLWATER, }
January 7, 1856.

I hereby certify that the above is a correct transcript of the doings of the Board of Inspectors for the year 1855.

F. R. DELANO, Warden.

THIRD ANNUAL REPORT OF THE BOARD OF INSPECTOR'S OF THE MINNESOTA TERRITORIAL PRISON.

INSPECTOR'S OFFICE, STILLWATER, }
January 7th, 1856.

Sir: Since our last report, there has nothing of particular importance been transacted in connection with the affairs of the prison. Under the management of the pre-

sent Warden, every care and attention has been paid to the wants of the prison and convicts. Under the present management of the prison, we can think of no alterations or amendments which will be beneficial to the institution.

J. B. DIXON,

Chairman of Board Inspectors.

To Gov. W. A. GORMAN, St. Paul, M. T.

Upon motion of Mr. Bradley, bill No. 22, H. of R., an act to incorporate the town of Minneapolis, in the County of Hennepin,

Was taken up, the amendments concurred in, and the bill was ordered to be engrossed for its third reading.

Message from the Council being in order, the clerk took from the table and read the following:

Mr. Speaker:—The Council has passed the following bills:

No. 19, C. F., a bill to organize the St. Croix Boom Company,

And No. 30, C. F., an act to incorporate the Winona and La Crosse Rail Road Company.

W. COLVILLE JR., Secretary.

No. 19, C. F., a bill to organize the St. Croix Boom Company,
Was read a first and second time by its title.

Also No. 30, C. F., an act to incorporate the Winona and La Crosse Railroad Company, was read a first and second time.

Bills on their third reading being in order,

No. 32, H. of R.—A bill to provide for laying out a Territorial Road from Cannon Falls to the Iowa line, was taken up, read a third time and passed and the title agreed to.

On motion of Mr. DeLaVergne, the House resolved itself into Committee of the Whole, Mr. Covel in the chair, for the purpose of taking into consideration,

No. 16, C. F.—An act to establish and define the boundaries of Meeker county:

Also, No. 21, C. F.—A bill granting to Hiram Caywood the right to establish and maintain a Ferry across the Minnesota river.

Also, No. 13, C. F.—A bill to incorporate the Rum River Log Driving Company.

After some time spent therein,

The committee rose and by their chairman reported the bills back to the House with the recommendation,

That No. 13, C. F., without amendment, be ordered to its third reading.

Also, No. 21, C. F., without amendments be ordered to its third reading.

And No. 16, C. F., without amendments be ordered to its third reading.

The report of the committee was accepted.

The report was concurred in and the bills were ordered to their third reading.

Mr. Farnham by unanimous leave of the House, offered the following amendment to bill No. 13, C. F., as an additional section.

"Provided that nothing in this act shall be so construed as to allow said Company to interfere with any boom or dam at or near the town of Anoka.

Which amendment was adopted.

Mr. Johnson moved,

That the following be referred to the committee to whom was referred various bills for the laying out and establishing Territorial Roads:

That Paddock Morris, Isaac Allen and J. W. Babcock are hereby appointed commissioners to lay out and establish a Territorial Road from Kasota Eastwardly, to intersect the Dubuque Road near Lake Washington.

Mr. Taylor moved that 50 copies of

No. 19, C. F.—A bill to organize the St. Croix Boom Company, be reprinted for the use of the House.

Which motion was adopted.

Upon motion of Mr. Buck, the House again resolved itself into a Committee of the Whole, Mr. Lott in the chair, for the purpose of taking into consideration

No. 3, C. F.—An act to incorporate the Winona and La Crosse Railroad Company;

Also, No. 22, C. F.—An act granting to Ira Myrick the right to establish and maintain a Ferry across the Minnesota river;

Also, No. 27, C. F.—An act to legalize and confirm certain elections.

After some time spent therein, the committee rose and by their Chairman reported the bills back to the House, with the recommendation that

No. 22, H. of R., without amendments, be ordered to its third reading;

And No. 27, C. F., with amendments, be concurred in, and the bill be ordered to its third reading;

Also, No. 3, C. F., without amendments, be ordered to its third reading.

The report was accepted,

And upon motion the amendment to No. 27, C. F., was concurred in and the bill ordered to its third reading.

Also No. 3, C. F., and No. 22, C. F.,

Were ordered to their third reading.

Upon motion of Mr. DeLaVergne, the House adjourned until half past two o'clock this afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment, and the Speaker being absent, was called to order by the Clerk.

The roll being called the following members answered to their names:

Messrs. Boutiller, Bradley, Buck, Cleveland, Covel, DeLaVergne, Farnham, Galbraith, Gibbs, Hubbell, Hull, Hunt, Ide, Jackman, Knauff, McLeod, Nobles, Norris, Pierce, Taylor, Thompson, and Van Vorhes.

On motion of Mr. DeLaVergne, Mr. Van Vorhes was appointed Speaker pro tem.

Mr. DeLaVergne moved a call of the House.

The roll being called, the Clerk reported a quorum present.

Mr. DeLaVergne moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

Upon motion of Mr. Hunt the House resolved itself into a Committee of the Whole, Mr. Norris in the chair for the purpose of taking into consideration,

No. 3, H. of R., a Joint Resolution for the relief of Wm. W. Kingsbury.

Also No. 23, H. of R., a Memorial to Congress to alter the form of Red Wing, Winona, and Root River Land Districts.

Also No. 44, H. of R., a bill for an act to incorporate the St. Cloud Bridge Company.

After some time spent therein the committee rose and by their Chairman reported the Joint Resolution, Memorial and Bill back to the House with the recommendation that Joint Resolution No. 3, H. of R., with amendments be concurred in and it be engrossed for its third reading.

Also No. 23, H. of R., a Memorial without amendments and it be engrossed.

And No. 44, H. of R. with sundry amendments be concurred in and the bill be ordered to be engrossed for its third reading.

The report of the committee was accepted.

Upon motion, Memorial No. 23 was ordered to be engrossed for its third reading.

Also No. 3, Joint Resolution for the relief of Wm. W. Kingsbury, the amendments concurred in and the Resolution was ordered to be engrossed for its third reading.

Mr. McLeod moved a call of the House, and the roll being called, the Clerk reported the following members absent:

Messrs. Bradley, Buck, Dunbar, Gere, Hartenbower, Haus, Holland, Jackman, Kirkman, Lott, Murphy, Pierce, Thompson and Mr. Speaker.

Mr. Hunt moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

Mr. Wilkinson moved,

That the Rules be suspended, and Joint Resolution No. 3, H. of R., for the relief of Wm. W. Kingsbury, be read a third time and passed.

Which motion was adopted.

Joint Resolution, No. 3, H. of R., for the relief of Wm. W. Kingsbury, was taken up, read a third time and passed.

The question then recurring to the title of the Joint Resolution,

Mr. Burdick moved to amend by inserting "and others."

Which amendment was adopted, and the title to the Joint Resolution was agreed to, as amended.

Upon motion, the amendments to

Bill No. 44, H. of R.—An act to incorporate the St. Cloud Bridge Company, was concurred in, and the bill ordered to be engrossed for its third reading.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message:

Mr. SPEAKER: The Council has passed,

No. 42, H. of R., a bill for an act to incorporate the Minnesota Salt Company, with amendments, to which the concurrence of the House is respectfully requested;

Also, No. 88, H. of R., a bill for the relief of School Districts, and

No. 16, H. of R., a memorial of the Legislative Assembly of the Territory of Minnesota;

Also, No. 33, C. F., an act to incorporate the Bellevue Seminary of Learning;

No. 49, C. F., a bill to incorporate the Masonic Building Association;

It was indefinitely postponed.

No. 41, H. of R., a bill to amend the Revised Statutes.

The President has signed

House bills Nos. 25, 18, 1, 21 and 8, and

House memorials Nos. 5, 8 and 11;

All of which are herewith returned.

W. COLVILLE, Secretary.

Mr. Farnham moved,

That the House now adjourn until Monday next at 10 o'clock, A. M.

Mr. Wilkinson moved to amend by adjourning until to-morrow, at 10 o'clock, A. M.

The amendment was adopted, and the question recurring upon the motion as amended it was agreed to, and the House adjourned until to-morrow, at 10 o'clock, A. M.

BRAHAM VAN VORHES,

Attest,

H. L. EDWARDS, Chief Clerk.

Speaker, pro tem.

SATURDAY, FEBRUARY 16, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Boutillier, Buck, Burdick, Cleaveland, Covel, DeLaVergne, Dunbar, Farnham, Galbraith, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Jackman, Johnson, Lott, Murphy, Nobles, Norris, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday was read, corrected, and approved.

Mr. Burdick presented,

A memorial of the citizens of Scott county, praying for the erection of the county of Jefferson.

And upon motion, it was ordered to be printed in the journal, and referred to a committee of three, consisting of

Messrs. Burdick, De La Vergne and Holland.

To the Legislative Assembly of the Territory of Minnesota :

The petition of a meeting of the citizens residing in the Territory within described, held at Belle Plaine, on Tuesday the 12th day of February, A.D. 1856, respectfully shows :

That all that portion of country situate in the valley of the Minnesota River and adjoining thereto, and lying between Sand Prairie Creek on the East, and the Big Hill on the West, and extending more than two townships South from the said River, and including also a small portion of territory on the North side of said River, has, by reason of its peculiar topographical features and condition, a common interest, and a common centre of business at Belle Plaine, naturally combining the citizens generally within those limits, now numbering over one thousand people into one community; and that for the same reason, there does not nor can exist any natural commercial, and none but a forced and unnatural political connection between the people residing there, and the present county seat of Scott county on the one side, or the present county seat of Le Seur county on the other; and your petitioners believe that the most important, if not the controlling fact for the consideration of the Legislature in defining the boundaries of counties, and in organizing them for judicial and municipal purposes, is the best accommodation of the people to be affected in their interests and business, both public and private, by such boundaries and organizations.

Your petitioners speak from personal knowledge in saying that the citizens residing within the portion of country before indicated, cannot by any possibility be all so well accommodated in all those matters, as by organizing the same with a separate county.

Your petitioners, therefore, knowing the justice and propriety of the measure, ask with confidence that their request may be granted by your honorable body, for the organization of the Territory before mentioned into a new and separate county by the name of "Jefferson," leaving it to your body to define the precise lines or boundaries thereof, as to your body shall seem just and proper; and your petitioners, as in duty bound, will ever pray, &c.

WM. B. FEERON, Chairman.

JOHN TRUAX, Secretary.

Mr. Smith offered the following resolutions :

Resolved, That the memorial or petition which has been read to this meeting, be adopted, and signed by the Chairman of this meeting in behalf thereof, and that the Secretary of this meeting communicate the same to the Speaker of the House of Representatives of this Territory with a request that he present the same to the body over which he presides.

H.—25.

Resolved, That in case the prayer of the said petition shall fail to be granted by the Legislative Assembly, then the said Legislative Assembly be, and are hereby requested to divide the county of Scott into two jury districts by the line of the main channel of Sand Prairie Creek, and for the establishment of a half shire at Belle Plaine, the convenience of the people of said county residing West of said Creek imperiously demanding from the Legislature some such measure of relief against existing burthens, imposed upon them by the present relations to the county seat of said county.

Resolved, That these resolutions be signed by the Chairman and Secretary of this meeting in behalf thereof, and be communicated by the Secretary, to the Speaker of the House of Representatives with a request that he present the same to the house over which he presides, at the same time when he shall present the memorial accompanying the same.

WM. B. FEERON, Chairman.

JOHN TRUAX, Secretary.

Mr. Galbraith offered the following Resolution:

Resolved, That No. 48, of the standing Rules of this House be and is hereby restored to its original reading, as it now stands, in the printed "*Standing Rules of the House of Representatives*," any resolution or rule to the contrary notwithstanding.

Which resolution was adopted by a vote of 16 to 3.

Mr. Burdick gave notice,

That on Monday or some future day of this session he would ask leave to introduce a bill to incorporate the Farribault and Henderson Plank Road Company.

Mr. Grant gave notice,

That on Monday or some future day of the session he will ask leave to introduce a bill to incorporate the Henderson and Glencoe Plank Road Company.

Mr. Van Vorhes presented a Memorial from the Minnesota Historical Society, and moved

That the Memorial be referred to the Committee on Legislative Expenditures with leave to report by bill or otherwise.

Which motion was adopted.

Mr. Nobles from the Committee on Engrossed Bills, made the following reported :

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills :

No. 112, H. of R., a bill for an act to provide for supplying vacancies in the office of County Courts, and for the assessment of Real Estate where the same lies in two counties.

No. 115, a bill to incorporate the Owatonia Institute at Owatonia.

No. 119, an act to organize the County of Freeborn.

No. 118, H. of R., a bill to incorporate the Carimona Academy.

WM. H. NOBLES,
A. F. DE LA VERGNE, } Committee.
CHAS. GRANT,

Mr. Nobles, from the Committee on Engrossed Bills, made the following Report :

The Committee on Engrossed Bills have examined and found correctly engrossed the following bills :

No. 83, H. of R.—A bill for an act to incorporate the Mississippi and Missouri Railroad Company ;

No. 102, H. of R.—An act to incorporate the St. Cloud University of Minnesota ;

No. 71, H. of R.—An act to incorporate the Minnesota Saving Institution.

WM. H. NOBLES,
A. F. DE LA VERGNE, } Committee.
CHAS. GRANT,

Mr. Nobles, from the Committee on Engrossed Bills, made the following Report :

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills and Memorial :

No. 116, H. of R.—A bill for an act providing for two Terms of the District Court in Winona county ;

No. 95, H. of R.—A bill for an act to provide for the destruction of Wolves ;

No. 14, H. of R.—Memorial to Congress ;

No. 52, H. of R.—A bill entitled an act to amend the Revised Statutes ;

No. 111, H. of R.—A bill to incorporate the Minnesota Mining Company ;

No. 94, H. of R.—A bill for an act to amend an act entitled an act legalizing the town of Winona, and for other purposes.

WM. H. NOBLES,
A. F. DE LA VERGNE, } Committee.
CHAS. GRANT,

Mr. Cleaveland to whom was referred the petition of W.F. Russell, reported the same back to the House by bill.

No. 208 H. of R., an act to prohibit fishing in Lake Minnetonka with seines and nets. Which was read a first and second time and laid on the table to be printed.

Messages from the Council being in order the Clerk read the following:

The Council has passed No. 42, H. of R., a bill for an act to incorporate the Minnesota Salt Company, with amendments, to which the concurrence of the House is respectfully requested.

Also No. 88, H. of R., a bill for the Relief of School Districts, and

No. 16, H. of R., a memorial of the Legislative Assembly of the Territory of Minnesota.

Also No. 33, C. F., an act to incorporate the Bellevue Seminary of Learning.

No. 40, C. F., a bill to incorporate the Masonic Building Association.

It has also indefinitely postponed No. 41, H. of R., a bill to amend the Revised Statutes.

The President has signed House Bills Nos. 25, 18, 1, 21 and 8, and House memorials Nos. 5, 8 and 11.

All of which are herewith returned.

W. COLVILLE, JR., Secretary.

Upon motion the amendments to bill No. 42, H. of R. an act to incorporate the Minnesota Salt Company was concurred in.

Bills from the Council on the second reading being in order,

No. 53, C. F., an act to incorporate the Masonic Building Association was taken up and read a first and second time.

No. 43, C. F., an act to incorporate the Bellevue Seminary was also read a first and second time.

Bills ready for a third reading being in order.

No. 22, C. F. an act granting to Ira Myrick the right to establish and maintain a Ferry across the Minnesota river, was read a third time and passed, and its title agreed to.

No. 27, C. F., an act to legalize and confirm certain elections, was read a third time and passed and the title agreed to.

No. 30, C. F.—An act to incorporate the Winona and La Crosse Railroad Company, was read a third time and passed, and its title agreed to.

No. 16, C. F.—An act to establish and define the boundaries of Meeker county, was read a third time and passed and the title agreed to.

No. 21, C. F.—A bill granting to H. Caywood the right to establish and maintain a Ferry across the Minnesota river, was read a third time and passed and the title agreed to.

No. 13, C. F.—An act to incorporate the Rum River Log Driving Company, was read a third time and passed and the title agreed to.

No. 52, H. of R.—A bill entitled an act to amend the Revised Statutes, was read a third time and passed and the title agreed to.

Also, No. 14, H. of R.—A memorial to Congress, asking for a grant of land to aid in constructing a Railroad in Minnesota, was read a third time.

And the question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 20, and nays 8, as follows :

Those who voted in the affirmative were,

Messrs. Boutillier, Buck, Cleaveland, DeLaVergue, Dunbar, Farnham, Galbraith, Holland, Hull, Ide, Jackman, Lott, Murphy, Nobles, Norris, Sturgis, Taylor, Thompson, Thorndike and Van Vorhes—20.

Those who voted in the negative were,

Messrs. Covell, Grant, Haus, Hubbell, Johnson, Wilkinson, Wilson and Mr. Speaker—8.

So the bill passed.

The question then recurring on agreeing to the title of the memorial,

It was agreed to.

No. 71, H. of R., a bill to incorporate the Minnesota Saving Institute was read a third time and passed and the title agreed to.

No. 95, H. of R., an act to provide for destruction of Wolves was read a third time and passed and the title agreed to.

No. 94, H. of R., a bill for an act to amend an act entitled an act to legalize the town of Winona and for other purposes, was read a third time and passed and the title agreed to.

No. 93, H. of R., an act to incorporate the Mississippi and Missouri Railroad Company was read a third time and passed and the title agreed to.

No. 102, H. of R., an act to incorporate the St. Cloud University of Minnesota, was read a third time and passed and its title agreed to.

No. 111, H. of R., a bill to incorporate the Minnesota Mining Company, was read a third time and passed and the title agreed to.

No. 112, H. of R., a bill to provide for the supplying vacancies in the office of county Commissioners and for assessment of Real Estate, when the same lies in two counties, was read a third time and passed and the title agreed to.

No. 115, H. of R., a bill to incorporate the Owatonia Institute at Owatonia, was read a third time and passed and the title agreed to.

No. 16, H. of R.—An act providing for two terms of the District Court in Winona county, was read a third time and passed, and the title agreed to.

No. 119, H. of R.—An act to organize the county of Freeborn, was read a third time and passed, and the title agreed to.

Also: No. 118, H. of R.—A bill to incorporate the Carimona Academy, was read a third time and passed, and the title agreed to.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message.

MR. SPEAKER.—The President has signed House Bills No's 7, 28, and 33.

The Council has passed the following House bills and memorials:

No. 18.—Memorial to Congress for certain mail routes in Minnesota Territory.

No. 20.—Memorial to Congress for an appropriation of \$20,000 to construct the Brownsville and Mankato Territorial Road.

No. 74.—An act to incorporate the Mankato Library Association.

The Council refused to concur in House amendments to the Joint Resolution appointing a committee of conference in regard to St. Anthony county.

WM. COLVILLE, Jr., Secretary.

Mr. Buck moved that the House adjourn until Monday next, at half-past two o'clock, P. M.

Mr. Wilkinson moved to amend by adjourning until Monday next, at ten o'clock, A. M.

And the amendment was accepted.

And the question recurring on the motion as amended,

And the yeas and nays being called for and ordered, there were yeas 18, and nays 12, as follows :

Those who voted in the affirmative were,

Messrs. Buck, Burdick, Cleaveland, DeLaVergne, Dunbar, Grant, Hartenbower, Haus, Hubbell, Ide, Jackman, Johnson, McLeod, Murphy, Taylor, Thompson, Thorndike, and Van Vorhes—18.

Those who voted in the negative were,

Messrs. Boutillier, Covell, Farnham, Galbraith, Hull, Nobles, Norris, Sturgis, Wilkinson, Wilson and Mr. Speaker—12.

So the motion to adjourn was decided in the affirmative.

Mr. DeLaVergne moved to reconsider the vote whereby the House adjourned until Monday next, at ten o'clock, A. M.

And the yeas and nays being called for and ordered, there were yeas 12, and nays 18, as follows :

Those who voted in the affirmative were,

Messrs. Boutillier, Covell, Farnham, Galbraith, Holland, Hull, Ide, Lott, Murphy, Nobles, Wilkinson and Wilson—12.

Those who voted in the negative were,

Messrs. Buck, Burdick, Cleaveland, DeLaVergne, Dunbar, Grant, Hartenbower, Haus, Hubbell, Jackman, Johnson, McLeod, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes and Mr. Speaker—18.

So the motion to reconsider was lost.

And the House adjourned until Monday next at 10 o'clock, A. M.

Attest,

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER, Speaker.

MONDAY, FEBRUARY 18, 1856.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Buck, Covell, DeLaVergne, Dunbar, Galbraith, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Ide, Johnson, Knauft, McLeod, Murphy, Sturgis, Taylor, Thompson, Thorndike, Wilson and Mr. Speaker.

Prayer by the Chaplain.

Pending the reading of the Journal Mr. Hull moved that the further reading of the Journal be dispensed with.

Which motion was adopted.

Messrs. Holland and DeLaVergne asked to be excused from acting as the Select Committee, to consider the Petition of citizens of Scott county for the erection of Jefferson county.

Upon motion they were excused and the Chair appointed Messrs. Burdick, Lott and Buck.

A message from the Council being announced Mr. Colville appeared and delivered the following message :

Mr. Speaker the Council has passed No. 40, H. of R., a bill granting an extension of time to the Minnesota and North Western Railroad Company.

And No. 60, H. of R., an act to define the boundaries of certain counties, which are herewith returned.

Mr. Gibbs presented a remonstrance of David Barker and 112 others against attaching certain townships in Dakota county to Rice county, and was referred to the Committee on County Boundaries.

Mr. Kirkman introduced No. 209, H. of R., an act to legalize the acts of the county and precincts officers in Wabashaw county.

Which was read a first and second time and laid on the table to be printed.

Mr. Taylor introduced No. 210, H. of R., authorising the collection of taxes to assess Real Estate and other property in certain cases.

Also, No. 211, H. of R., a bill for an act to incorporate the Chicago Seminary at Taylor's Falls in the county of Chicago.

Which were read a first and second time by their titles and laid on the table to be printed.

Mr. Grant introduced

No. 212, H. of R.—A bill to incorporate the Henderson and Glencoe Plank Road Company.

Which was read a first and second time and laid on the table to be printed.

Mr. McLeod introduced

No. 29, H. of R.—A memorial to the President of the United States relative to the eastern line of the Sioux reservation.

Which was read a first and second time and laid on the table to be printed.

Mr. Buck offered the following resolution:

Resolved, That the petitions on the files of this House praying for the erection and organization of the County of Jefferson, be taken therefrom and referred to the Select Committee, having in charge a memorial and resolutions of a meeting at Belle Plaine upon the same subject.

Which resolution was adopted.

Mr. Lott submitted the following report:

The Committee of conference, to whom was referred the disagreeing vote on bill No. 4, H. of R.—A bill to incorporate the Minnesota Life, Fire, and Marine Insurance Company, beg leave to report, they have had the same under consideration, and recommend: That the Council recede from their amendment.

B. W. LOTT,	}	of House.
SAM'L HULL,		
LEWIS STONE,	}	of Council.
WM. FREEBORN,		

The report was accepted,

And upon motion of Mr. Taylor, it was concurred in.

Mr. Norris submitted the following report:

The Joint Committee on enrolled bills did on the 16th inst., present to His Excellency, the Governor, for his examination and approval, an act to amend an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota and amendatory thereto.

JOS. ROLETTE, Council,	}	Committee.
J. S. NORRIS, House,		

Mr. Nobles from the Joint Committee on engrossed bills, made the following report: The Committee on engrossed bills have examined and found correctly engrossed the following bills:

No. 96, H. of R.—A bill for an act to incorporate the Chatfield Academy.

No. 98, H. of R.—An act regulating the time of two terms of the District Court in the County of Carver.

No. 105.—An act regulating bills of exchange, &c.

WM. H. NOBLES,
CHAS. GRANT. } Committee.

Messages from the Council being in order the Clerk took from the desk the following message:

MR. SPEAKER—The Council has passed No. 40, H. of R., a bill granting an extension of time to the Minnesota and North-western Rail Road Company.

And No. 60, H. of R., an act to define the boundaries of certain counties, which are herewith returned.

W. COLVILLE, JR., Sec'y.

Bills on their third reading being in order,

No. 105, H. of R., an act regulating Bills of Exchange, Bank Notes and Promissory notes falling due on New Year's day, Fourth day of July, Fast, Thanksgiving day and Christmas was taken up, read a third time and passed, and the title agreed to.

No. 98, H. of R., an act regulating the time of holding two terms of the District Court, in and for the county of Carver, was read a third time and passed, and the title agreed to.

No. 96, H. of R., a bill entitled an act to incorporate the Chatfield Academy at Chatfield, was read a third time and passed, and its title agreed to.

Mr. Farnham moved

To reconsider the vote by which passed No. 15, C. F., an act to incorporate the Rum River Log Driving Company. Which motion was adopted.

Mr. Farnham moved

To reconsider the vote by which the House concurred in the amendment to bill No. 15, C. F.

The motion was agreed to.

The question then recurring on agreeing to the amendment, it was rejected.

The bill was then read a third time and passed, and the title agreed to.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following written communication:

EXECUTIVE DEPARTMENT, M. T.
Saint Paul, Feb. 16, 1856. }

To the Speaker of the House of Representatives:

I am directed by his Excellency the Governor, to inform the House that he has this day approved and signed an act entitled "an act to continue in force an act to provide for the appointment of a Commissioner of Emigration for the Territory of Minnesota, and amendatory thereto" which originated in the House of Representatives.

Upon motion of Mr. Buck,

The House resolved itself into a Committee of the Whole, Mr. DeLaVergne in the chair, for the purpose of taking into consideration

No. 50, H. of R.—A bill to incorporate the St. Paul Gas Light Company;

Also, No. 5, H. of R.—A bill entitled an act to incorporate the Lake Superior and Northern Pacific Railroad Company;

Also, No. 26, H. of R.—A memorial to the Postmaster General for certain Mail services.

After some time passed therein, the committee rose and by their Chairman reported the memorial and bills back to the House, with the recommendation that

No. 5, H. of R., with amendments, be concurred in, and the bill be ordered to be engrossed for its third reading;

And No. 26, H. of R., without amendments, be ordered to be engrossed for its third reading.

Also No. 50, H. of R., without amendment, was ordered to be engrossed for its third reading.

The Report of the committee was accepted.

Upon motion, the amendments to

No. 5, H. of R. were concurred in, and the bill was ordered to be engrossed for its third reading ;

Also, No. 26, H. of R.—A memorial ; and No. 50, H. of R.—A bill ; be ordered to be engrossed for their third readings.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills, Memorials and Joint Resolutions:

No. 40, H. of R.—A bill granting an extension of time to the Minnesota and North-Western Railroad Company.

No. 21, C. F.—A bill granting to Hiram Caywood the right to establish and maintain a Ferry across the Minnesota River.

No. 22, C. F.—An act granting to Andrew J. Myrick the right to establish and maintain a Ferry across the Minnesota river.

No. 15, C. F.—An act to incorporate the Rum River Log Driving Co.

No. 36, H. of R.—An act to locate the County Seat of Wabashaw county.

No. 3, H. of R.—An act to provide for laying out a Territorial Road from Spring Lake to the Dodd Road.

No. 34, C. F.—A bill for an act to incorporate the Board of Trustees of the College of St Paul.

No. 28, C. F.—A bill for an act to organize the Winona Boom Company.

No. 10, C. F.—Memorial to the P. M. General for additional mail service.

No. 9, C. F.—Memorial relative to depredations committed by Indians.

No. 5, C. F.—Joint Resolution relative to John E. Warren.

No. 10, C. F.—A bill to provide for laying out certain Territorial Roads.

No. 26, C. F.—A bill to legalize a Road.

No. 10, H. of R.—A memorial to Congress for the improvement of the Mississippi river.

No. 12, H. of R.—A memorial to Congress for the improvement of navigation of the Mississippi river.

No. 29, H. of R.—An act authorizing the Register of Deeds of Scott county to record a plat of Shakopee city and legalizing the same.

J. ROLETTE, Council.

WM. B. GERE, H. R.

} Committee.

The committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor, the following bills for his signature:

No. 8, H. of R.

" 7, "

" 28, "

" 11, "

" 1, "

" 25, "

" 18, "

" 21, "

" 8, " Memorial

" 5, "

JOS. ROLETTE, H. of R.,

WM. B. GERE, Council,

} Committee.

The report was accepted.

The Speaker signed the following bills :

No. 29, H. of R.—An act authorizing the Register of Deeds of Scott county to record a plat of Shakopee city and legalize the same ;

No. 40, H. of R.—A bill granting an extension of time to the Minnesota and North-Western Railroad Company ;

Also, Memorial No. 10, to Congress for an appropriation to improve the Mississippi river between the Falls of St. Anthony and Sank Rapids ;

And Memorial No. 12, for an appropriation to improve the navigation of the Mississippi river, and for other purposes.

Upon motion of Mr. Hartenbower,

The House again resolved itself into a Committee of the Whole, Mr. Holland in the chair, for the purpose of taking into consideration

No. 40, C. F.—A bill to incorporate the Masonic Building Association ;

Also, No. 48, C. F.—An act to provide for locating the County Seats of certain counties ;

Also, No. 31, C. F.—A bill to incorporate the Huidacooper Institute.

After some time spent therein, the committee rose, and by their Chairman reported the bills back to the House, with the recommendation that

No. 31, C. F., without amendments, be ordered to its third reading ;

Also, Nos. 40 and 48, C. F., without amendments, be ordered to their third readings.

The Report was accepted.

Upon motion the report was concurred in, and the bills ordered to their third reading.

On motion of Mr. Galbraith,

The rules were suspended, and bill No. 31, C. F., a bill to incorporate the Huidacooper Institution was read a third time and passed and the title agreed to.

Also, No. 40, C. F., a bill to incorporate the Masonic Building Association, was read a third time and passed and the title agreed to.

Also, No. 48, C. F., an act to provide for locating the County Seats of certain counties, was read a third time and passed and the title agreed to.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER : The President has signed No. 40, H. of R., a bill granting an extension of time to the Minnesota and North Western Railroad Company, which is herewith returned.

W. COLVILLE, Jr., Secretary.

Upon motion of Mr. Hull the House again resolved itself into a Committee of the Whole, Mr. Ide in the Chair :

For the purpose of taking into consideration No. 77, H. of R., a bill entitled an act to incorporate the St. Anthony Falls Water Power Company.

Also, No. 188, H. of R., an act relating to the distribution of the School Fund in Sibley county.

Also, No. 187, H. of R., a bill for an act to incorporate the Little Falls Manufacturing Company.

After some time spent therein the Committee rose and by their Chairman reported the bills back to the House with the recommendation that No. 77, H. of R., without amendments and it be ordered to be engrossed.

And, No. 187, H. of R., without amendments be ordered to be engrossed for its third reading.

Also No. 188, without amendment, be ordered to be engrossed for its third reading.

The report was concurred in.

Mr. Norris moved

H.—26.

That No. 77, H. of R., be laid on the table and 50 copies be printed for the use of the House.

Which motion was lost.

On motion of Mr. Buck the bill was ordered to be engrossed for a third reading.

Also No. 137, H. of R., and No. 138, without amendments were ordered to be engrossed for their reading.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER: The President has signed the following House Bills and Memorials: No. 29 H. of R., a Bill.

Nos. 10 and 12, Memorials.

Which are herewith returned.

The Council has indefinitely postponed No. 6, H. of R., an act granting to Matthew Ewing the right to maintain and establish a Ferry across the Mississippi river.

Which is herewith returned.

W. COLVILLE, Jr., Sec'y.

On leave granted,

Mr. Gere, from the committee on Enrolled Bills, submitted the following report:

The Joint Committee on Enrolled Bills, have presented to his Excellency the Governor for his signature,

No. 40, H. of R., a bill granting an extension of time to the Minnesota and North Western Railroad Company.

JOSEPH ROLETTE, Council, } Committee.
WM. B. GERE, H. R.

On motion of Mr. Burdick,

The House took a recess until half past 2, P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

On motion of Mr. Burdick the House resolved itself into a Committee of the Whole Mr. Bradley in the Chair, for the purpose of taking into consideration No. 139, H. of R., an act to amend an act entitled an act to incorporate the St. Paul and St. Anthony, Railroad Company.

Also, No. 28, H. of R., a memorial to the Postmaster General of the United States praying for further mail facilities in Minnesota Valley.

Also, No. 27, H. of R., a memorial to Congress for an appropriation of \$10,000 for the construction of bridges and culverts on a Territorial road from the Iowa line to Rochester in M. T.

After some time spent therein, the Committee rose and by their Chairman reported the bill and memorials to the House with the recommendation that bill No. 139, without amendments be ordered to be engrossed for its third reading.

Upon motion, the report was concurred in, and the bill and memorial were ordered to be engrossed for their third reading.

Mr. Lott on leave granted, introduced

No. 213 H. of R. A bill, for an act to amend an act entitled an act to incorporate the Historical Society of Minnesota.

Which was read a first and second time and laid on the table to be printed.

Upon motion of Mr. Burdick, the House again resolved itself into Committee of the Whole for the purpose of taking into consideration,

No. 140, H. of R., a bill to incorporate the town of Clarksville and for other purposes.

Also, No. 142, H. of R., a bill for an act to amend Revised Statutes.

Also, No. 143, H. of R., an act to provide for the election of County Auditors and prescribing their power and duties.

After some time spent therein, the Committee rose and by their Chairman reported the bills back to the House with the recommendation that

No. 140, H. of R., with amendments, be concurred in, and the bill be ordered to be engrossed for its third reading ;

And No. 142, H. of R., without amendments, be ordered to be engrossed for its third reading ;

And No. 143, H. of R., with amendments, be concurred in and the bill be ordered to be engrossed for its third reading.

The report of the Committee of the Whole was accepted.

Mr. Wilkinson moved,

That Bill No. 140, H. of R.—A bill for an act to incorporate the town of Clarksville, be referred to the Committee on Territorial Affairs.

And the yeas and nays being called for and ordered, there were yeas 9, and nays 17, as follows :

Those who voted in the affirmative were,

Messrs. Dunbar, Galbraith, Gere, Grant, Hartenbower, Nobles, Norris, Van Vorhes and Wilkinson—9.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Burdick, DeLaVergne, Farnham, Holland, Hubbell, Hunt, Ide, Jackman, Knauff, Lott, Murphy, Pierce, Wilson and Mr. Speaker—17.

So the motion was decided in the negative.

Mr. Norris offered the following amendment:

In Sec. 17, line 8 strike out, and in no case shall such lot or lots thereafter be subject to redemption.

Which amendment was adopted.

Upon motion of Mr. DeLaVergne the bill was ordered to be engrossed for its third reading.

Upon motion the amendments to bills No. 142, and 143, H. of R., were concurred in and the bills were ordered to be engrossed for their third reading.

On leave granted, Mr. Holland gave notice.

That he would on to-morrow or on some future day of the Session, introduce a bill to organize the County of Faribault, and to establish the County Seat of said County.

Mr. Norris moved,

That the Resolution relating to the division of Ramsey county, in which the Council refused to concur in the amendments proposed by the House, be taken up and acted upon.

Which was agreed to.

Mr. Taylor moved,

That the House recede from the amendment made by the House to the Resolution.

Which motion was lost.

Mr. Norris moved,

That a Committee of conference be appointed by the Speaker, to confer with a similar Committee to be appointed by the Council, for the purpose of considering the disagreement of the two Houses relative to the Joint Resolution concerning the division of Ramsey county.

The motion was adopted and the Speaker appointed Messrs. Wilkinson, Lott and Boutillier.

Mr. Norris moved to suspend the rules, and that the vote by which the House adopted the motion to appoint the Committee of Conference on the part of the House, be reconsidered.

Which was agreed to.

And the question then recurring upon the adoption of the motion,

Mr. Bradley moved to amend by withdrawing his name from said committee, which amendment was adopted.

And the question recurring on the motion as amended,
And the yeas and nays being called for and ordered, there were yeas 11, and nays 12, as follows :

Those who voted in the affirmative were,
Messrs. Cleaveland, Dunbar, Farnham, Hartenbower, Hubbell, Jackman, Murphy, Norris, Taylor, Van Vorhes, and Wilson—11.

Those who voted in the negative were,
Messrs. Boutillier, Bradley, Galbraith, Gibbs, Hull, Ide, Nobles, Pierce, Stargis, Thorndike, Wilkinson, and Mr. Speaker.

So the motion was lost.

Mr. Boutillier moved a call of the House.

The roll being called the clerk reported Messrs. Buck, Burdick, Covel, Gere, Grant, Haus, Holland, Johnson, Kirkman, Knauff, Lott, McLeod, and Thompson, as the absent members,

Upon motion of Mr. Farnham, all further proceedings under the call of the House were dispensed with.

Mr. Wilkinson moved,

That the House now adjourn.

Which motion was lost.

Upon motion of Mr. Boutillier,

The House resolved itself into Committee of the Whole, for the purpose of taking into consideration bill No. 91, relating to the division of Ramsey county, and other bills not yet considered.

Mr. Hull in the chair.

The Committee rose and by their Chairman reported that they had made no progress, and also reported back no bills.

The Report was accepted.

Upon motion of Mr. Norris, the House then adjourned.

Attest:

H. L. EDWARDS, Chief Clerk,

CHARLES GARDNER,
Speaker.

TUESDAY, FEBRUARY 19, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Burdick, Cleaveland, Covel, DeLaVergne, Galbraith, Gibbs, Grant, Hubbell, Hunt, Lott, Murphy, Norris, Taylor, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Grant moved that the further reading of the Journal be dispensed with,—which was lost.

The Journal was then read, corrected and approved.

Mr. Lott moved,

That the vote by which the House refused to refer bill No. 140, H. of R. to the Committee on Territorial Affairs, be reconsidered.—which motion was adopted.

The question then recurring on referring bill No. 140 H. of R. to incorporate the town of Clarksville to the Committee on Territorial Affairs, it was adopted.

Mr. Ide presented the petition of Wm. Pettit and others, which was referred to Messrs. Hull, Hubbell and McLeod.

Mr. Ide also presented the petition of D. F. Tenking and others, praying for the attaching certain portions of Dodge to Steele county. Referred to the Committee on County Boundaries.

Mr. Pierce presented the Remonstrance of C. Hoeyland and 73 others, and W. S. Perkins and 35 others against the removal of the County Seat of Hennepin county.

Also, a Petition of Ephraim Whitney and 48 others praying for the removal of the County Seat of Hennepin county.

Referred to the Committee on Incorporation.

A message from the Governor being announced, Mr. Smith, private Secretary, appeared and delivered the following message :

EXECUTIVE DEPARTMENT, St. Paul, Feb. 18, 1856.

To the Speaker of the House of Representatives :

I am directed by His Excellency to inform the House of Representatives, that he has this day approved and signed the following Memorials and Acts, viz :

"Memorial for a Mail Route from St. Paul to West Union."

"A Memorial to Congress for an appropriation for the construction of a Road and Mail Route from Lake Superior to Little Falls."

"Memorial for certain Mail Routes."

"An Act to provide for laying out a Territorial Road from the forks of the Crow River opposite Greenwood via the head of Buffalo Lake to intersect the Territorial Road running from Minneapolis to St. Cloud."

"An Act to attach a certain portion of Sibley county to Le Sueur county."

"An act to provide for laying out a Territorial Road from Wabashaw by Ide's settlement to Faribault, and from thence West to intersect the Dodd Road running to St. Peter."

"An Act to change the name of Serena M. Huntly to Serena Maria Ames."

"An Act granting to Geo. A. Bellecourt the right to construct a Dam across the Pembina river near St. Joseph's, Pembina county, M. T."

"An Act to locate a Territorial Road in the county of Houston to the town of Mankato in Blue Earth county."

"An Act to incorporate the Watab Bridge Company."

"An Act authorizing the Register of Deeds of Scott county to record a plat of 'Shakopee City,' and legalize the same."

"Memorial to Congress for an appropriation for the improvement of the Mississippi river between St. Anthony Falls and Sauk Rapids."

"Memorial for an appropriation to improve the navigation of the Mississippi river and other purposes."

Mr. Johnson presented a petition of A. D. Lenord and others to attach a certain portion of Nicollet county to Blue Earth county.

Was referred to the Committee on County Boundaries.

Mr. Norris presented the remonstrance of Charles F. Stimson and Robert Cummings and John George Lennon and others.

Mr. Burdick gave notice that on to-morrow or some future day of this session he will ask leave to introduce a bill to incorporate the Henderson University in the county of Sibley, Territory of Minnesota.

Mr. Burdick introduced No. 214 H. of R.—A bill to incorporate the Faribault and Henderson Plank Road Company.

Mr. Holland introduced

No. 215, H. of R., an act to incorporate the Shakopee Mutual Friend Association of Shakopee city, Minnesota Territory ;

Also, No. 216, H. of R., an act entitled an act to amend the Revised Statutes, were read a third time and laid on the table to be printed.

Mr. Grant gave notice that on to-morrow, or some future day, he will introduce a bill to incorporate the town of Mille Lac.

Mr. Hunt introduced

No. 217, H. of R., an act to dissolve the marriage contract between Louisa Bollenman and her husband Henry Bollenman,

Which was read a first and second time and laid on the table to be printed.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report :

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills :

No. 137, H. of R., a bill for an act to incorporate the Little Falls Manufacturing Company ;

No. 5, H. of R., a bill for an act to incorporate the Lake Superior and Northern Pacific Railroad Company ;

No. 50, H. of R., a bill to incorporate the St. Paul Gas Light Company ;

No. 128, H. of R., a bill to provide for the more speedy publication of the Laws of the Territory ;

No. 45, H. of R., a bill for an act authorizing the formation of Mining Societies and other Manufacturing purposes ;

No. 23, H. of R., memorial to Congress to alter the form of Red Wing, Winona and Root River Land Districts ;

No. 99, an act to establish the county of McLeod, and for other purposes ;

No. 126, an act to increase the power of the Regents of the University of Minnesota ;

No. 72, an act to incorporate Medical Societies.

WM. H. NOBLES,
A. F. DE LA VERGNE, } Committee.
CHAS. GRANT,

Mr. Hunt submitted the following Report :

The Committee on Legislative expenditures, to whom was referred " An act to provide for an annual appropriation for the benefit of the Minnesota Historical Society," beg leave to report the said bill back to the House, without amendments, and recommend its passage.

THOMAS B. HUNT, }
A. VAN VORHES, } Committee.
J. B. HUBBELL,

Mr. Nobles moved,

That the Rules be suspended and

Bill No. 218, H. of R., an act to provide for an annual appropriation for the benefit of the Minnesota Historical Society, be ordered to be engrossed for its third reading,—which motion was adopted, and the bill ordered engrossed.

Mr. Norris, from the Joint Committee on Enrolled Bills, made the following Report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills :

No. 16, C. F., a bill for an act to establish and define the boundaries of Meeker county ;

No. 2, C. F., a bill to provide for laying out a Territorial Road from Manhattan, via the head of Buffalo Lake and Red Cedar Island Lake to Traverse des Sioux.

JOS. ROLETTE, Council, } Committee.
J. S. NORRIS, House,

The Joint Committee on Enrolled Bills have examined and found correctly enrolled No. 42 H. of R.—An act to incorporate the Minnesota Salt Company ;

No. 16 H. of R.—A memorial to the Legislative Assembly of Minnesota Territory ;

No. 88 H. of R.—A bill for the relief of School Districts.

That they have presented to His Excellency the Governor for his signature,

No. 12 H. of R.—Memorial for an appropriation to improve the navigation of the Mississippi River and other purposes;

No. 10 H. of R.—Memorial to Congress for an appropriation for the improvement of the Mississippi River between St. Anthony Falls and Saak Rapids;

No. 29 H. of R.—An act to authorize the Register of Deeds of Scott county to record a plat of Shakopee City and legalize the same.

JOSEPH ROLETTE, Council } Committee.
WM. B. GERE, House }

Mr. Bardick submitted the following Report, which was ordered to be printed in the Journal :

The Select Committee to whom was referred the petitions of sundry citizens asking for the erection and organization of a new county by the name of Jefferson, and also a memorial and certain resolutions adopted by a meeting of citizens at Belle Plaine asking for the same, respectfully report, that your Committee have had the said petitions, memorials and resolutions under consideration, and have sought such information in regard to the necessity and propriety of the proposed measure as was attainable within the time which your Committee have been able to devote to the same, and from the information which they satisfactorily obtained, they have no good reason to doubt the existence of the following facts :

1st. That the people residing in the territory proposed to be included in the new county, are, with an unusual and singular unanimity in favor of the measure.

2nd. That the face of the country included in the proposed new county, is such as naturally tends to a common centre, and to combine the people residing there (now unnaturally severed by county lines) into one community having a common interest, inducing harmonious action throughout the whole, and without any conflicting elements to produce local rivalries, contests or jealousies.

3d. That the present relations between the people residing within the limits of the proposed new county and the county seats, and the parts of the counties to which they now belong are unnatural and forced, subjecting those people to unnecessary and improper impositions in the transaction of their public duties, and other business necessary to be done at the county seats.

4th. That the people within the proposed new county, cannot by any other materially different arrangement of county organizations be so well accommodated. By such arrangement no part of the people within the limits of the proposed new county will be subjected to any unnecessary inconvenience in the discharge of their public duties or in the transaction of such of their business as must be done at the county seat, nor will the people of any other county be subject to any additional like inconvenience by the proposed change. While the former are relieved the latter are not injured by it.

5th. That the qualities and characteristics of the country included in the proposed new county present to the agriculturalist the strongest and most enticing invitation to settlement, and is capable of sustaining a dense population, and that there is now within these limits a population of about 1500 and the population is increasing rapidly.

6th. That though the proposed new county will be comparative small the topographical features of the country included in it, and the unnatural connections between it and the municipal organizations within which it is now included, attests the propriety of erecting it, that your Committee fully believe that the people within it can sustain a separate county organization at no greater expense to them, and with less, much less burthens upon them in the transaction of business and the performance of public duties at the county seat than will and must be imposed upon them under the present arrangement, and under such new organization, the expenses, even though they should be more would be borne with cheerfulness and satisfaction.

These facts, so appearing to the satisfaction of your Committee bring this application within that principle which declares it to be the duty of Legislators to adopt such

measures of legislation as will produce the greatest benefit to the greatest number of people upon whom they operate, and which forbids any legislation designed to put any portion of the community under obligation or contribution to any particular locality. So far as such a result is effected it must be incidental and not designed.

Perhaps there is no class of legislation to which these doctrines more palpably and forcibly apply, or in which they are more liable to be violated and abused than that creating and establishing the territorial limits, and relations of county organizations. There is certainly no class of legislation which comes more directly home to every citizen.

Your Committee regarding this application as within, and sustained by these doctrines, have as a necessary consequence come to the conclusion that it is reasonable, proper and meritorious and ought to be granted. In pursuance of that conclusion your Committee have prepared a bill to erect and organize the county of Jefferson, which they ask leave to introduce and recommend its passage.

R. C. BURDICK,	} Committee.
C. F. BUCK,	
B. W. LOTT.	

Mr. Burdick introduced No. 219, H. of R., an act to erect and organize the county of Jefferson.

Which was read a first and second time and laid on the table to be printed.

Mr. Sturgis introduced No. 220, H. of R., a bill for an act to authorize Justices of the Peace to render judgment for costs in certain cases and for other purposes.

Which was read a first and second time and laid on the table to be printed.

Mr. Holland introduced No. 221, H. of R., an act to provide for laying out certain Territorial Roads in the Territory of Minnesota, and for other purposes.

Which was read a first and second time and laid on the table to be printed.

Mr. Norris on leave granted, introduced No. 222, H. of R., an act to amend an act entitled an act to allow a charge of venue in certain cases.

Which was read a first and second time and laid on the table to be printed.

Messages from the Council being next in order the Clerk read the following:

Mr. SPEAKER: The President has signed No. 40 H. of R.—A bill granting an extension of time to the Minnesota and North Western Railroad Company.

Which is herewith returned.

WM. COLVILLE, Jr.
Secretary.

Bills on their third reading being in order,

No. 23 H. of R.—A memorial to Congress to alter the form of the Red Wing, Winona and Root River Land District, was read a third time and passed, and the title agreed to.

Also, No. 5 H. of R.—A bill for an act to incorporate the Lake Superior and Northern Pacific Railroad Company, was read a third time and passed, and the title agreed to.

No. 45, H. of R., a bill to authorize the formation of Mining, Smelting, or manufacturing Iron, Copper, Mineral, Coal and Silver, or other ores or minerals, and for other purposes, was read a third time and passed, and the title agreed to.

No. 50, H. of R., a bill to incorporate the St. Paul Gas Light Company, was read a third time and passed, and the title agreed to.

No. 72, H. of R., an act to incorporate Medical Societies, for the purpose of regulating the practice of Physic and Surgery in this Territory.

Mr. Wilkinson moved that the bill be read a third time at length.

Which was lost.

The question recurring on reading the bill by its title,

And the yeas and nays being called for and ordered, there were yeas 26, and nays 3, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, DeLaVergne, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hunt, Ide, Jackman, Johnson, Knauff, Lott, Murphy, Norris, Pierce, Taylor, Thompson, Van Vorhes, Wilson, and Mr. Speaker—26.

Those who voted in the negative were,

Messrs. Hull, Sturgis, and Wilkinson—3.

So the bill was read a third time by its title only.

The question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 26 and nays 5, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, DeLaVergne, Gibbs, Grant, Haus, Holland, Hunt, Ide, Jackman, Johnson, Knauff, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Galbraith, Hartenbower, Hubbell, Hull and Wilson.

So the bill was passed.

The question then recurring on agreeing to the title of the bill, it was agreed to.

No. 137, H. of R., a bill for an act to incorporate the Little Falls Manufacturing Company, was read a third time and passed, and the title agreed to.

No. 99, H. of R., an act to establish the county of McLeod, and for other purposes, was read a third time and passed, and the title agreed to.

No. 126, H. of R., an act entitled an act to increase the powers of Regents of the University of Minnesota, under certain circumstances, was read a third time and passed, and the title agreed to.

No. 128, H. of R., an act to provide for the more speedy publication of the Laws of this Territory, was read a third time and passed and the title agreed to.

Bills ready for Committee of the Whole being in order,

On motion of Mr. Lott, the House resolved itself into a Committee of the Whole, Mr. Bradley in the Chair for the purpose of taking into consideration

No. 129, H. of R., a bill to establish the boundaries of certain Counties.

Also No. 144, H. of R., a bill to incorporate the Minnesota Valley Institute, at Chaska.

Also No. 147, H. of R., a bill to authorize Clerks of Courts of Records and Justices of the Peace in this Territory to issue subpoenas to witnesses to appear before the Register and Receiver of the Land offices.

After some time spent therein, the Committee rose and by their Chairman reported the bills back to the House with the recommendation that No. 129 be referred to the committee on county boundaries.

That bill No. 144, H. of R. with amendment be concurred in and the bill be ordered to be engrossed for a third reading.

And that bill No. 147 be referred to a select committee.

The Report was accepted,

And, upon motion, No. 129, H. of R., was referred to the Committee on County Boundaries.

Also, upon motion, the amendment to No. 144 was concurred in, and the bill was ordered to be engrossed for its third reading ;

Also, upon motion,

No. 147, H. of R., be referred to a Select Committee of three, consisting of Messrs. Van Vorhes, Galbraith and Holland.

Upon motion of Mr. Buck,

The House resolved into a Committee of the Whole, Mr. Norris in the chair, for the purpose of taking into consideration

No. 144, H. of R., a bill to incorporate the St. Peter Institute, at St. Peter ;

H.—27.

Also, No. 153, H. of R., an act to incorporate the Mantorville Academy ;

Also, No. 154 H. of R., a bill to incorporate the Henderson Bridge Company.

After some time spent therein, the committee rose, and by their Chairman reported the bills back to the House, with the recommendation that

No. 149, H. of R. and 153, H. of R., without amendments, be ordered to be engrossed for their third readings;

Also, No. 154, H. of R., without amendments, be ordered to be engrossed for its third reading.

The Report was accepted.

And, upon motion, the bills were ordered to be engrossed for their reading.

Mr. Nobles from the Committee on engrossed bills, made the following report:

The Committee on engrossed bills have examined and found correctly engrossed the following bills and memorials:

No. 77 H. of R.—A bill for an act to incorporate the St. Anthony Falls Water Power Company.

No. 142, H. of R.—A bill for an act to amend the Revised Statutes.

No. 143, H. of R.—An act to provide for the election of County Auditors.

No. 138.—An act relating to the distribution of the School funds in Sibley County

No. 27.—A memorial.

No. 28.—A memorial to Congress.

No. 26.—A memorial

No. 124.—An act entitled an act to incorporate the Caledonia Academy at Caledonia.

WM. H. NOBLES,

A. F. DELAVERGNE,

CHAS. GRANT.

} Committee.

The report of the Committee was accepted.

The Speaker signed the following House bills and memorials :

An act for the relief of School districts.

An act to incorporate the Minnesota Salt Company.

An act to locate the County Seat of Wabashaw county.

An act to provide for laying out a Territorial Road from Spring Lake to the Dodd Road.

Mr. Wilkinson moved,

That the Speaker appoint a committee of three, to consider the Joint Resolution relative to the division of Ramsey county.

Mr. Boutillier moved,

That the House now adjourn.

Which motion was lost.

The question then recurred on the adoption of Mr. Wilkinson's motion, and after sometime spent in debate,

Mr. Haus moved,

That the House adjourn until 2 o'clock, P. M.

Which was decided in the affirmative,

So the House adjourned until 2 o'clock. P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Burdick, Cleaveland, DeLaVergne, Dunbar, Gere, Gibbs, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Lott, Nobles, Pierce, Taylor, Thorndike, Van Vorhes and Mr. Speaker.

Mr. Lott moved,

That a Committee of three be appointed to act in conjunction with a similar committee to be appointed by the Council, relative to the division of Ramsey county.

After some time spent in debate,

Mr. DeLaVergne moved the previous question,

And the yeas and nays being called for and ordered, there were yeas 13, and nays 17, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Gere, Haus, Hubbell, Hull, Ide, Johnson, Lott, Nobles, Sturgis, Taylor and Wilkinson—13.

Those who voted in the negative were;

Messrs. Boutillier, Bradley, Cleaveland, Covell, Dunbar, Farnham, Galbraith, Gibbs, Hartenbower, Hunt, Jackman, Murphy, Norris, Pierce, Thorndike, Van Vorhes and Mr. Speaker—17.

So the previous question was rejected.

Mr. De LaVergne moved,

That the debate upon the appointment of the committee be restricted to one hour.

Which motion was adopted.

Mr. Boutillier moved a call of the House.

The roll being called the Clerk reported Messrs. Buck, Kirkman, Knauft and Thompson, as the absent members.

Mr. Covell moved,

That all further proceedings under the call of the House be dispensed with.

And the yeas and nays being called for and ordered, there were yeas 22, and nays 8, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Covell, De LaVergne, Galbraith, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Jackman, Johnson, Lott, Nobles, Sturgis, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Burdick, Farnham, Holland, Hunt, Murphy, Norris, Pierce, and Taylor—8.

So the motion to dispense with further proceedings under the call of the House was decided in the affirmative.

Mr. Boutillier moved,

That the rules be suspended, and the House resolve itself into a Committee of the Whole, for the purpose of taking into consideration,

No. 91, H. of R., an act to define the boundaries of St. Anthony county, and for other purposes.

And the yeas and nays being called for and ordered, there were yeas 32, and nays 1, as follows :

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, Covell, De LaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Lott, Murphy, Nobles, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker—32.

Those who voted in the negative were,

Mr. Johnson—1.

So the question was decided in the affirmative.

And the House resolved itself into a Committee of the Whole, Mr. Van Vorhes in the Chair, for the purpose of taking into consideration bill No. 91, H. of R., to define the boundaries of St. Anthony county and for other purposes.

After some time spent therein the Committee rose and by their Chairman reported the bill back to the House.

With the recommendation that it be referred to a select committee consisting of Messrs. Gere, Taylor, Johnson, Bradley and Thompson,

With the instruction that they report as soon as practicable.

The report was accepted.

Mr. DeLaVergne moved that bill No. 91, H. of R., to define and establish the boundaries of the county of St. Anthony, and for other purposes be referred to a select committee consisting of Messrs. Gere, Johnson, Taylor and Bradley.

Mr. Johnson asked to be excused from acting on said committee.

Mr. Lott moved that Mr. Johnson be excused and Mr. Hull be substituted in his place, which amendment was agreed to.

And the question recurring on the motion as amended, it was adopted.

Mr. Gere submitted the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bill:

No. 60, H. of R., an act to define the boundaries of certain counties.

JOS. ROLETTE, Council. }
WM. B. GERE, H. of R. } Committee.

Upon motion of Mr. Lott, the House adjourned until to-morrow at 10 o'clock, A. M.

Attest

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER,

Speaker.

WEDNESDAY, FEBRUARY 20, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Buck, Cleaveland, Coval, DeLaVergne, Dunbar, Galbraith, Gere, Gibbs, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Verhes and Mr. Speaker.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Buck moved that the further reading of the Journal be dispensed with, which was agreed to.

The Speaker signed

Bill No. 60, H. of R., an act to define the Boundaries of certain Counties.

A message from the Governor being announced, Mr. Smith, His Excellency's Private Secretary, appeared and delivered the following message :

EXECUTIVE DEPARTMENT, M. T. }
Saint Paul, Feb. 19, 1856. }

To the Speaker of the House of Representatives :

I herewith return bill No. 40, entitled "An act granting an extension of time to the Minnesota and Northwestern Railroad Company," with my objections to its becoming a law. It is by no means an agreeable duty to offer objections to the laws passed by the Legislative branch of the Government, but in this instance the more reflection and investigation I give the subject, the more firmly am I convinced of the impolicy of revi-

ving and continuing in force a Railroad Charter that has been the means of impeding the progress of our interesting Territory to a greater extent than any other cause for the past two years. Every movement of its friends has tended to bring our Territory into direct conflict with some of the branches of the National Government. Its officers and proceedings have from the beginning been shrouded in mystery. Its management seems to be studiously concealed from the Territorial Administration and from the whole people.

After the law passed the Congress of the United States, granting lands to Minnesota to build the road contemplated in the charter of the M. & N. W. R. R. Co., the friends of that charter procured an alteration to be made in that act of Congress, which was held by a committee of the House of Representatives to be "*unauthorized and deserving severe censure.*"

Such wrongful alteration produced so great a furor of indignation among the members of Congress, that our land grant was repealed by an overwhelming majority.

Next, a suit was instituted by the United States District Attorney, and that has failed to recover the lands for this company.

The next step was an appeal to the Secretary of the Interior to retrace his steps and recognize the rights of the company to the lands, and that has failed them.

Intimations are now thrown out by the reputed agent of the company, that suits may be instituted against the United States Land Officers, or that suit might perhaps be commenced against the actual settler on the lands on the line of the proposed route, to the end that this company may ultimately get their corporate grip on the congressional grant.

But what hope, founded in reason, is there that this company will commence the road if you extend the time until 1858, or 1860, or even 1875? what security have you? In fact you are deliberately told that unless they get these lands from the government of the United States, *They will not build the road*, and they distinctly tell you that, "*no sane man would undertake to construct the road, without the lands.*" (see letter of Robert W. Lowber, acting President of M. & N. W. R. R. Co., to Hon. Robert McClelland, Secretary of the Interior, dated New York, December 12. 1855.) In the same correspondence between this Railroad Company and the Secretary of the Interior of same date, it appears that the right of this company to take these lands is utterly ignored by that high functionary of the government. Under such a decision, this company is effectually shut out from any hope of getting hold of the lands by any means whatever, which fact is distinctly acknowledged by the company itself.

Therefore, when we see that Congress has indignantly rebuked the alteration of the law of Congress by its prompt repeal; that the popular branch has once by an overwhelming majority annulled this same charter which you now propose to revive and continue; that the Executive officers of the nation have ignored all pretended rights of this Company to these lands; that the Supreme Court of the United States has dismissed the writ of error on the motion of the law officer of the Government, the more effectually to crush the pretensions of this company under the charter that you are now reviving and extending—all of which has been done by the United States government, "for reasons of public policy and administrative expediency"—it will hardly be denied that this Minnesota and North Western Railroad Company is "*without a remedy.*"

I then appeal to you, as the representatives of the people, to abandon the Minnesota and North Western Railroad Company, and adopt some new plan to expedite a Railroad connexion with the States.

If you persist in arraying yourselves against the policy of the national government, and against the expressed will of Congress, any further aid from government is hopeless, and by your act you will have retarded our growth and put a check upon our permanent prosperity. I appeal to you not to hold on to a charter, that, I think, has been demonstrated to be unsafe and unjust to the welfare of our Territory.

The last session of the Minnesota Legislature passed two several amendments to the Minnesota and North Western Railroad charter, which now appear on your statute books. The 5th section of the last amendment reads as follows :

"SEC. 5. In case said company do not accept of this act and the act to which this is a supplement, within six months from the passage hereof, then all the lands before mentioned, together with the property and franchises of said company shall be forfeited to the Territory."

Notwithstanding these amendments were not worth the paper on which they were written, unless accepted by the company, and as the company came forward and asked to have them passed, and even struggled and succeeded in passing them over my veto; yet they have not accepted them, nor have we the least reason to believe they ever intend to do so.

The amendments of last year extended the time for commencing and completing the road, and then, we were told, that the company was going on to construct the road, lands or no lands. Now they say "no sane man would attempt such a thing without the lands."

Had not the people of Minnesota a right to expect this company to show some sort of good faith, and come forward and accept these amendments? And ought this company longer to be permitted to trifle with the generous confidence reposed in them by our people; or are we toys in their hands to be used at their pleasure?

At the last Session of the Legislature, the Committee on the Judiciary had this Rail Road Charter under consideration. They made a majority report against it, and a minority report for it. The majority report says of the charter which you are extending:

"That act has been pregnant of evil to Minnesota, and as the result of hasty and ill judged legislation, has been denounced by the people. But for it our territory would now be rejoicing in the possession of a magnificent grant of lands from the government, to be applied as prudence might dictate in the construction of railroad intercommunication North and South. The advocates of the Minnesota and North Western Company do not pretend that the Rail Road will be finished within the time specified by their charter, and therefore an extension of time is desired in their memorial.

Signed,

H. H. SIBLEY,
WM. WILLIM.

The minority report presented by A. M. Fridley, warmly advocated the charter and amendments, and earnestly urged an extension of time to begin and complete the road, and says:

"If the amendments are not accepted by the company, they will be forfeited. The extension of time being forfeited by a non-acceptance of the amendments, the charter will be forfeited, and the next Legislative Assembly may take such action upon the subject as to it may seem meet, and as it would take if the charter were to be disapproved by Congress.

Signed,

A. M. FRIDLEY.

Now another year has rolled around, and we have this company asking for further time, while it is yet in contempt for the non-acceptance of amendments proposed and passed by its agents and friends.

But the minority report made by Hon. A. M. Fridley in its conclusion consoles the people's Representatives with the bright hopes before them, as follows:

"But if the company accepts the amendments, and in good faith goes on with the construction of the great work contemplated by its charter, at the opening of navigation the members of this Assembly will not regret having refrained from the premature and harsh act now suggested."

But, unfortunately for our credulity, the company treated your Legislative Acts as though nothing had been done for them whatever, and come forward now, for more favors, with as much confidence as if they had faithfully complied with all the conditions your former Legislature had imposed upon them.

Those members who have not seen the serious objections entertained against the charter, I respectfully refer to my Veto Message of last session, which I transmit herewith, and respectfully ask that it may be read, and again laid before the people.

I trust you will calmly consider whether any extension of time to this Company, to begin or complete the road or telegraph, will be in the least likely to facilitate the construction of a railroad, without lands from the General Government. The first thing to be done, therefore, is to memorialize Congress for lands, and after you get them, make your contract with those who will give you the best bargain, and build the road in the shortest time.

It is highly important to bear in mind, that as none of the amendments of last session to this charter were accepted by the Company, the old charter is clearly forfeited by their non-compliance. Then, the extension of time for beginning or completing the road is substantially a reviving and re-enacting the old charter.

I trust, then, you will cast aside the past, for the manifest reason, that if you go before Congress again for land to aid in building a road, every other antagonistic interest to the Minnesota and Northwestern Railroad Company, will oppose your efforts and surely destroy your prospects. But if you go before the National Legislature and ask for land for the Territory alone, it is very clear that all opposition will be hushed, and your success almost absolutely sure. Who among you would have the least hope of getting land from Congress, if that body believed it was to go directly into the grip of this old, obnoxious charter? Is it not manifest also, that other capitalists in the old States would throw obstacles in the way of our success, if they thought the land would enure to any chartered or constituted company?

I have given you my honest convictions as to the true policy to be pursued for the future welfare of Minnesota, and have labored from the beginning of my official career in the Territory to promote by all laudable means, the general welfare of the people. It has been my great aim in this railroad controversy, to secure for the mass of the people a resulting interest out of the lands granted for railroad purposes, and I have had no cause to regret my course. Nor shall I, so long as I am conscious of having faithfully defended the interests of the Territory against reckless speculation, and honestly sought the greatest good to the greatest number.

W. A. GORMAN.

GOVERNOR'S MESSAGE ON THE MINNESOTA AND NORTH WESTERN RAILROAD COMPANY TO THE SIXTH SESSION OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF MINNESOTA, 1855.

MR. SPEAKER,—

Gentlemen of the House of Representatives:—

I herewith return to the House of Representatives, in which it originated, Bill No. 5, entitled "An act to amend an act to incorporate the Minnesota and North Western Railroad company," with my objections to its becoming a law.

By the 6th section of said act, the charter granted to the Minnesota and North Western Railroad company is expressly enacted, which brings up all the questions which arose in regard to the privileges, powers, and franchises therein granted. If the same persons who composed the last House of Representatives, also composed the present, it would be needless for me to enter into the subject in detail; but under existing circumstances I feel it a public duty to point out the objections, which are in my judgment so manifest therein.

It will be borne in mind that the grant of lands made by Congress to the State of Illinois, approved 20th September, 1850, is substantially the same, (and differs but little even in terms,) as that made to this Territory by the act of Congress, approved 29th of June, 1854. By an act of the Illinois Legislature, approved February 10, 1851, a charter was granted to the Illinois Central Railroad company, by which they were to receive the lands to aid in constructing certain roads therein named. Said charter is substantially like that granted to the M. & N. W. R. R. Co. by the Legislature of Minnesota at its last session, and re-enacted again by you at the present session, except that the charter to the M. & N. W. R. R. Co., leaves out nearly, if not quite, all the guards and securities expressly provided for in the Illinois charter.

The first guard against imposition or fraud in the Illinois charter is found in the 15th section, which provides that "immediately upon the organization of said company, and the presentation to the Governor of the State of Illinois, of a certificate signed by the corporators herein before named, and duly acknowledged, accepting to this act of incorporation, and certifying to the due organization of said corporation, to the subscription of the capital stock thereof by the corporators herein before named, and their associates, of the sum of one million of dollars, and the bona fide payment of 20 per cent. thereon to the Treasurer of said company, verified by the affidavit of the Treasurer and President of the company, which said certificate shall be filed in the office of the Secretary of State."

It will be seen that Illinois required the guarantee for the constructing of said road &c., that 20 per cent. on one million of dollars should be actually paid in. The Minnesota charter only requires that 10 per cent. shall be paid in, nor does it require them to report under oath that one cent had been paid into the treasury in good faith.

2nd. The Illinois charter in the 15th section requires the company to deposit three hundred thousand (\$300,000) dollars of registered Canal Bonds or funded Internal Improvement Bonds of Illinois, or two hundred thousand dollars in specie, or two hundred thousand dollars in United States 6 per cent. stocks, with the Treasurer of State, to be returned to said company on the completion of 50 miles of said road, within the time and according to the provisions of the charter. Minnesota has no such security, and strange to say she refuses to ask it. I have to learn that the Illinois Central R. R. company is not as responsible and as reliable as the M. & N. W. R. R. company, and I frankly confess, it is utterly beyond my comprehension to see why Minnesota should not guard her interest as amply as did the State of Illinois.

3d. Illinois, then, requires the Governor to make a Deed to said company, in fee simple of all the lands granted her by Congress, and simultaneously with the execution of said deed by the Governor, she expressly takes another still stronger and safer security from said company. That is to say, a mortgage is to be executed to trustees by said company on all lands conveyed by the Governor to the company, expressly to secure and guarantee to the State of Illinois, the first and prior lien on everything thus mortgaged, of every kind and description whatever,

1st. To secure the completion of the road and branches within the time and upon the conditions, and in the manner in the charter provided. Minnesota has required of the M. & N. W. R. R. Co., no such security, but on the contrary has refused to ask it. If the Illinois Central R. R. Co. accepted these terms and gave these securities, why is it that Minnesota does not thus secure the people's rights? Surely Minnesota is not more able in her tender infancy to risk her lands in the hands of a corporation than Illinois with her million of inhabitants. Surely Minnesota is no less liable to imposition than Illinois.

Again—while Illinois secures to her people 7 per cent in money, of the gross proceeds of her road, Minnesota asks only 7 per cent on her *net* proceeds, and asks no security for that.

By the 8th section of the Minnesota charter "the fee simple" is granted to the corporation absolutely "without any further act or deed," and the Governor is directed to give an additional deed, if required by the company, "to vest in them a more perfect title." It will be observed that when this title is completed, the company have the power under the 10th section to mortgage the road, franchises, lands and materials belonging thereto; thus empowering the company to borrow any amount of money they need in constructing the road. This money they may use at will, and in any way they choose, either to bank upon in New York, or to speculate in any way the most profitable dividends can be realized for three years, and not expend one dollar on the road—against which Minnesota has no remedy until the expiration of the first three years, and then she can only have a forfeiture of their charter, and bring suit at the end of said three years for the value of the land thus misapplied. Who will she then

sue? The officers and stockholders of course! *Who are they?* I do not know, and I presume that no member of this Legislature does. The officers and stockholders of to-day may not be the officers and stockholders then. They may each be responsible now, but they may all be bankrupt then. Against such unfortunate contingency, Illinois took good care to be amply secured. Against such unfortunate contingency, Minnesota has no security whatever, and refuses to ask it. What service can the forfeiture of their charter be if they thus misapply your funds? It only brings you back to where you started after having lent your lands for the company to raise money upon.

And here another question arises, whether the bond holders who loaned the money to the company cannot hold the lands thus mortgaged, and enforce a title. This proposition will be still stronger if Congress should not disapprove the charter now before them, for then it will have equal force with any act of Congress, for a failure to disapprove is equivalent I presume to an approval. It is true the patent is not to be issued until a certain part of the road is completed, yet it must be remembered that the company have three years to complete fifty miles, and Minnesota is silenced—her lips sealed, her complaints fruitless, her denunciations powerless, until that period rolls round, and it matters not to whom this company transfers their stock.

It matters not if they fail and become bankrupts in this time; no remedy is left this infant territory; and I here repeat that the people's representatives in this and the last Legislature, not only did not ask security against such events, but even *refused* to ask, and *refused* to receive them. Even in the ordinary dealings of men, security is usually required, where the amount is large and the credit long.

It must be borne in mind that the Congress of the United States gave these lands to Minnesota, *not* to the M. & N. W. R. R. Co., and their value has generally been estimated at six or seven millions of dollars, and this enormous sum is proposed to be given over in fee simple to a company to build a railroad, without taking any security that they will build it in the time, or in the manner or that they will faithfully apply the proceeds thereof as required.

Minnesota thus loans to this company six millions of dollars on three years time, without asking any security.

It is not the Minnesota & N. W. R. R. Co. that proposes to build this road, it is Minnesota that proposes to build it through her agents, to whom she furnishes the capital. Would any company undertake such a work at present without some bonus? Surely not. Then it is the immense value the Company set upon the lands, that induces her to hang on our Legislative Halls, and ask for time and further privileges. But it is said we want a road and must have it. This is all correct. We should have a road in the shortest possible time and it matters not what agents we employ to build it, if we take sufficient guarantees for their faithful performance.

As the M. & N. W. R. R. charter is re-enacted by the bill before me, I am again called upon to approve every section as if it was an original bill.

The 8th section of said charter grants the right of way two hundred feet wide through the whole length of said proposed road, with power to take all the necessary timber, stone or other material, and to have and hold absolutely all the lands within said (200) hundred feet, which is now owned by Minnesota, or which they may hereafter own.

It is known to every man of ordinary intelligence that Minnesota is forbidden by her Organic Act from interfering with the primary disposal of the soil. Therefore, to give and grant any body the right of way, and the soil to the width of two hundred feet, from the Iowa line to Lake Superior is clearly in violation of the Organic Act.

To avoid this, Congress must first grant the right of way to Minnesota, and then she may grant it to a company; but not before. This will not be denied by any one, I presume, unless his pecuniary interest blind his judgment. If the act of Congress approved 29th of June, 1854, granting lands to Minnesota for railroad purposes, was now in full force and unrepealed, the right of way has been accidentally omitted to be granted, unless by implication arising out of the right to build a railroad to and from

certain points. The right of way is only granted expressly over the reserved lands subject to the approval of the President of the United States.

2d. If the right of way was granted by the act of the 29th June, 1854, that act has been re-repealed by the act of the 4th of August, 1854. But it is said that Congress had no right to repeal the grant because the company had commenced the construction of the road, and had thereby a vested right. This I utterly deny, and I distinctly aver that the said company has not expended one dollar or one cent in the construction of said road; and in proof of my position, I have in my possession (and have transmitted a copy to your body) the report of the acting President and Treasurer, made to me on the first day of January, 1855, under their oaths, duly attested by a competent officer, that said company had not expended *any sum whatever in the construction of said road*, but that they had expended about nine thousand dollars in some way not made known to me.

[See copy printed by order of the Council, attached hereto.]

By the bill presented to me, it appears that the 16th section of the charter of the M. & N. W. R. R. Co., is repealed. The section thus repealed is the one which declares the charter absolutely void if they fail to comply with its provisions. And the substitute in the third section of the bill before me, declares that said charter shall only be void if the company fail to build "said fifty miles of Railroad from St. Paul North, within three years, and to complete the whole within three years thereafter, and to complete a line of Telegraph from Dubuque to St. Paul within twenty-two months after the passage of said act." While the 16th section thus repealed, required that the board of directors should have been organized on or before the first day of July, 1854. It is believed that here is the difficulty with the M. & N. W. R. R. Co., from the beginning. That they have not in all probability complied with this provision, as it has not been made known, publicly at least, who their officers are, and directors or whether they did elect and organize there, by the time required; and this legislation is intended, I presume, to cover this defect. It was this clause that caused the alteration to be made in the act of Congress, whereby we lost our lands.

Mr. Breckenridge, in his official report to Congress, says that "the parties who are dissatisfied with the Minnesota charter, and who desired the grant to be thrown before a future Legislature, wished the third section to be reported from the committee, and passed by the House in the above form; while those who desired the company to receive the grant by virtue of the charter, wished the word "future" before the word "legislation," to be stricken out, and the word "and" to be substituted for the word "or" between the words "constituted" and "organized." This explains the reason of the alteration, and points out who did it, and why it was done, especially when we observe the 16th section of the M. & N. W. R. R. charter."

And the first section of the bill proposes to exempt their lands from taxation until the patent issues, and there is no other right of taxation reserved to the territory. Under existing circumstances I have serious objections to this clause. First, by the time the patent is ready to be issued, after the completion of the twenty miles, the lands will have been in the possession of our citizens as purchasers from the company, and thereby cause the settlers and owners to pay the tax, and not the company.

In the next place, the sixth section of the act incorporating the M. & N. W. R. R. charter, declares the capital stock of said company to be *personal property*, which will only be taxed where the owners and holders reside, unless you expressly reserve the right of taxation, and it is clear that this provision was to avoid taxation in Minnesota.

I cannot therefore, let go our right to tax their capital stock, and all their property both real and personal. Our fellow citizens are taxed on all their capital stock of every kind and description. Instead therefore, of this clause bettering the old charter, so far as the interest of our people is concerned, it puts the burthen off the shoulders of the company on to that of our own citizens.

But let us look at the question of taxation in another light. It has been proclaimed that we have the right to tax the capital stock without it is expressly exempted by law.

Suppose this to be true. By declaring the whole of their capital stock personal property, you can only tax the stockholders, who reside in Minnesota, unless you expressly say it shall be taxed and put a clause to that effect in their charter; for personal property follows the person of the owner, and can only be taxed in the county or district in which the person resides.

Then what remains for us to tax belonging to this company under the extraordinary privileges of the charter? The capital stock represents the road, depots, buildings, machine shops, and everything which that capital has been expended in making and constructing. If the capital stock is therefore only to be taxed as personal property, it is out of your reach, unless you secure its taxation by special enactment. The per centage to be paid by the bill before me is objectionable, and it is not in the form I should regard as safe for the territory.

The clause giving the right to alter, amend, or repeal after twenty years is (by the last clause making Minnesota pay all damages, that the corporation may sustain thereby) worse than if no such power was given. The modern doctrine is now well understood among public men, that no corporation for the concentration of a large capital, should have perpetual and unalterable charters and in most of the New England States this guard is reserved to the people, as it rightfully ought to be. The people have an inherent right to alter, amend, or modify even the most sacred fundamental law at pleasure, and there is no sound reason why they should not possess unlimited power over every law their representatives may enact. But in attempting to retain this right in the charter the representatives have shown their lack of confidence in the justice of a future Legislature, and the people, by holding the Territory bound in damages if they should be inclined, after twenty years, to ask for its alteration, modification, or repeal.

But allow me, in conclusion, to ask, whether the representatives of the people have any security that the company will accept the amendment proposed? Where is your guaranty? What do they forfeit if they do not accept these amendments? What pledge have you and from whom, that they will accept them?

In the ordinary business transactions of life, men of capital do not consent, without some consideration, to have their bond increased.

In looking at these amendments impartially, I am constrained, however, to say that they enlarge their privileges, franchises and rights, instead of contracting and limiting them.

1. The per centage to be paid the Territory is the same as in the old charter.
2. The taxation of their lands is postponed until the patent issues, thereby throwing the taxes on the purchasers, and off the company, while the old charter did not mention the subject, and therefore left all the real estate liable to taxation from the beginning.
3. Some of the obligations held against the company in sixteenth section of the charter, are released by its express repeal.
4. The old charter is re-enacted to cure all failures and defalcations of the company.
5. The time is extended for the completion of the first fifty miles of the road.
6. The time is extended for the completion of the whole line of the road.
7. The time is extended for completing the telegraph.
8. The power to alter, amend or repeal is clogged with a provision to bind the people forever to this corporation, or to take upon the Territory a public debt.

But it is not to be disguised that the re-enactment of the old charter is to cure their own defalcations. If they sincerely intend to deal fairly by Minnesota, they cannot object to deposit a sufficient guarantee in money or good stocks, that they will accept proper amendments, and build the first fifty miles of the road or forfeit the amount thus deposited.

The Illinois Central Railroad Company do it cheerfully, and there is no fair reason why the M. & N. W. R. R. Co., should not do the same.

I cannot refrain from expressing my decided conviction that the lauds are gone from us forever, unless you take some steps to get this obnoxious charter out of the way, and

appeal to the justice of Congress not to hold Minnesota responsible for the wrongs of others. I must also be allowed to express the opinion that the commencement of the suit by the United States against this company, and in the name and under the circumstances, was suicidal to our best interests, as I fear will be shown in the end, notwithstanding it may have been commenced through proper and pure motives. I honestly fear, as I have from the beginning, that it will prove disastrous to our hopes and prosperity.

I have honestly endeavored to point out the best course to secure to Minnesota these lands and a railroad, and my views remain unchanged. I have no private interest to favor—no unjust prejudice to overcome, but would cheerfully change my course to-morrow, if I could thereby advance the prosperity and welfare of Minnesota.

One of the great political parties in this government has always looked with jealousy upon the encroachments of capital upon the rights and privileges of the people. And in a new country we will have to keep an eternal vigilance, or this powerful adversary to the people's rights will lay hold of and bind the infant arms of this young Territory, until it will move the body at will. The Money King of our country has already more than a just share of influence among all the affairs of men; and reaching out his ponderous arms, encircling every obstacle in his path, and like the great waters of the Mississippi, bears off upon its tide every impediment to its progress or sinks it to the bottom.

My duty is now done. Yours is left to your consciences, your judgments and your constituents.

W. A. GORMAN.

Pending the reading of the Message,

Mr Lott moved,

That the Message be laid on the table to be printed and it be made the special order of the day for Tuesday next.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 18 as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covel, DeLaVergne, Dunbar, Gere, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, Nobles, Sturgis, Taylor, Wilkinson, Wilson and Mr. Speaker—18.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Galbraith, Gibbs, Grant, Holland, Ide, Jackman, Knauff, Murphy, Norris, Pierce, Thompson, Thorndike and Van Vorhes.

So the motion was lost.

Mr. Wilson moved.

That the message be laid on the table to be printed.

Mr. Norris moved,

To amend so that the message be made the special order of this day at 12 o'clock

Mr. Lott moved,

To amend the amendment so that it be made the special order for Tuesday next.

And the yeas and nays being called for and ordered, there were yeas 25, and nays 11, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Covel, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Lott, Nobles, Pierce, Sturgis, Taylor, Thorndike, Wilkinson, Wilson and Mr. Speaker—25.

Those who voted in the negative were,

Messrs. Boutillier, Buck, Cleaveland, Gibbs, Holland, Jackman, Knauff, Murphy, Norris, Thompson and Van Vorhes—11.

So the amendment to the amendment prevailed.

The question then recurring on the adoption of the motion as amended,

It was adopted.

Mr. Murphy presented a remonstrance of John Kennedy and others, citizens of Dakota county, against attaching certain townships of Dakota to Rice county.

Which was referred to the committee on County Boundaries.

Mr. Hunt introduced No. 30 H. of R., a memorial to Congress for a certain mail route Minnesota Territory.

Also No. 31 H. of R., a memorial to Congress for a donation to the county of Carver of two townships of lands for the erection of an Academy to be located at Chaska, Which was read a first and second time and laid on the table to be printed.

Mr. Burdick gave notice that on to-morrow or some future day of this session he will ask leave to introduce a bill to incorporate the town of Geneva.

Mr. Burdick introduced

No. 223, H. of R., a bill to incorporate the Henderson University in the county of Sibley,

Which was read a first and second time, and laid on the table to be printed.

Mr. Grant introduced

No. 224, H. of R., a bill to incorporate the town of Mille Lac,

Which was read a first and second time, and laid on the table to be printed.

Mr. Wilkinson introduced

No. 225, H. of R., to amend an act entitled an act to regulate the sale of spirituous liquors in this Territory,

Which was read a first and second time and laid on the table to be printed, and upon motion, it was referred to the Committee on the Judiciary.

Mr. Hunt introduced No. 226 H. of R., a bill for an act to incorporate the Lake Minnetonka Free Bridge company.

Also, No. 227 H. of R., an act to establish the county of Minnetonka.

Which were read a first and second time and laid on the table to be printed.

Reports from committees being in order,

Mr. Hubbell submitted the following report:

The undersigned, the representatives from the counties of Dodge and Steele, from the Select Committee to whom was referred No. 121 H. of R., a bill to provide for the location of the county seat of Steele county and also attaching to the said county of Steele four townships to be taken from the West end of Dodge county,

Report the same back with the following amendment, to wit:

Erase "Owatonia," wherever it occurs in said bill and substitute therefor "Medford."

And respectfully recommend its passage.

Dated February 20, 1856.

JOHN B. HUBBELL } Committee.
GEO. A. McLEOD, }

Mr. Hull also submitted the following minority report:

Your committee would further state, that having examined the petition of Wm. F. Pettit and 138 others, praying that the West range of Towns in Dodge county, be annexed to the county of Steele. Your committee is not aware that the interest of Steele county would be enhanced, whilst the interest of Dodge would be greatly impaired in an act of so much injustice to the citizens of Dodge, for the following reasons: The county of Steele is thirty miles in length, and if the above named range of Towns be stricken from the county of Dodge, the county of Dodge would be 18 by 24, while the county of Steele would be 36 by 24. Under this view of the subject, your committee beg leave to report the same back to the House, with the recommendation that it be indefinitely postponed.

SAMUEL HULL, Chairman.

The Report was accepted.

Mr. Bradley moved to take up the amendment as reported in the majority report, viz.: Strike out Owatonia and insert Medford,—which was agreed to.

Mr. Buck moved, that

No. 121, H. of R., an act to provide for locating the County Seat of the county of Steele, and for other purposes, be made the special order for Saturday next, at 10 o'clock, A. M.,—which motion was lost.

Mr. Bradley then moved,

That the amendment, as reported by the majority of the committee, be rejected,—which motion was adopted.

Upon motion of Mr. Buck, the rules were suspended, and the House resolved itself into a Committee of the Whole for the purpose of taking into consideration

No. 207 H. of R.—A Bill to grant the right to certain persons to establish and maintain Ferries in this Territory.

Also, No. 171 H. of R.—An Act to regulate Mills and Millers.

Mr. Gere in the Chair.

After some time spent therein, the committee rose and by their chairman reported progress, and asked leave to sit again.

The report was accepted.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message:

Mr. SPEAKER: The President has signed the following bills:

C. F. bills No's 10, 15, 21, 22, 26, 28, and 34.

Joint resolution, No. 5.

Memorials, No's 9 and 10.

The Council has passed the following House bills, without amendments.

No. 95, an act to provide for the destruction of wolves.

No. 115, a bill to incorporate the Owatonia Institute at Owatonia.

No. 102, an act to incorporate the St. Cloud University of Minnesota.

No. 32, a bill to provide for laying out a Territorial Road from Cannon Falls to the Iowa line.

No. 118, a bill to incorporate the Carimona Academy.

No. 96, a bill entitled an act to incorporate the Chatfield Academy, at Chatfield.

No. 111, a bill to incorporate the Minnesota Mining Company.

No. 30, an act to provide for laying out a Territorial Road from Winona to Owatonia.

No. 15, H. of R., a bill to locate a Territorial Road from the old Sioux Crossing opposite the town of Traverse Des Sioux on the Minnesota river, to the Mendota and Big Sioux road at some point near Mendota.

No. 24, an act granting to Samuel Allen the right to establish and maintain a Ferry across the Minnesota river, at the town of Chaska, in the county of Carver;

No. 2, a bill granting to A. and G. W. Riggs the right to establish and maintain a Ferry across the Mississippi river;

No. 43, a bill for an act granting to Reuben Richmond and others, the right to maintain a Ferry across the Mississippi river;

No. 23, a bill granting to George Houghton and Christopher Davis the right to establish and maintain a Ferry across the Mississippi river;

And No. 19, a bill granting to R. M. and J. P. Richardson the right to establish and maintain a Ferry across the Sauk River at Richmond, Stearns county;

It has also passed the following House Bills, with amendments:

No. 87, a bill for an act entitled an act to change the name of Alexander Paul to Francis H. Milligan;

No. 25, a memorial to Congress for an appropriation to open a Road from Fort Ridgely to the South Pass in the Rocky Mountains;

And No. 19, a memorial to Congress for the relief of the settlers who have settled upon School Lands, with a view to pre-emption, previous to the Government survey.

It has rescinded its amendment to No. 4, H. of R., a bill to incorporate the Minnesota Life, Fire and Marine Insurance Company, upon which a Committee of Conference was appointed.

The Council has concurred in House amendments to No. 27, C. F., an act to legalize and confirm certain elections.

It has passed the following Council Bills and Memorials:

No. 64½, a bill to incorporate the Zumbro Falls Manufacturing Company.

No. 54, an act to organize the County of Pine.

No. 43, an act to locate a Territorial Road from Fort Ripley to Fort Ridgley.

No. 42, an act to provide for laying out a Territorial Road from Winona to the Iowa Line.

No. 14, C. F., an act to provide for laying out a Territorial Road from Red Wing to Henderson.

No. 59, C. F., an act to provide for laying out certain Territorial Roads.

No. 41, an act for a Territorial Road from Minneapolis to Glencoe.

No. 90, an act to organize the County of Faribault, and to establish the County seat of said County.

No. 81, a bill to provide for laying out a Territorial Road from Point Douglas and St. Louis Road to Mille Lac.

No. 87, a bill to provide for laying out a Territorial road from Stillwater to a point on Snow River.

No. 46, an act granting to John Henderson the right to establish and maintain a Ferry across the Minnesota River.

No. 17, a bill to provide for laying out a Territorial road from Henderson to Fort Ridgley.

No. 60, a bill to incorporate the Young Men's Association of Winona.

No. 75, an act to authorize Stephen Hull to establish and maintain a Ferry across the Narrows of Lake Minnetonka.

No. 9 C. F., a bill granting to Richard G. Murphy the right to establish and maintain a Ferry across the Minnesota River at a point now known as Murphy's Ferry.

No. 11 C. F., an act granting to Louis Le Croix the right to establish and maintain a Ferry across the Minnesota River at the town of Little Rapids.

No. 79, an act granting to J. L. Watz the right to establish and maintain a Ferry across Root River.

No. 43, an act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin.

No. 35 A Bill to provide for laying out a Territorial Road from Red Wing to Moses Sailor's, in Faribault county, and

No. 13 C. F.—A Memorial to Congress for the establishment of a Military Post near the head of Red River.

All of which are herewith transmitted.

The President has also signed the following House Bills and Memorials:

An Act to define the boundaries of certain counties;

And An Act for relief of school districts;

And Nos. 3, 36, and 42

And memorials of the Legislative Assembly of Minnesota Territory.

Upon motion of Mr. Bradley,

The House then took a recess until half past two o'clock P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

On motion of Mr. Burdick the House resolved itself into a Committee of the Whole to take up the unfinished business of the Committee, Mr. Gere in the Chair.

After some time spent therein the Committee rose, and through their Chairman reported the bills back to the House, with the recommendation that bill No. 207, H. of

R. granting to certain persons the right to establish and maintain Ferries in Minnesota Territory, with the amendments be concurred in, and that the bill be ordered to be engrossed for its third reading.

And bill No. 171, H. of R., for an act to regulate Mills and Millers, with amendments be concurred in, and the bill be ordered to be engrossed for its third reading.

The report of the Committee was accepted.

Upon motion the amendments were concurred in and the bills were ordered to be engrossed for their third reading.

A message from the Council being announced, Wm. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER: The President has signed the following Council bills:

No. 2, an act to provide for laying out a Territorial Road from Wabashaw, via the head of Buffalo Lake and Red Cedar Island Lake, to Traverse des Sioux.

No. 16, an act to establish and define the boundaries of Meeker county.

The Council has passed House bill No. 13, a bill to amend an act entitled an act to define the boundaries of certain counties, with amendments, which are herewith submitted.

No. 80, C. F., an act to incorporate the Target Lake Plank Road and Ferry Co.

And No. 97, C. F., a bill to designate the site whereon to erect the county buildings of Hennepin county, and authorizing the Commissioners to procure a title thereto, and extending the boundaries of the county.

The Council has concurred in the House amendments to No. 32, C. F., an act to amend an act to incorporate the city of St. Paul, Ramsey county, Minnesota Territory, with amendments, in which the concurrence of the House is requested.

W. COLVILLE, Jr., Secretary.

The Committee on Enrolled Bills beg leave to report, that they have presented to his Excellency the Governor, for his signature, the following bills:

A memorial of the Legislative Assembly of the Territory of Minnesota;

An act to locate the County Seat of Wabashaw county;

An act for the relief of School Districts;

An act to incorporate the Minnesota Salt Company;

An act to define the Boundaries of certain Counties;

An act to provide for laying out a Territorial Road from Spring Lake, in Scott county, to intersect the road known as the Dodd Road.

JOS. ROLETTE, H. of R., } Committee.
WM. B. GERE, Council, }

Mr. Holland moved to suspend the Rules so that bill

No. 90, C. F. an act to organize the county of Fartibault, and to establish the county seat of said county,

Also, No. 97, C. F. a bill to designate the site whereon to erect the County Buildings of Hennepin county, and authorizing the Commissioners to procure a title thereto and extending the Boundaries of the county, be taken up and read a first and second time by their titles,

And the yeas and nays being called for and ordered, there were yeas 23, and nays 13, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleaveland, Covell, Galbraith, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Knauff, Lott, Nobles, Pierce, Taylor, Thorndike, Wilkinson and Wilson—23.

Those who voted in the negative were,

Messrs. Boutillier, Buck, DeLaVergne, Dunbar, Farnham, Gere, Johnson, McLeod, Murphy, Norris, Thompson, Van Vorhes and Mr. Speaker—13.

It requiring a two-third vote to suspend the rules the motion was lost.

So the House adjourned.

Attest :

H. L. EDWARDS, Chief Clerk,

CHARLES GARDNER,
Speaker.

THURSDAY, FEBRUARY 21, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Boutillier, Bradley, Buck, Cleveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Jackman, Johnson, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Wilkinson and Mr. Speaker.

Prayer by the Chaplain.

Mr. Bradley moved,

That the reading of the Journal be dispensed with.

Which was agreed to.

Mr. DeLaVergne presented a Remonstrance of Henry Limmerman and others against any alteration of the East and South line of Le Seur.

Which was referred to Mr. DeLaVergne.

Mr. Boutillier presented the petition of Mr. Richard Martin and others for the erection of Saint Anthony.

Also, the following Remonstrance, which was read and ordered to be printed in the Journal:

ST. ANTHONY, WEDNESDAY, February 20, 1856.

To the Honorable, the Legislative Assembly of the Territory of Minnesota:

Your petitioners, citizens of the city of St. Anthony, having been informed that a bill has been presented to the consideration of the Council by the Hon. D. M. Hanson, providing for annexing the city of St. Anthony to the County of Hennepin, do therefore remonstrate against the passage of the bill.

Your petitioners believe that a greivous wrong would be inflicted upon them and their interests by the passage of the bill, and that as they alone are deeply interested, therefore, their voice should be heard. They, therefore, sincerely trust that their rights will be respected, and that in a matter so deeply touching themselves and their interests, that their wishes will be heard in preference to any foreign influence.

And your petitioners will ever pray.

H. T. WELLS, and 102 others.

Mr. Lott introduced No. 227, H. of R., a bill to incorporate the Little Rapids Manufacturing Company.

Which was read a first and second time and laid on the table to be printed.

Messages from the Council being in order, the Clerk took from the desk the following message :

Mr. SPEAKER: The President has signed the following bills:

C. F. bills No's 10, 15, 21, 22, 26, 28, and 34.

Joint resolution, No. 5.

Memorials, No's 9 and 10.

H.—29.

The Council has passed the following House bills, without amendments.

No. 95, an act to provide for the destruction of wolves.

No. 116, a bill to incorporate the Owatonia Institute at Owatonia.

No. 102, an act to incorporate the St. Cloud University of Minnesota.

No. 82, a bill to provide for laying out a Territorial Road from Cannon Falls to the Iowa line.

No. 118, a bill to incorporate the Carimona Academy.

No. 96, a bill entitled an act to incorporate the Chatfield Academy, at Chatfield.

No. 111, a bill to incorporate the Minnesota Mining Company.

No. 30, an act to provide for laying out a Territorial Road from Winona to Owatonia.

No. 15, H. of R., a bill to locate a Territorial Road from the old Sioux Crossing opposite the town of Traverse Des Sioux on the Minnesota river, to the Mendota and Big Sioux road at some point near Mendota.

No. 24, an act granting to Samuel Allen the right to establish and maintain a Ferry across the Minnesota river, at the town of Chaska, in the county of Carver;

No. 2, a bill granting to A. and G. W. Riggs the right to establish and maintain a Ferry across the Mississippi river;

No. 43, a bill for an act granting to Reuben Richmond and others, the right to maintain a Ferry across the Mississippi river;

No. 23, a bill granting to George Houghton and Christopher Davis the right to establish and maintain a Ferry across the Mississippi river;

And No. 19, a bill granting to R. M. and J. P. Richardson the right to establish and maintain a Ferry across the Sauk River at Richmond, Stearns county;

It has also passed the following House Bills, with amendments:

No. 87, a bill for an act entitled an act to change the name of Alexander Paul to Francis H. Milligan;

No. 25, a memorial to Congress for an appropriation to open a Road from Fort Ridgley to the South Pass in the Rocky Mountains;

And No. 19, a memorial to Congress for the relief of the settlers who have settled upon School Lands, with a view to pre-emption, previous to the Government survey.

It has rescinded its amendment to No. 4, H. of R., a bill to incorporate the Minnesota Life, Fire and Marine Insurance Company, upon which a Committee of Conference was appointed.

The Council has concurred in House amendments to No. 27, C. F., an act to legalize and confirm certain elections.

It has passed the following Council Bills and Memorials:

No. 64 $\frac{1}{2}$, a bill to incorporate the Zumbro Falls Manufacturing Company.

No. 54, an act to organize the County of Pine.

No. 43, an act to locate a Territorial Road from Fort Ripley to Fort Ridgley.

No. 42, an act to provide for laying out a Territorial Road from Winona to the Iowa Line.

No. 14, C. F., an act to provide for laying out a Territorial Road from Red Wing to Henderson.

No. 59, C. F., an act to provide for laying out certain Territorial Roads.

No. 41, an act for a Territorial Road from Minneapolis to Glencoe.

No. 90, an act to organize the County of Faribault, and to establish the County seat of said County.

No. 81, a bill to provide for laying out a Territorial Road from Point Douglas and St. Louis Road to Mille Lac.

No. 37, a bill to provide for laying out a Territorial road from Stillwater to a point on Snow River.

No. 46, an act granting to John Henderson the right to establish and maintain a Ferry across the Minnesota River.

No. 17, a bill to provide for laying out a Territorial Road from Henderson to Fort Ridgley.

No. 60, a bill to incorporate the Young Men's Association of Winona.

No. 75, an act to authorize Stephen Hull to establish and maintain a Ferry across the Narrows of Lake Minnetonka.

No. 9 C. F., a bill granting to Richard G. Murphy the right to establish and maintain a Ferry across the Minnesota River at a point now known as Murphy's Ferry.

No. 11 C. F., an act granting to Louis Le Croix the right to establish and maintain a Ferry across the Minnesota River at the town of Little Rapids.

No. 79, an act granting to J. L. Watz the right to establish and maintain a Ferry across Root River.

No. 43, an act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin.

No. 35. A Bill to provide for laying out a Territorial Road from Red Wing to Moses Sailors, in Faribault county, and

No. 13 C. F.—A Memorial to Congress for the establishment of a Military Post near the head of Red River.

All of which are herewith transmitted.

The President has also signed the following House Bills and Memorials :

An Act to define the boundaries of certain counties ;

And an Act for relief of school districts ;

And Nos. 3, 36, and 42

And memorials of the Legislative Assembly of Minnesota Territory.

The President has signed the following Council bills :

No. 2, C. F., a bill to provide for laying out a Territorial Road from Manhattan, via the head of Buffalo Lake and Red Cedar Island Lake to Traverse des Sioux.

No. 16, C. F., a bill for an act to establish and define the boundaries of Meeker county.

The Council has passed House bills,

No. 13, a bill to amend an act to define the boundaries of certain counties, with amendments, which are herewith transmitted.

No. 80, C. F., an act to incorporate the Target Lake Plank Road and Ferry Company.

And No. 72, C. F., a bill to designate the site whereon to erect the County Buildings of Hennepin county, and authorizing the Commissioners to procure a title thereto, and extending the boundaries of the county.

The Council has concurred in the House amendments to No. 32, C. F., an act to amend an act to incorporate the city of St. Paul, Ramsey county, Minnesota Territory, with amendments, in which the concurrence of the House is requested.

WM. COLVILLE, Jr., Secretary.

A memorial, No. 19, H. of R., to Congress, for the relief of the settlers who have settled upon School Lands with a view to pre-emption previous to the Government surveys, was taken up and read and the amendments concurred in.

No. 15, H. of R., a bill to locate a Territorial Road from the old Sioux crossing to the Mendota and Big Sioux Road, was taken up and read and the amendments concurred in.

No. 87, H. of R., a bill for an act entitled an act to change the name of Alexander Paul to Francis H. Milligan, was read and the amendments concurred in.

No. 25, H. of R., a memorial to Congress for an appropriation to open a Road from Fort Ridgley to the South Pass in the Rocky Mountains, was read and the amendments concurred in.

A message from the Governor being announced, Mr. Smith, Private Secretary appeared and delivered the following message :

EXECUTIVE DEPARTMENT,

St. Paul, Feb. 20th, 1856.

To the Speaker of the House of Representatives:

I am directed by His Excellency, to inform the House that he has this day approved and signed the following Acts:

An act to locate the County Seat of Wabashaw County.

An act for the relief of School Districts.

An act to incorporate the Minnesota Salt Company.

All of which originated in the House.

I am directed by His Excellency, to inform the House that he has this day approved and signed a memorial of the Legislative Assembly of the Territory of Minnesota.

An act to provide for laying out a Territorial Road from Spring Lake in Scott County, to intersect the Road known as the Dodd Road.

Which originated in the House of Representatives.

No. 13, H. of R., a bill to amend an act entitled an act to define the Boundaries of certain Counties, was read and the amendments concurred in.

No. 32, C. F., to amend an act entitled an act to incorporate the city of St. Paul, was read.

Mr. Lott offered the following amendment:

Provided that nothing in this act shall be so construed as to exclude the said island being and remaining within the jurisdiction of Ramsey county, as an amendment to the substitute to Council;

Which was adopted.

Bills on their third reading:

No. 90, C. F., an act to organize the county of Faribault, and to establish the County Seat of said county, was read a first and second time;

Also, No. 97, C. F., an act to designate the site whereon to erect the County Buildings of the county of Hennepin, and authorizing the commissioners to procure a title thereto, and extending the boundaries of said county, was also read a first and second time.

No. 41, C. F., an act for a Territorial Road from Minneapolis to Glencoe, was also read a first and second time;

No. 42, C. F., an act to provide for the laying out certain Territorial Roads, was read a first and second time;

No. 9, C. F., a bill granting to R. G. Murphy the right to establish and maintain a Ferry across the Minnesota river, at a point now known as Murphy's Ferry, was read a first and second time;

No. 14, C. F., an act to provide for laying out a Territorial Road from Red Wing to Henderson, was read a first and second time;

No. 42, C. F., an act to provide for laying out a Territorial Road from Winona to the Iowa line, was read a first and second time,

And upon motion of Mr. Buck, the Rules were suspended and the bill was read a third time and passed and the title agreed to.

No. 43, C. F.—An act to locate a Territorial Road from Fort Ripley, to Fort Ridgely, was read a first and second time.

No. 64, C. F.—A bill to incorporate the Zumbro Falls Manufacturing Company, was read a first and second time.

No. 35, C. F.—A bill to provide for the laying out of a Territorial Road from Red Wing to Moses Sailor's, in Faribault County, was read a first and second time.

No. 13, C. F.—A memorial to Congress for the establishment of a Military Post near the head of Red River, was read a first and second time.

No. 54, C. F.—An act to organize the County of Pine, was read a first and second time.

No. 81, C. F.—A bill to provide for laying out a Territorial Road from the Point Douglas and St. Louis River Road, to Mille Lac, was read a first and second time.

No. 87, C. F.—A bill to provide for laying out of a Territorial Road from Stillwater to a point on Snake River, was read a first and second time.

No. 46, C. F.—An act granting to John Henderson the right to establish and maintain a Ferry across the Minnesota River, was read a first and second time.

No. 17, C. F.—A bill to provide for the laying out and establishing a Territorial Road from Henderson to Fort Ridgley, was read a first and second time.

No. 60, C. F.—A bill to incorporate the Young Men's Association of Winona, was read a first and second time.

No. 75, C. F.—An act to authorize Stephen Hull to construct and maintain a Ferry across the Narrows of Lake Minnetonka, was read a first and second time.

No. 11, C. F.—An act granting Louis La Croix the right to establish and maintain a Ferry across the Minnesota River at the town of Little Rapids, was read a first and second time.

No. 45, C. F.—An act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin, was read a first and second time.

No. 79, C. F.—Granting to J. S. Wentz the right to establish and maintain a Ferry across Root River, was read a first and second time.

No. 80, C. F.—An act to incorporate the Taylor Lake Plank Road and Ferry Company, was read a first and second time.

Mr. Gere from the Joint Committee on enrolled bills, made the following report :

The Joint Committee on enrolled bills have examined and found correctly enrolled the following Memorials and Bill:

No. 20, H. of R.—Memorial to Congress for an appropriation of \$20,000 to construct the Brownsville and Mankato Territorial Road.

No. 18, H. of R.—Memorial to Congress for certain mail routes in this Territory.

No. 74, H. of R.—An act to incorporate the Mankato Library Association.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. R. }

Mr. Burdick, on leave granted, introduced

No. 228, H. of R., a bill for an act to incorporate the town of Geneva.

Which was read a first and second time and laid on the table to be printed.

Bills ready for their third reading being in order,

No. 27, H. of R. a memorial to the Postmaster General praying further mail facilities in Minnesota.

Was read a third time and passed and the title agreed to.

No. 26, H. of R., a memorial to the Postmaster General for certain Mail Routes.

Was read a third time and passed.

No. 28, H. of R., a memorial to Congress for an appropriation of \$10,000 for the construction of Bridges and Culverts on a Territorial Road from the Iowa State line to Rochester in M. T.

Was read a third time and passed and title agreed to.

No. 77 H. of R., an act entitled an act to incorporate the St. Anthony Falls Water Power company was read a third time and passed and its title agreed to.

A message from the Council being announced,

Mr. Colville appeared and delivered the following message :

MR. SPEAKER: The Council has passed No. 19, C. F., a Joint Resolution for the relief of the clerks of the Council and House of Representatives.

The Council has passed the following resolution :

Whereas by a provision of section three of chapter sixteen, of Session Laws of 1854; a vacancy exists in the office of Surveyor General of Logs and Lumber in the Third District ; Therefore,

Resolved, (the House concurring,) That the Council and House of Representatives

will meet in Joint Convention on Tuesday next at two o'clock P. M., in the Hall of the House of Representatives, for the purpose of electing a Surveyor General, for the third District.

The resolution was adopted.

It has passed No. 19 C. F., a memorial to Congress for the passage of an act regulating the clerkships of the United States District Court of this Territory.

No. 71 C. F., an act to amend chapter 16 of Laws of 1853.

No. 47 C. F., an act relative to the times of the District Court.

Also, No. 90 H. of R., an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining company, passed by the Legislative Assembly of Minnesota Territory.

And No. 38 H. of R., a bill to amend an act entitled an act to amend section article 8 of the Revised Statutes.

Upon motion of Mr. Gere, the Rules were suspended, and

No. 97, C. F., a bill to designate the site whereon to erect the County Buildings of Hennepin county, and authorizing the commissioners to procure a title thereto, and extending the boundaries of the county, was taken up and read a third time.

The question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 26, and nays 7, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleaveland, Covell, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Knauff, Lott, Nobles, Pierce, Sturgis, Thompson, Thorndike, Van Vorhes and Wilkinson—26.

Those who voted in the negative were,

Messrs. Boutillier, Johnson, McLeod, Murphy, Norris, Taylor and Mr. Speaker—7.

So the bill was passed, and the question recurring on agreeing to the bill it was agreed to.

Mr. Galbraith moved to reconsider the vote by which the House passed bill No. 97, C. F.

Which motion was lost.

The question then recurring on the title to the bill.

It was agreed to.

Upon motion of Mr. Galbraith, the Rules were suspended and bill No. 90, C. F., an act to organize the county of Faribault, and to establish the county seat of said county was taken up and read a third time.

Mr. Galbraith moved to amend by striking out the word Steele and inserting Blue Earth. Which amendment was adopted.

The question then recurring on the passage of the bill, it was passed, and the title agreed to.

Mr. Gere moved, that the Rules be suspended and that bill No. 197, H. of R., a bill for an act to divide a portion of M. T. into counties and define the boundaries, be referred to the Committee on county boundaries.

Which was adopted.

Bills on their third reading being still in order,

No. 138, H. of R., an act relating to the distribution of School Fund in Sibley county, was read a third time and passed, and the title agreed to.

No. 124, H. of R., entitled an act to incorporate the Caledonia Academy at Caledonia, was read a third time and passed, and the title agreed to.

No. 143, H. of R., an act to provide for the election of County Auditors, and prescribing their duties and powers, was read a third time and passed, and the title agreed to.

No. 142, H. of R., a bill for an act to amend the Revised Statutes, was read a third time and passed, and the title agreed to.

Mr. Hunt moved to suspend the rules so that Joint Resolution No. 19 C. F., relative

to paying for extra services of the Clerks of the Council and House of Representatives, be taken up and read a first and second time. Which was adopted, and the joint resolution was taken up, read a first and second time, and

Upon motion of Mr. Taylor,

The rules were suspended and the resolution was read a third time and passed, and its title agreed to. Also,

Upon motion of Mr. Hunt,

No. 19, C. F., a memorial to Congress for the passage of an act regulating the Clerkship of the United States District Courts of this Territory, was taken up and read a first and second times, and

Upon motion, the rules were suspended and memorial was read a third time and passed, and the title agreed to.

Upon motion, the joint resolution of the Council relative to the meeting of the two Houses in joint convention to elect a Surveyor of Logs and Lumber for the second district was taken up, read and amended, by adding the words "also the 4th district."

Upon motion of Mr. Buck,

The House resolved itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of taking into consideration,

No. 221 H. of R., a bill to provide for laying out certain Territorial roads in the Territory of Minnesota and for other purposes.

Also, No. 19 C. F., an act to organize the St. Croix Boom Company.

Also, No. 197 H. of R., a bill for an act to divide a portion of Minnesota Territory into counties and define the boundaries.

After some time spent therein the Committee rose, and by their chairman, reported progress and asked leave to sit again.

The report of the committee was accepted.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

MR. SPEAKER: The Council has indefinitely postponed No. 126 H. of R., an act to increase the power of the Regents of the University.

The Council has passed No. 16 C. F., a memorial to the President of the United States for treaties with the Sioux and Chippewa Indians for the purpose of promoting their early civilization.

The President has signed No. 31 C. F., a bill to incorporate the Huidacooper Institute.

WM. COLVILLE, Jr., Secretary.

Upon motion of Mr. Hunt, the House then took a recess until half-past two o'clock P. M.

AFTERNOON SESSION.

House met pursuant to adjournment, and was called to order by the Speaker.

Upon motion of Mr. Buck, the House resolved itself into a Committee of the Whole, Mr. Johnson in the chair, for the purpose of taking into consideration

No. 221, H. of R., an act to provide for laying out certain Territorial Roads in Minnesota Territory and for other purposes ;

Also, No. 197, H. of R., a bill for an act to divide a portion of Minnesota Territory into counties, and define the boundaries ;

Also, No. 19, C. F., an act to organize the St. Croix Boom Company.

After some time passed therein, the committee rose and by their Chairman reported the bills back to the House, with the recommendation that No. 221, H. of R., with amendments, be concurred in, and the bill be ordered to be engrossed for its third reading ; and that No. 19, C. F., be ordered to its third reading.

The Report was accepted.

Mr. Wilson offered the following amendment :

Strike out in section 62, line 3, the word "six," and insert "twelve," which amendment was adopted, and the amendments were concurred in.

And the bill was ordered to be engrossed for its third reading.

Upon motion, No. 19, C. F., was ordered to its third reading.

And upon motion of Mr. Taylor, the Rules were suspended, and the bill was read a third time and passed, and the title agreed to.

Mr. Nobles from the Committee on engrossed bills reports the following bills as correctly engrossed, viz :

No. 44, H. of R., an act to incorporate the St. Cloud Bridge Company.

No. 144, a bill to incorporate the Minnesota Valley Institute at Chaska.

No. 149, a bill to incorporate the St. Peter Institute at St. Peter.

No. 153, an act to incorporate the Mantorville Academy.

No. 154, an act to incorporate the Henderson Bridge Company.

No. 63, De Le Boutillier's bill to promote Medical Science.

The Speaker signed the following bills and memorials:

No. 10, C. F.—A memorial to the Postmaster General, for additional mail services.

No. 9, C. F.—A memorial to Congress to amend that part of the trade and intercourse laws that relates to the payment of damages for depredations committed by the Indians upon the whites.

No. 28, C. F.—An act to organize the Winona Boom Company.

No. 10, C. F.—A bill to provide for laying out certain Territorial Roads.

No. 2, C. F.—An act to provide for laying out a Territorial Road from Manhattan via the head of Buffalo Lake and Red Cedar Island Lake to Traverse des Sioux.

No. 16, C. F.—An act to establish and define the boundaries of Meeker County.

No. 15, C. F.—An act to incorporate the Rum River Log Driving Company.

No. 21, C. F.—A bill granting to Hiram Caywood the right to establish and maintain a Ferry across the Minnesota River.

No. 22, C. F., an act granting to Andrew J. Myrick the right to establish and maintain a Ferry across the Minnesota river ;

No. 26, C. F., a bill for an act to legalize a road from Crow Wing to Mille Lac, and from Mille Lac to the head of Lake Superior, in M. T. ;

No. 34, C. F., an act to incorporate the Board of Trustees of the College of St. Paul ;

Also, No. 5, C. F., a joint resolution to John E. Warren, Esq. ;

Also, an act to incorporate the Mankato Library Association ;

Also, a memorial to Congress for certain Mail Routes in Minnesota Territory ;

A memorial to Congress for an appropriation of \$20,000 to construct the Brownsville and Mankato Territorial Road.

Mr. McLeod, on leave granted, introduced

No. 230 H. of R., a bill for an act to incorporate the Nicollet Mining company.

Which was read a first and second time and laid on the table to be printed.

Upon motion of Mr. Galbraith,

The House resolved itself into a Committee of the Whole, Mr. Hunt in the chair, having under consideration,

No. 29 H. of R., a memorial to the President of the United States, relative to the eastern line of the Sioux Reservation.

Also, No. 133 H. of R., an act to define and establish the boundaries of the county of Anoka, and for other purposes.

No. 121, H. of R., an act to provide for locating the county seat of the county of Steele and for other purposes.

After sometime spent therein, the Committee rose and by their chairman reported the bills back to the House with the recommendation that,

No. 29, H. of R.—Be engrossed for its third reading ;

And that bill No. 121, H. of R., without amendments, and the bill be ordered to be engrossed for its third reading ; and No. 133, H. of R., be referred to a committee of one, consisting of Mr. Wilson.

And No. 29, without amendments, be ordered to be engrossed for its third reading. The Report was accepted.

Upon motion, memorial No. 29, H. of R., without amendments, was ordered to be engrossed for its third reading ;

Also, bill No. 121, H. of R., was ordered to be engrossed for its third reading.

And upon motion, bill No. 183, H. of R., was referred to a Select Committee of one, consisting of Mr. Wilson, of Stearns county.

Upon motion of Mr. Burdick, the House then adjourned.

Attest

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER,

Speaker.

FRIDAY, FEBRUARY 22, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Jackman, Lott, Nobles, Norris, Pierce, Taylor, Thompson, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Prayer by the Chaplain.

Mr. Wilkinson moved, that the reading of the Journal be dispensed with, which was agreed to.

Mr. Thompson presented the petition of J. R. Bennett, and 100 others, for the removal of the County Seat of Houston ;

Also, a remonstrance of Samuel McPhail, and 102 others, against the removal of the same.

Upon motion of Mr. Thompson, they were referred to a committee of three, consisting of Messrs. Thompson, Norris and Taylor.

Mr. Gibbs introduced No. 32, H. of R., praying for additional mail services in Dakota county.

Which was read a first and second time and laid on the table to be printed.

Mr. Hunt introduced No. 230, H. of R., a bill for an act to incorporate the Minnetonka University.

Also, No. 231, H. of R., a bill for an act to incorporate the Minnesota River and Lake Minnetonka Plank Road Company, which were read a first and second time and laid on the table to be printed.

Messages from the Council being in order the Clerk took from the desk the following message :

MR. SPEAKER : The Council has passed No. 19, C. F., a joint resolution for the relief of the Clerks of the Council and House of Representatives.

The Council has passed the following resolution :

WHEREAS, by a provision of section three of chapter sixteen of Session Laws of 1854, a vacancy exists in the office of Surveyor General of Logs and Lumber in the Third District ; therefore,

Resolved. (the House concurring) That the Council and House of Representatives will meet in Joint Convention on Tuesday next, at two o'clock, P. M., in the Hall of

H.—30.

the House of Representatives, for the purpose of electing a Surveyor General, for the Third District.

It has passed No. 19, C. F., a memorial to Congress for the passage of an act regulating the clerkships of the United States District Court of this Territory.

No. 71, C. F., an act to amend chapter 16 of Laws of 1853.

No. 47, C. F., an act relative to the times of the District Court.

Also, No. 90, H. of R., an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining Company, passed by the Legislative Assembly of Minnesota Territory.

And No. 38, H. of R., a bill to amend an act entitled an act to amend section—article 8 of the Revised Statutes.

The Council has indefinitely postponed No. 126, H. of R., an act to increase the power of the Regents of the University.

The Council has passed No. 16, C. F., a memorial to the President of the United States for treaties with the Sioux and Chippewa Indians, for the purpose of promoting their early civilization.

The President has signed No. 31, C. F., a bill to incorporate the Huidacooper Institute.

W. COLVILLE, Jr., Secretary.

Bills on their first and second reading from the Council being in order,

No. 16, C. F., a memorial to the President of the United States for treaties with the Sioux and Chippewa Indians, for the purpose of promoting their early civilization, was read a first and second time.

No. 47, C. F., an act relative to the terms of the District Court, was read a first and second time.

No. 13, C. F., a bill for an act to incorporate the Minneapolis and St. Cloud Railroad was read a first and second time

No. 71, C. F., an act to amend chapter sixteen of the laws of 1853, was taken up and read a first and second time.

Bills on their third reading being in order.

No. 44, H. of R., an act to incorporate the St. Cloud Bridge Company, was taken up and read a third time and passed, and its title agreed to.

No. 63, H. of R., a bill for an act to promote Medical Science, was read a third time.

The question then recurring on the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 18, and nays 9, as follows :

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, DeLaVergue, Dunbar, Farnham, Gibbs, Hartenbower, Hunt, Ide, Jackman, McLeod, Murphy, Nobles, Pierce, Thompson, Thorndike, and Van Vorhes—18.

Those who voted in the negative were,

Messrs. Galbraith, Grant, Hubbell, Hull, Nobles, Taylor, Wilkinson and Mr. Speaker—9.

So the bill was passed.

The question then recurring on agreeing to the title of the bill, it was agreed to.

No. 149, H. of R., a bill to incorporate the St. Peter's Institute, at St. Peter, was read a third time and passed, and the title agreed to.

No. 144, H. of R., a bill to incorporate the Minnesota Valley Institute, at Chaska, was read a third time and passed, and the title agreed to.

No. 153, H. of R., an act to incorporate the Mantorville Academy, was read a third time and passed, and the title agreed to.

No. 154, H. of R., an act to incorporate the Henderson Bridge Company, was read a third time and passed, and the title agreed to.

Upon motion of Mr. Gibbs, the rules were suspended, and memorial No. 32, H. of R., praying for additional mail services in Dakota county, was taken up, read a third time and passed, and the title agreed to.

Upon motion of Mr. Galbraith, the rules were suspended, and No. 71, C. F., an act to amend chapter sixteen of the Revised Statutes, was taken up, read a third time and passed, and the title agreed to.

Mr. Nobles from the Committee on Engrossed Bills reports that the following Bills are correctly engrossed :

No. 22, H. of R., a bill to incorporate the town of Minneapolis.

No. 110, an act to provide for the election of Superintendents of Common Schools.

No. 138, an act to amend an act to incorporate the St. Paul and St. Anthony Railroad.

No. 140, a bill to incorporate the town of Clarksville.

No. 218, an act to provide for an annual appropriation for the benefit of the Minnesota Historical Society.

WM. H. NOBLES, Chairman,
Engrossing Committee, H. of R.

No. 218, H. of R., an act to provide for an annual appropriation for the benefit of the Historical Society was read a third time and passed, and the title agreed to.

No. 22, H. of R., a bill to incorporate the town of Minneapolis, in the county of Hennepin, was read a third time and passed, and the title agreed to.

No. 110, H. of R., an act to provide for the election of County Superintendent of Common Schools was read a third time and passed, and the title agreed to.

No. 139, H. of R. an act to amend an act entitled an act to incorporate the St. Paul and St. Anthony Railroad Company was read a third time and passed, and the title agreed to.

No. 140, H. of R., a bill to incorporate the town of Clarksville, and for other purposes, was read a third time and passed, and its title agreed to.

Upon motion of Mr. Hunt the House resolved itself into a committee of the whole, Mr. Lott in the chair, for the purpose of taking into consideration,

No. 155, H. of R., an act to incorporate the Henderson and Belle Plain Plank Road Company.

Also, 156, H. of R., an act to incorporate the city of Greenwood, and for other purposes.

No. 157, H. of R., a bill to designate the site whereon to erect the county buildings of Hennepin county, and authorizing the county commissioners to procure a title thereto.

After some time spent therein, the committee rose and by their chairman reported the bills back to the House with the recommendation that No. 155 and 156 without amendments to be engrossed for its third reading.

The report was accepted, and, upon motion, bills No. 155 and 156 were ordered to be engrossed for their third reading and bill No. 157, H. of R., was indefinitely postponed.

And upon motion the House resolved itself into a Committee of the Whole, Mr. Covel in the Chair, for the purpose of taking into consideration.

No. 164, H. of R., a bill to incorporate the Minneapolis and Cedar Valley Railroad Company.

No. 161, H. of R., a bill to incorporate the Shakopee and Le Seur Plank Road Co.

After some time spent therein the Committee rose, and by their Chairman, reported the bills back to the House with the recommendation that bills No. 161, and No. 164, be ordered to be engrossed for their third reading.

The report was accepted.

Upon motion the report was concurred in, and the bills were ordered to be engrossed for their third reading.

Upon motion of Mr. Buck, the House again resolved itself into a committee of the whole, Mr. Bradley in the chair, for the purpose of taking into consideration

(No 188, H of R,) An act to incorporate the Benevolent Society of the United Sons of Erin.

Also, No 219, H of R, a bill to organize and erect the county of Jefferson.

Also, No 178, H of R, a bill to incorporate the St. Paul Savings Institution.

After some time passed therein the committee rose, and by their chairman reported the bills back to the House with the recommendation that No 219, H of R, be indefinitely postponed, and reported back No 188 and No 173 without action, and asked leave to sit again. The report was accepted.

Upon motion of Mr Galbraith, bill No. 219, a bill to erect and organize the county of Jefferson was indefinitely postponed.

Mr. Wilkinson moved to reconsider the vote by which the House indefinitely postponed bill No. 219, which motion was lost.

A message from his Excellency the Governor was announced.

Mr. Gere, from the Committee on Enrolled Bills, made the following Report :

The Committee on Enrolled Bills have examined and found correctly enrolled the following bills, memorials, and joint resolutions :

No. 30, C. F., an act to incorporate the Winona and La Crosse Railroad Company.

No. 42, C. F., an act to provide for laying out a Territorial Road from Winona to Wabashaw, and from Winona to the Iowa line.

No. 19, C. F., a joint resolution of the Legislative Assembly.

No. 97, C. F., a bill to designate the site whereon to erect the County Buildings of Hennepin county, &c.

No. 111, H. of R., an act to incorporate the Minnesota Mining Company.

No. 23, H. of R., a bill granting to George Houghton and Christopher Davis the right to maintain a Ferry across the Mississippi River.

No. 43, H. of R., an act granting to Reuben Richmond and others the right to maintain a Ferry across the Mississippi River.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

Mr. Gere, from the Joint Committee on enrolled Bills, made the following Report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills :

No. 102, H. of R., an act to incorporate the St. Cloud University of Minnesota ;

No. 30, H. of R., an act to provide for laying out a Territorial Road from Winona to Owatonia ;

No. 95, H. of R., an act to provide for the Destruction of Wolves.

J. ROLETTE, Chairman, } Committee.
WM. B. GERE, H. of R., }

The Committee on Enrolled bills beg leave to report that they have presented to his Excellency the Governor for his signature the following bills.

No. 97, C. F., a bill to designate the site whereon to erect the County Buildings of Hennepin County, and authorizing the Commissioners to procure a title thereto and extending the boundaries of the county.

J. ROLETTE, Chairman, } Committee.
WM. B. GERE, H. of R., }

Mr. Gere made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills and Memorials :

No. 25, H. of R., a memorial to Congress for an appropriation to open a road from Fort Ridgley to the South Pass in the Rocky Mountains ;

No. 87, H. of R., a bill for an act entitled an act to change the name of Alexander Paul to Francis H. Milligan ;

No. 38, H. of R., a bill to amend an act entitled an act to amend section 16, article 8, of the Revised Statutes ;

No. 15, H. of R., a bill to locate a Territorial Road from the Old Sioux Crossing, opposite the town of Traverse des Sioux, by the Dogs' Lodge and Vermillion Prairie to the Mendota and Big Sioux Road, at some point near Mendota.

No. 24, H. of R., an act granting to Samuel Allen the right to establish and maintain a Ferry across the Minnesota river, at the town of Chaska in Carver county ;

No. 90, H. of R., an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining Company.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

The Speaker signed the following bills and memorial :

No. 31, H. of R., a bill to incorporate the Huidacooper Institute.

No. 97, C. F., a bill to designate the site whereon to erect the county buildings of Hennepin county, and authorizing the Commissioners to procure a title thereto, and extending the boundaries of the county.

Also, No. 5, H. of R., a memorial to Congress for an appropriation to open a road from Fort Ripley to the South Pass in the Rocky Mountains.

And an act granting to Reuben Richmond and John L. Wilson the right to establish and maintain a Ferry across the Mississippi River.

No. 15, H. of R., an act to locate a Territorial Road from the old Sioux Crossing, opposite the town of Traverse des Sioux, on the Mendota and Big Sioux Road, to some point at or near Mendota.

No. 30, H. of R., to provide for laying out a Territorial Road from Winona to Owatona.

No. 87, H. of R., an act to change the name of Alexander Paul to Francis H. Milligan.

No. 102, H. of R., an act to incorporate the St. Cloud University of Minnesota.

No. 90, H. of R., an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining Company, passed by the Legislative Assembly of Minnesota Territory, and approved the 3d day of March, 1855.

No. 24, H. of R., an act granting to Samuel Allen the right to establish and maintain a Ferry across the Minnesota at the town of Chaska, in the county of Carver,

No. 38, H. of R. an act to amend an act entitled an act to amend section 16, article 9, of the Revised Statutes.

No. 95, H. of R., an act to provide for the destruction of wolves.

No. 111, H. of R., an act to incorporate the Minnesota Mining Company.

No. 23, an act granting to G. S. Houghton and Christopher Davis the right to establish and maintain a Ferry across the Mississippi River.

A message from the Council being announced Mr. Mix appeared and delivered the following message :

MR. SPEAKER—The President has signed No. 97, C. F., a bill to designate the site whereon to erect the county buildings of Hennepin county and authorizing the Commissioners to procure a title thereto, and extending the boundaries of the county.

Which is herewith transmitted.

The Council has passed the following bills:

No. 126, H. of R., an act entitled an act to increase the powers of the Regents of the University of Minnesota.

Also returning C. F., No. 32, an act to amend an act to incorporate the city of St. Paul, Ramsey county, M. T., with the following amendments—provided also that the exclusion shall not apply to Harriet Island, which is hereby constituted a part of the third ward of the said city, in which the concurrence of the House is respectfully requested.

The bills are herewith transmitted.

C. H. MIX, Ass't. Secy.

Upon motion of Mr. Wilkinson, the House took a recess until half past 8 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

A message from the Council being announced Mr. Houseworth appeared and delivered the following message :—

MR. SPEAKER :—The President of the Council has signed the following bills:—

No. 19, a Joint Resolution of the Legislative Assembly for the relief of the Clerks of the Council and House of Representatives.

No. 48, an act to provide for the location of certain county seats.

No. 90, an act to organize the county of Faribault, and to establish the county seat, of said county.

No. 42, an act to provide for laying out a Territorial road from Winona to Wabashaw and from Winona to the Iowa line, and

No. 30, an act to incorporate the Winona and La Crosse Railroad Company,

All of which are herewith transmitted.

C. H. MIX,

Assistant Secretary, Council.

Mr. Boutellier moved a call of the House; the roll being called the Clerk reported the following members, Cleaveland, DeLaVergne, Farnham, Holland, Johnson, Kirkman, Knauff, McLeod, Nobles and Thompson as the absent members.

Upon motion of Mr. Dunbar all further proceedings under the call of the House was dispensed with.

Mr. Gere from the Joint Committee on Enrolled bills, made the following report:

The Joint Committee on Enrolled bills have examined and found correctly enrolled the following Bills, and Memorials.

No. 15, C. F., a bill for an act to incorporate the Rum River Log Driving Company.

No. 28, C. F., a bill for an act to organize the Winona Boom Company.

No. 9, C. F., memorial to Congress to amend that part of the Trade and Intercourse laws that relates to the payment of damages for depredations committed by the Indians upon the property of the whites.

J. ROLETTE, Council.

WM. B. GERE, H. R. } Committee.

The Committee on Enrolled Bills have presented to His Excellency, the Governor, the following:

A memorial to Congress for an appropriation of \$20,000 to construct the Brownsville and Mankato road.

A memorial to Congress for certain mail routes in Minnesota Territory.

Memorial No 10, C. F.

An act to incorporate the Mankato Library.

Also, No. 2, C F: No 34, C F; No 22, C F; No 21, C F.

Joint Resolution No 5, C F.

An act No 26, C F; No 10, C F; No 16, C F.

J. ROLETTE, Council,

WM. B. GERE, H. of R. } Committee.

Upon motion of Mr. Hunt, the House resolved itself into a committee of the whole, Mr. Gere in the chair, for the purpose of taking into consideration,

No. 173, H. of R., a bill to incorporate the St. Paul Saving Institution.

No. 188, H. of R., a bill for an act to incorporate the Benevolent sons of Erin.

Also, No. 176, H. of R., an act increasing the salaries of the Territorial Auditor, Treasurer, and Superintendent of common schools.

After some time spent therein, the committee rose, and by their chairman reported

the bills back to the House with the recommendation that

No. 173, H. of R., be engrossed for its third reading,

And No. 176, H. of R. amendments be concurred in, and the bill be ordered to be engrossed.

Also, No. 188, H. of R., be ordered to be engrossed for its third reading.

The report was accepted.

Mr. Wilson moved to amend No. 173, H. of R., to incorporate the St. Paul Saving Institution, section 1st, 2nd line, by striking out the word "fifty" and insert "twenty." Which amendment was adopted.

Mr. Norris offered the following additional section:

Section 16. The legislature may alter or repeal these acts at any time.

Which was adopted.

Mr. Wilkinson, also, offered the following additional section:

Section 17. This act to be in force from and after its passage.

Which motion was adopted.

Upon motion bill No. 188, H. of R. was ordered to be engrossed for its third reading.

Upon motion bill No. 176, H. of R., with amendments, was concurred in and the bill ordered to be engrossed for its reading.

The Speaker has signed the following Council Files:

No. 48, an act to provide for the location of certain county seats.

No. 90, an act to organize the county of Faribault and establish the county seat.

No. 42, C. F., to provide for laying out a Territorial Road from Winona to the Iowa line.

Also, No. 19, a Joint Resolution of the Legislative Assembly of the Territory of Minnesota for the relief of the Clerks of the Council and House of Representatives.

Mr. Ide on leave being granted, presented No. 233, H. of R., an act to divide the the county of Scott, into two Jury districts.

Which was read a first and second time and laid on the table to be printed.

Upon motion of Mr. Murphy the rules were suspended and bill No. 188, H. of R., a bill to incorporate the benevolent society of of the United Sons of Erin was read a third time and passed and the title agreed to.

The Speaker laid before the House the following communication from His Excellency the Governor which was read by the Clerk.

EXECUTIVE DEPARTMENT, M. T.

Saint Paul, Feb. 22, 1856. }

To the Speaker of the House of Representatives :

SIR:—I herewith return bill No. 60, entitled "An act to define the boundaries of certain counties," which originated in the House of Representatives, with my objections to its becoming a law in its present form.

The 3d section provides that "so much of the county of Benton as lies north of the line running from the Mississippi river to Rum river between township 38 and 39, be set off and constitute as follows, viz: Beginning at the Mississippi river on the line between townships 38 and 39, running east to the line between ranges 27 and 28, thence north on said range line to the township line between township 42 and 43, thence west to the place of beginning, shall constitute the county of Morrison. This description must be a mistake; as the shape of the county was perhaps intended to be nearly a square, while the description makes it in the shape of a triangle, and leaving only one half of the territory probably intended by the framers of the bill. If however, there is no mistake the county of Morrison would be entirely too small to comport with justice or any public convenience.

The counties of Sherburne and Morrison are not by this bill attached to any other for representative purposes, and are thus left without those political rights to which all citizens are entitled.

The bill cuts Benton county into four parts. One part is constituted as Morrison county, another as Sherburne county, a third as Benton county, and another part is set off and attached to Ramsey county. It is manifest to my mind that such sparsely settled districts being organized into counties and compelled to bear the taxation necessary to support them, must operate oppressively on the people, and tend to retard instead of promoting the growth and prosperity of the county.

In locating county seats in old established counties, no principle or rule is so safe as to leave the matter to the people whose welfare is to be promoted thereby. This bill does not admit the application of so just a policy, but removes the county seat of one of the oldest organized counties in the Territory, and that by a direct vote, refusing to hear the voice of the people on the question.

In this connection I cannot shut my eyes to the fact that more than one hundred new counties are proposed to be formed; and bills are now before your body for such purpose. The impolicy must be manifest; until we have more knowledge of their topographical and geographical character. More than seven-tenths of them have never been surveyed, nor even explored, except, perhaps, by the Indian, the old trappers, traders, and a very few voyageurs.

Several of the States have thought the subject of sufficient public importance as to prohibit the reduction of counties below a certain number of square miles by solemn constitutional enactments. And I trust that the Representatives of the people will consider the importance of being guided by the experience and practice of the old States, at least so far as to avoid the embarrassment in the internal affairs of Government, which experience has indicated.

I respectfully ask your body to reconsider the act herewith returned, and take such action as your judgments may dictate.

W. A. GORMAN.

Mr. Wilkinson moved to reconsider bill No. 60, to define the boundaries of certain counties.

Mr. Norris moved to amend by laying the bill on the table, and that it be made the special order for Monday next.

The question recurring upon the amendment.

And the yeas and nays being called for and ordered, there were yeas 9, and nays 24, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Farnham, Gibbs, Ide, Murphy, Norris, Pierce and Thordike—9.

Those who voted in the negative were,

Messrs. Burdick, Covel, DeLaVergne, Dunbar, Galbraith, Gare, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Jackman, Kanuff, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Van Vorhes, Wilkinson, Wilson and Mr. Speaker—24.

So the amendment was lost.

A message from the Council being announced, Mr. Houseworth appeared and delivered the following:

Mr. SPEAKER: The Council has passed No. 84, C. F., an act relative to the County Seat of Fillmore county, in which the concurrence of the House is respectfully requested.

C. H. MIX,

Assistant Secretary Council.

Mr. Buck moved that the message be laid on the table, and it be made the special order of the day for Monday next. Which motion was lost.

Mr. DeLaVergne, from the committee on Internal Improvements, on leave granted, reported back bill No. 33, H. of R., to incorporate the St. Paul Water Company, with amendment, and recommended its passage.

A message from the Council being announced, Mr. Mix, secretary thereof, appeared and delivered the following message:—

MR. SPEAKER :—The Council has passed the following bills and memorials:—

No. 27, a memorial of the Legislative Assembly of the Territory of Minnesota to the Postmaster General of the United States, praying for further mail facilities in the Minnesota Valley, amended as follows by striking out "Honorable the Senate and House of Representatives in council assembled," and insert in its stead "Postmaster General," in which the concurrence of the House is respectfully requested.

Also a memorial to the Postmaster General for certain mail routes.

No. 26, a memorial to the Postmaster General for certain mail routes.

No. 32, H. of R., a memorial to Congress for the establishment of a mail route in Dakota county;

And No. 77, H. of R., an act entitled an act to incorporate the St. Anthony Water Power Company, which are herewith transmitted.

C. H. MIX.

Assistant Secretary.

Mr. Wilkinson moved that bill No. 60, be now taken up and reconsidered which was decided in the affirmative.

After some time spent in debate, Mr. Burdick moved to lay the bill on the table and that it be made the special order for to-morrow at 11 o'clock, A. M.

And the yeas and nays being called for and ordered, there were yeas 22 and nays 10 as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, Dunbar, Galbraith, Gero, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thorndike, Wilson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, DeLaVergne, Farnham, Jackman, Knauff, Murphy, Norris, and Van Vorhes.

So the motion was adopted.

Mr. Boutillier moved that the House now adjourn until Monday next at 10 o'clock, A. M.

And the yeas and nays being called for and ordered, there were yeas 3, and nays 29, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Farnham and Thorndike—3.

Those who voted in the negative were,

Messrs. Bradley, Buck, Burdick, Covell, De LaVergne, Dunbar, Galbraith, Gero, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Van Vorhes, and Mr. Speaker—29.

So the motion to adjourn was lost.

Upon motion of Mr. DeLaVergne, the House resolved itself into a Committee of the Whole, Mr. Norris in the chair, for the purpose of taking into consideration

No. 181, H. of R., a bill to provide for the payment of an unsettled account;

No. 184, H. of R., an act to amend an act to provide for the surveys of Logs and Lumber in M. T.;

No. 183, H. of R., an act relative to Free Schools in the City of St. Paul.

After some time passed therein, the committee rose, and by their chairman reported the bill back to the House, with the recommendation that

Bill No. 181, H. of R., be ordered to be engrossed for its third reading;

Also, No. 183, H. of R., be ordered to be engrossed for its third reading;

And, No. 184, H. of R., with an amendment, be concurred in and the bill be ordered to be engrossed for its third reading.

The report was accepted.

H.—31.

Mr. DeLaVergne offered the following amendment to No. 181, H. of R.:

That, Be it enacted by the Legislative Assembly of the Territory of Minnesota, &c., be over the first section.

Which amendment was adopted.

Upon motion, the amendments to bill No. 184, H. of R., were concurred in, and the bill was ordered to be engrossed for its third reading.

Also, upon motion, bills No. 181, and 183, H. of R., were ordered to be engrossed for a third reading.

Upon motion of Mr. DeLaVergne, the House adjourned until to-morrow at ten o'clock, A. M.

Attest:

H. L. EDWARDS,
Chief Clerk.

CHARLES GARDNER,
Speaker.

SATURDAY, FEBRUARY 23.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Bradley, Buck, Covel, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Hartenbower, Hubbell, Hull, Hunt, Lott, Murphy, Nobles, Pierce, Taylor, Thorndike, Van Verhes, Wilkinson, and Mr. Speaker.

A message from the Council being announced, Mr. Mix, Assistant Secretary thereof, appeared and delivered the following:

MR. SPEAKER: The President has signed No. 90, H. of R., a bill to amend an act to incorporate the Pittsburg and Minnesota Mining Company, passed by the Legislative Assembly of Minnesota Territory, and approved March 3, A. D. 1855, which is herewith transmitted.

C. H. MIX, Assistant Secretary.

Prayer by the Chaplain.

Mr. Pierce moved that the reading of the Journal be dispensed with.

Which was lost.

Pending the reading of the Journal,

Mr. Hunt moved that the further reading of the Journal be dispensed with.

Which was agreed to.

The Speaker announced to the House that the Assistant Clerk being indisposed, it was necessary to provide for his absence.

Upon motion of Mr. DeLaVergne,

Mr. Kingsbury was elected Assistant Clerk, *pro tem*, and sworn in.

Mr. Gere offered the petition of G. W. Willis, and others, praying that a law may be passed giving the citizens of Fillmore county the power to locate the County Seat of said county by a vote for that purpose, at sometime in April next.

Mr. Nobles presented the petition of H. W. Locke, and others, praying to be set off from St. Anthony City.

Upon motion the petition was referred to a Special Committee of three, consisting of Messrs. Nobles, Boutillier and Taylor.

Mr. Norris presented the petition of Ebenezer Ayers, and others, praying that a suffi-

cient number of copies of the Revised Statutes be printed to supply the officers of School districts.

Which was referred to Mr. Norris.

On motion of Mr. Taylor the Rules were suspended and memorial No. 34, C. F., an act to organize the county of Pine, was taken up and read a third time.

Mr. Taylor, by unanimous leave, offered the following amendment:

"This act to take effect from and after its passage."

The question recurring on the passage of the bill, it was passed and its title agreed to.

Upon motion of Mr. Buck the Rules were suspended and No. 209, C. F., a bill to legalize the acts of the county and precinct officers in Wabashaw county, was taken up and read a third time.

The question then recurring on the passage of the bill,

And the Yeas and Nays being called for and ordered, there were Yeas 22, and Nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, DeLaVergne, Gere, Gibbs, Hartenbower, Hubbell, Hunt, Ide, Knauff, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes, Wilson, and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Dunbar, Farnham, Grant, Hull, Jackman, and Johnson—6.

So the bill was passed and its title agreed to.

Upon motion, the rules were suspended and No. 41, C. F., an act for a Territorial Road from Minneapolis to Glencoe was taken up, read a third time and passed, and its title agreed to.

Also, No. 53, H. of R., an act to incorporate the St. Paul Water Company, was taken up and the amendment concurred in, read a third time by its title and passed, and its title agreed to.

Also, No. 200, H. of R., an act to attach a portion of township No. 112, R. 19, to Dakota county, was taken up, read a third time and passed, and the title agreed to.

Upon motion of Mr. Gere the Rules were suspended and No. 84, C. F., an act relative to the County Seat of Fillmore county, was taken up, read a first and second time, and upon motion the Rules were suspended and the bill was read a third time.

Mr. Hull moved that it be referred to the committee on Territorial Affairs.

Which motion was lost.

Mr. Wilkinson moved that the bill be referred to the Representatives from Fillmore county, Messrs. Hull and Gere.

And the yeas and nays being called for and ordered, there were yeas 10, and nays 18, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Galbraith, Grant, Hull, Haus, Knauff, Lott, Murphy, Sturgis, and Mr. Wilkinson—10.

Those who voted in the negative were,

Messrs. Buck, Coval, Dunbar, Gere, Gibbs, Hubbell, Hunt, Ide, Jackman, Johnson, McLeod, Nobles, Norris, Pierce, Taylor, Thorndike, Van Vorhes, and Mr. Speaker—18.

So the motion was lost.

The question then recurring upon the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 23, and nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Coval, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hubbell, Hunt, Ide, Jackman, Johnson, Knauff, McLeod, Murphy, Norris, Pierce, Sturgis, Taylor, Van Vorhes, and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Grant, Haus, Hall, Lott, Nobles, and Wilkinson—6.

So the bill was passed.

The question then recurring upon the title of the bill, it was agreed to.

Mr. Gere moved to reconsider the vote by which the bill was passed.

Which motion was lost.

Mr. Wilson moved the special order of the day be now taken up.

Which was agreed to.

Mr. Boutillier moved a call of the House, and the roll being called, the Clerk reported the following members absent :

Messrs. Cleveland, Holland, Kirkman, and Wilkinson.

Mr. DeLaVergne moved that all further proceedings under a call of the House be dispensed with.

Which was agreed to.

An act to define the boundaries of certain counties being taken up,

Mr. Nobles moved to lay the bill on the table.

And the yeas and nays being called for and ordered, there were yeas 24, and nays 9, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Hubbell, Hunt, Ide, Johnson, Lott, McLeod, Nobles, Norris, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker—24.

Those who voted in the negative were,

Messrs. Boutillier, Burdick, Grant, Jackman, Knauff, Murphy, Pierce, Thorndike, and Van Vorhes—9.

So the motion was decided in the affirmative.

Mr. Wilson asked leave to introduce a new bill in lieu of the foregoing.

And the yeas and nays being called for and ordered, there were yeas 27, and nays 7, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Knauff, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker—27.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Jackman, Murphy, Norris, Thorndike, and Van Vorhes—7.

So leave was granted.

Mr. Wilson then introduced the following bill : No 234, H. of R., a bill to define the boundaries of Benton, Morrison and Sherburne counties, and for other purposes, which was read a first and second time.

Mr. Burdick moved to suspend the rules so that the bill be read a third time and put upon its passage.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

MR. SPEAKER : The Council has indefinitely postponed No. 72, H. of R., an act to incorporate Medical Societies, for the purpose of regulating the practice of Physic and Surgery in this Territory.

It has referred No. 63, H. of R., a bill entitled an act to promote Medical Science to the next Coroner's jury.

It has passed the following Council bills :

No. 68, C. F., an act prescribing the manner in which corporations may convey Real Estate.

No. 61, a bill to incorporate the town of St. Cloud.

No. 72, an act to incorporate the Minnesota Female Seminary.

Also, No. 11, C. F., a memorial to Congress for an appropriation to construct the

St. Paul and Kettle River Road, in the Territory of Minnesota.

Also, No. 3, H. of R., a Joint Resolution for the relief of W. W. Kingsbury, and others.

Also, No. 24, H. of R., a memorial of the Legislative Assembly of Minnesota Territory to Congress.

And the following House bills :

No. 105, an act regulating Bills of Exchange, Bank Checks, and Promissory Notes.

No. 128, an act to provide for the more speedy publication of the Laws of this Territory.

No. 48, an act to authorize School District No. 1, Town 36, range 20, to levy a special tax, with an amendment to the title.

No. 67, an act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

WM. COLVILLE, Jr., Secretary.

The question recurring upon the motion of Mr. Burdick, upon the reading of the bill,

Mr. Norris arose to a point of order.

The Speaker decided that the third reading of the bill was in order.

Mr. Bradley appealed from the decision of the Chair.

And the yeas and nays being called for and ordered, there were yeas 24, and nays 17, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Gere, Grant, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, McLeod, Sturgis, Thompson, and Wilkinson—14.

Those who voted in the negative were,

Messrs. Bontillier, Bradley, Covell, Dunbar, Farnham, Galbraith, Gibbs, Ide, Jackman, Knauff, Murphy, Nobles, Norris, Pierce, Thorndike, Van Vorhes, and Wilson—17.

So the decision of the Chair was not sustained.

Message from the Council being announced, Mr. Colville appeared and delivered the following Message :

MR. SPEAKER :—The Council has passed No. 10, C. F., a Joint Resolution of the Council and House of Representatives of the Territory of Minnesota.

Mr. Nobles moved that the bill now under consideration be laid upon the table.

Which was adopted.

Mr. Nobles moved that the bill No. 60, to define the boundaries of certain counties, which was returned by the Governor with his objections to its becoming a law, be taken up and acted upon.

Which was agreed to.

Mr. Nobles then moved that the bill be now passed, the Governor's objections to the contrary, notwithstanding.

And the yeas and nays being called for and ordered, there were yeas —, and nays 34, as follows :

Those who voted in the negative were,

Messrs. Bontillier, Bradley, Buck, Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, Mr. Speaker—34.

So the House refused to pass the bill.

Mr. Wilson moved that the rules be suspended and that Bill No. 234, be now taken up and read a third time. Pending which motion,

Mr. Norris moved that the bill be referred to the Committee on County Boundaries, and upon leave granted, presented remonstrances from Henry B. Smart and others, against the division of Benton county.

Mr. Lott moved the previous question,

Which was ordered.

And the question then recurring upon the motion to refer,

And the yeas and nays being called for and ordered, there were yeas 9, and nays 21, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Gibbs, Jackman, Murphy, Norris, Pierce, Thorndike and Van Vorhes—9.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Wilkinson, Wilson, and Mr. Speaker—21.

So the motion to refer was lost.

Mr. Bradley moved to adjourn till Monday at 10 o'clock A. M.

Which motion was lost.

Mr. DeLaVergne moved the previous question.

The question then recurring upon Mr. Wilson's motion to take up bill No. 234, for a third reading,

And the yeas and nays being called for and ordered, there were yeas 23, and nays 8, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Wilkinson, Wilson, and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Jackman, Murphy, Norris, Pierce, Thorndike, and Van Vorhes—8.

So the bill was then ordered to a third reading.

Mr. Bradley offered the following amendment: Strike out of section 4 the words "with the town of Watab" for its county seat, and add the following words; "the qualified voters of said county shall, at the next general election, vote upon the question of a county shall be decided by a majority of such voters."

And the question recurring upon its adoption,

And the yeas and nays being called for and ordered, there were yeas 9, and nays 20, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Gere, Gibbs, Ide, Jackman, Murphy, Norris, and Pierce—9.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Grant, Hartenbower, Haus, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Wilkinson, Wilson, and Mr. Speaker—20.

So the amendment was rejected.

Mr. DeLaVergne moved that the rules be suspended and the bill be read by its title only, which was agreed to.

The bill was then taken up and read a third time.

The question then recurring upon its passage,

And the yeas and nays being called for and ordered, there were yeas 21, nays 9, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, McLeod, Nobles, Sturgis, Wilkinson, Wilson, and Mr. Speaker—21.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Gibbs, Jackman, Murphy, Norris, Pierce, Thorndike and Van Vorhes—9.

So the bill was passed.

The question then recurring upon the title of the bill, it was agreed to.

Mr. Nobles moved that the rules be suspended and No. 10, C. F., Joint Resolution of the Council and House of Representatives be taken up, and read and acted upon.

Which was carried.

The resolution was then taken up and read a first and second time.

Mr. Boutillier moved that the resolution be laid upon the table.

Which was lost.

Mr. Nobles moved that the rules be suspended and the resolution be read a third time.

Which was carried.

The resolution was then taken up, read a third time and passed, and its title agreed to.

Mr. Bradley moved to reconsider the vote whereby the House passed joint resolution No. 10, C. F.

Which motion was lost.

Mr. Wilson, from the Committee on Incorporations, to whom was referred the bill for the erection of Anoka county, reported back the same, with amendments, and recommended its passage as amended.

The report was accepted.

Mr. Gere, from the Joint Committee on enrolled Bills, made the following Report :

The Committee on Enrolled Bills beg leave to report the following bills as correctly enrolled :

No. 71, C. F., an act to amend chapter sixteen of the Laws of 1853.

No. 96, H. of R., a bill entitled an act to incorporate the Chatfield Academy at Chatfield.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The Joint Committee on Enrolled bills have presented to his Excellency the Governor for his approval and signature the following bills :

No. 19, 31, 28, 9, 42, 90, 48, C. F.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The report was accepted.

Upon motion of Mr. Gibbs, the House then adjourned until Monday next at ten o'clock, A. M.

Attest

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER,

Speaker.

MONDAY, FEBRUARY 25, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Buck, Bardick, Covel, DeLaVergne, Farnham, Galbraith, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Lott, Murphy, Nobles, Pierce, Taylor, Thorndike, and Mr. Speaker.

Prayer by the Chaplain.

Mr. Grant moved that the reading of the Journal be dispensed with.

Which was lost.

The Journal was then read, corrected and approved.

Mr. Covell presented a petition from citizens of Mower county, asking for the establishment of a County Seat and for organization of same.

Mr. Taylor presented bill No. 235, defining the boundaries of Superior, Lake, and Newton counties.

Which was read a first and second time and referred to the Committee on County Boundaries.

Mr. Taylor moved that the rules be suspended, and the bill be put on its third reading.

Which was agreed to.

The bill was then taken up, read a third time and passed, and its title agreed to.

Mr. Hunt, Chairman of the Committee on Legislative Expenditures, made the following report :

The Committee on Legislative Expenditures, to whom was referred House bill No. 75, for an act for the relief of certain persons having claims against the Territory of Minnesota, for services in the year A.D. 1855, ask leave to report the said bill, with amendments, and recommend their adoption.

THOS. B. HUNT,
JOHN B. HUBBELL, } Committee.

Which was accepted.

Mr. Gere made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills:

No. 19 C. F., an act to organize the St. Croix Boom Corporation.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

The Joint Committee on Enrolled Bills report:

That they have presented to His Excellency the Governor for his signature, the following bill:

No. 90 H. of R., an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining Company.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

Mr. Van Vorhes, from the select committee to which was referred House bill No. 147, have had the same under consideration, and report the following amendments and recommend their adoption.

A. VAN VORHES,
THOS. J. GALBRAITH, } Committee.

The amendments reported by the Committee were then taken up and concurred in.

Upon motion of Mr. Hunt,

The rules were suspended, and the bill was ordered to be engrossed for a third reading.

Mr. Norris, to whom was referred the petition of Ebenezer Ayers and others, praying for the publication and sale of the Statutes of the Territory, &c., presented by bill No. 236, H. of R., which was laid on the table to be printed.

Messrs. Hartenbower and Johnson, the committee to whom was referred,

Bill No. 197, a bill for an act to divide a portion of Minnesota Territory into counties Reported the bill back with amendments, and recommended its passage.

Which was accepted, and the amendments reported by the committee were then taken up, read and concurred in.

Mr. Ide, to whom was referred a certain petition, reported

Bill No. 237, H. of R., an act to attach a certain portion of the county of Nicollet to Blue Earth county.

Which was read a first and second time, and upon motion, the rules were suspended, and the bill read a third time.

Mr. DeLaVergne moved that the bill be referred to a special committee of three.

Which was agreed to.

The Chair appointed Messrs. DeLaVergne, Johnson and Taylor.

Mr. Buck from the Committee to whom was referred the petition and remonstrance of citizens of Dakota County, made the following report, which was read and accepted, viz:

The Committee to whom was referred the petition of 46 inhabitants of township 112, range 19 and 20 west, asking the Legislative Assembly, to pass an act annexing said township to Rice County. Also a remonstrance signed by 300 inhabitants of Dakota county, remonstrating against the annexation of said township to Rice county would simply say that the inhabitants of said township appear to desire to be annexed to Rice County. It also appears that the inhabitants of Dakota County do not desire it. The above I believe to be the facts in the case. This House can take such action as they deem proper.

C. F. BUCK,
J. H. HARTENBOWR, } Committee.
P. K. JOHNSON,

Mr. Murphy moved,

That the consideration of the report of the Committee and accompanying documents be indefinitely postponed.

Mr. Boutillier upon leave granted, presented a remonstrance from citizens of that part of Ramsey County, recently set off to Hennepin County against the annexation of the same.

Which petition was read, and Mr. Hunt moved that the petition be laid on the table, And the Yeas and Nays being called for and ordered, there were Yeas 17, and Nays 12, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Coovel, Farnham, Galbraith, Grant, Hartenbower, Haus, Hubbell, Hunt, Jackman, Johnson, Lott, Nobles, Stargis, Van Vorhes, Wilkinson, and Mr. Speaker—17.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Gere, Gibbs, Hull, Ide, McLeod, Murphy, Norris, Pierce, Taylor, and Thorndike—12.

So the motion to lay on the table was adopted.

A message from the council being announced, Mr. Mix, Assistant Secretary, appeared and delivered the following:

MR. SPEAKER: The Council has passed No. 234 H. of R., an act to define the boundaries of Benton, Morrison and Sherburne counties and for other purposes. Which is herewith transmitted.

WM. COLVILLE, Secretary.

Mr. Nobles, from the committee on Engrossed Bills, makes the following report, viz: That the following bills are correctly engrossed:

No. 121, an act to provide for the location of the county seat of Steele county.

No. 156, an act to incorporate the city of Greenwood.

No. 161, a bill to incorporate the Shakopee and Le Sueur Plank Road Company.

No. 221, a bill for an act to provide for laying out certain territorial roads in Minnesota Territory.

No. 155, an act to incorporate the Henderson and Belle Plaine Plank Road Company.

No. 29, a memorial to the President of the United States.

H.—32.

No. 207, a bill to grant to certain persons the right to establish and maintain Ferries in this Territory.

No. 164, a bill to incorporate the Minneapolis and Cedar Valley Railroad Company.

WM. H. NOBLES,
Chairman, Engrossing Committee, H. of R.

Mr. Gere from the committee on Enrolled bills presented the following :
The Committee on Enrolled bills beg leave to report that they have presented to his Excellency the Governor for his signature the following Joint Resolution:
No. 10, C. F.—Joint Resolution of both Houses.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The Joint Committee on Enrolled bills report that they have examined and found correctly enrolled the following bill:

No. 128, H. of R. an act to provide for the speedy publication of the Laws of the Territory.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Mr. Gere from the Joint Committee on Enrolled bills, made the following report :
The Joint Committee on enrolled bills have examined and found correctly enrolled the following bill:

No. 234, H. of R., a bill for an act to define the boundaries of Benton, Morrison and Sherburne counties, and for other purposes.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

The Speaker then signed a bill entitled an act to provide for the more speedy publication of the laws of the Territory.

A bill entitled an act to incorporate the Winona and La Crosse Rail Road Company.

A bill entitled an act to incorporate the Chatfield Academy at Chatfield.

And a bill entitled an act to define the boundaries of Benton, Morrison and Sherburne counties and for other purposes.

Mr. Buck moved that the rules be suspended, and bills ready for a third reading be taken up.

Which motion was adopted.

Mr. Buck then moved that they be read by their titles only, unless objected to.

Which was agreed to.

No. 29, H. of R., a memorial to the President of the United States, relative to the eastern line of the Sioux Reservation, was taken up, read a third time and passed, and its title agreed to.

No. 155, H. of R., an act to incorporate the Henderson and Belle Plaine Plank Road Company, was taken up, read a third time and passed, and its title agreed to.

No. 161, H. of R., to incorporate the Shakopee and Le Seur Plank Road Company, was taken up, read a third time and passed, and its title agreed to.

No. 156, a bill to incorporate the city of Greenwood, and for other purposes, was read the third time, passed, and the title agreed to.

No. 221, H. of R., to provide for laying out certain Territorial Roads in the Territory of Minnesota, and for other purposes, was taken up, read a third time and passed, and its title agreed to.

No. 164, H. of R., a bill to incorporate the Minneapolis and Cedar Valley Railroad Company, was taken up, read a third time, passed, and its title agreed to.

No. 121, H. of R., an act to provide for locating the County Seat of the county of Steele, and for other purposes, was read a third time, and

Mr. Hull moved that it be referred to the Committee on County Boundaries.

Which motion was subsequently withdrawn, and said bill was passed, and the title agreed to.

No. 207, H. of R., a bill to grant the right to certain persons to establish and maintain Ferries in this Territory, was taken up, read a third time and passed, and the title agreed to.

Mr. Wilkinson moved,

That the House now take up the Council File of Bills, which was subsequently withdrawn, and messages from the Council being in order, the following messages were then read:

MR. SPEAKER:—The Council has indefinitely postponed,

No. 72, H. of R., an act to incorporate Medical Societies, for the purpose of regulating the practice of Physic and Surgery in this Territory.

It has referred No. 63, H. of R., a bill entitled an act to promote Medical Science to the next Coroner's Jury.

It has passed the following Council bills:

No. 68, C. F., an act prescribing the manner in which corporations may convey real estate.

No. 61, a bill to incorporate the town of St. Cloud.

No. 72, an act to incorporate the Minnesota Female Seminary.

Also, No. 11, C. F., a memorial to Congress for an appropriation to construct the St. Paul and Kettle River Road, in the Territory of Minnesota.

Also, No. 3, H. of R., a Joint Resolution for the relief of W. W. Kingsbury, and others.

Also, No. 24, H. of R., a memorial of the Legislative Assembly of Minnesota Territory to Congress.

And the following House bills.

No. 105, an act regulating Bills of Exchange, Bank Checks and Promissory Notes.

No. 128, an act to provide for the more speedy publication of the Laws of this Territory.

No. 48, an act to authorize School District No. 1, town 36, range 20, to levy a special tax, with an amendment to the title.

No. 67, an act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

WM. COLVILLE, Jr., Secretary.

MR. SPEAKER:—The Council has passed, No. 10, C. F., a Joint Resolution of the Council and House of Representatives of the Territory of Minnesota.

MR. SPEAKER:—The President has signed,

No. 97, C. F., a bill to designate the site whereon to erect the county buildings of Hennepin county, and authorizing the Commissioners to procure a title thereto, and extending the boundaries of the county.

Which is herewith transmitted.

The Council has passed the following bills:

No. 126, H. of R., an act entitled an act to increase the powers of the Regents of the University of Minnesota.

Also returning C. F. No. 32, an act to amend an act to incorporate the city of St. Paul, Ramsey county, M. T., with the following amendments:

Provided also, that the exclusion shall not apply to Harriet Island, which is hereby constituted a part of the third ward of said city.

In which the concurrence of the House is respectfully requested.

MR. SPEAKER:—The President of the Council has signed the following bills:

No. 19, a Joint Resolution of the Legislative Assembly for the relief of the Clerks of the Council and House of Representatives.

No. 48, an act to provide for the location of certain county seats.

No. 90, an act to organize the county of Faribault, and to establish the county seat of said county.

No. 42, an act to provide for laying out a Territorial Road from Winona to Wabashaw, and from Winona to the Iowa line.

And No. 30, an act to incorporate the Winona and La Crosse Railroad Company.

All of which are herewith transmitted.

MR. SPEAKER:—The Council has passed the following bills and memorials:

No. 27, a memorial of the Legislative Assembly of the Territory of Minnesota to the Postmaster General of the United States, praying for further mail facilities in the Minnesota Valley, amended as follows: by striking out "Honorable the Senate and House of Representatives in council assembled," and insert in its stead "Postmaster General."

In which the concurrence of the House is respectfully requested.

Also, a memorial to the Postmaster General for certain mail routes.

No. 26, a memorial to the Postmaster General for certain mail routes.

No. 32, H. of R., a memorial to Congress for the establishment of a mail route in Dakota county.

And No. 77, H. of R., an act entitled an act to incorporate the St. Anthony Water Power Company.

Which are herewith transmitted.

C. H. MIX, Assistant Secretary.

No. 32, C. F., an act entitled an act to incorporate the city of St. Paul, Ramsey County, Minnesota Territory, amended by the Council, was then considered and the amendments concurred in.

The amendment to the title of

No. 48, H. of R., an act to authorize School District No. 1, township 36, range 20, to levy a special tax,

Was concurred in by the House.

No. 11, C. F., a memorial to Congress for an appropriation to construct the St. Paul and Kettle River Road, in the Territory of Minnesota,

Was taken up and read a first and second time.

Also No. 61, C. F., a bill to incorporate the town of St. Cloud,

Was taken up and read a first and second time.

Mr. Wilson moved that the rules be suspended, and memorial No. 11, and bills No. 79, 80, 13, 47, 61, be taken up read a third time and passed.

And the yeas and nays being called for and ordered, there were yeas 23, and nays 3, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Burdick, DeLaVergue, Galbraith, Gere, Gibbs, Grant, Hartenbower, Hubbell, Hunt, Johnson, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, and Wilson—23.

Those who voted in the negative were,

Messrs. Murphy, Norris, and Mr. Speaker—3.

Two thirds having voted in the affirmative the rules were suspended, and

No. 47, C. F., an act relative to the terms of the District Court was taken up, read a third time and passed, and its title agreed to.

Also, No. 79, C. F., an act granting to J. L. Wirtz the right to establish and maintain a Ferry across Root river was taken up, read a third time and passed, and its title agreed to.

Also, No. 80, an act to incorporate the Target Lake Plank Road and Ferry Company was taken up, read a third time and passed, and its title agreed to.

No. 11, C. F., a memorial to Congress for an appropriation to construct the St. Paul and Kettle River Road in the Territory of Minnesota.

No. 61, C. F., a bill to incorporate the town of St. Cloud.

No. 13, C. F., a bill for an act to incorporate the Minneapolis and St. Cloud Railroad Company,

Were severally read a third time, passed and the titles agreed to.

No. 18, C. F., a memorial to Congress for the establishment of a Military post near the head of Red River, was then read a first and second time.

No. 72, C. F., an act to incorporate the Minnesota Female Seminary, was also read a first and second time.

A message from the Council being announced, Mr. Mix, Assistant Secretary, appeared and delivered the following message :

MR. SPEAKER : The Council has passed No. 137, H. of R., an act to incorporate the Little Falls Manufacturing Company, with an amendment, amended by inserting "Sec. 10. The Legislature may alter or amend this act at any time."

In which, the concurrence of the House is respectfully requested.

The President has signed the following bills :

No. 19, C. F., an act to organize the St. Croix Boom Corporation.

No. 3, C. F., an act to define the boundaries of Benton, Morrison, and Sherburne, and for other purposes.

An act to provide for the more speedy publication of the Laws of the Territory.

An act to incorporate the Minnesota Mining Company.

An act to incorporate the St. Cloud University of Minnesota.

An act granting to Reuben Richmond and John L. Wilson the right to establish and maintain a Ferry across the Mississippi River.

An act to locate a Territorial Road from the Old Sioux Crossing, opposite the town of Traverse des Sioux, by the Dog's Lodge and Vermillion Prairie to Mendota and Big Sioux Road, to some point near Mendota.

An act to provide for laying out a Territorial Road from Winona to Owatonia.

An act to change the name of Alexander Paul to Francis H. Milligan.

An act granting to George Houghton and Christopher Davis the right to establish and maintain a Ferry across the Mississippi River.

An act to provide for the destruction of Wolves.

An act to incorporate the Chatfield Academy at Chatfield.

An act granting to Samuel Allen the right to establish and maintain a Ferry across the Minnesota River at the town of Chaaska, in the county of Carver.

A memorial to Congress for an appropriation to open a Road from Fort Ridgley to the South Pass in the Rocky Mountains ; all of which are herewith transmitted.

Also, an act to amend an act entitled an act to amend section 16, article 8, of the Revised Statutes.

W. COLVILLE, Secretary.

Upon motion of Mr. Galbraith,

The House then resolved itself into Committee of the Whole, for the consideration of the following memorials:

No. 30 H. of R., a memorial to Congress to establish a certain mail route in the counties of Hennepin, Carver and Sibley, Minnesota Territory.

No. 31 H. of R., a memorial to Congress for a donation to the county of Carver, Minnesota Territory, of two townships of Government Lands for the endowment of an Academy to be located at Chaaska in said county of Carver.

Also, No. 195 H. of R., a bill entitled an act to incorporate the Minneapolis Mill Co.

No. 138 H. of R., a bill to establish and define the boundaries of Anoka and Stanchfield counties and for other purposes.

Mr. DeLaVergne in the chair. After sometime spent therein, the Committee rose

and by their chairman reported the bills back to the House, with amendments, and recommended that the bills and memorials be engrossed for their third reading.

The report was accepted.

Upon motion, the amendments to the bills and memorials were concurred in, and they were ordered to be engrossed for a third reading.

Mr. Gere, from the Joint Committee on Enrolled bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills and memorials:

No. 77, H. of R., an act entitled an act to incorporate the St. Anthony Falls Water Power Company.

No. 9, H. of R., a memorial to Congress to establish a mail route from Hamilton to Shakopee.

No. 15, H. of R., a memorial to Congress for an appropriation for the construction of a Military Road from Fort Snelling to Pembina on the west side of the Mississippi river.

Nos. 32, 2, 19, 26, H. of R. memorials.

No. 19, C. F., memorial.

No. 12, H. of R., an act to change the time of holding Courts in Le Sueur county.

No. 54, C. F., a bill for an act to organize the county of Pine

No. 41, C. F., a bill for an act for a Territorial road from Minneapolis to Glencoe.

No. 4, H. of R., an act to incorporate the Minnesota Life, Fire Insurance Company.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

The Joint Committee on enrolled bills report: That they have presented to His Excellency, the Governor, for his signature the following bills and memorials:

No. 25, H. of R., a memorial to Congress.

Nos. 234, 15, 24, 23, 95, 87, 30, 38, 102, 96, 43, 111, H. of R., acts.

No. 3, C. F., an act.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. R. }

Upon motion of Mr. DeLaVergne, the House then took a recess until half past 2 o'clock P. M.

AFTERNOON SESSION.

House met pursuant to adjournment and was called to order by the Speaker.

The Speaker signed the following bills:

An act to incorporate the Minnesota Life, Fire and Marine Insurance Company.

An act to change the time of Holding Courts in Le Sueur county.

An act entitled an act to incorporate the St. Anthony Falls Water Power Company.

The Speaker signed the following Bills and Memorials:

A memorial of the Legislative Assembly of the Territory of Minnesota to Congress for an appropriation for the construction of a Military Road from Fort Snelling to Pembina on the west side of the Mississippi by way of Minneapolis, Monticello and St. Cloud.

A memorial to Congress for the relief of certain settlers upon the School Lands.

A memorial to Congress to establish a mail route from Hamilton to Shakopee.

A memorial to Congress for an appropriation of \$15,000 for the construction of the Mendota and Wabashaw Road.

A memorial to Congress for the establishment of certain mail routes in Dakota county.

A memorial to the Postmaster General for certain mail routes.

An act to incorporate the St. Anthony Falls Water Power Company.

A bill to incorporate the Minnesota Life, Fire and Marine Insurance Company.

An act to change the time of holding Courts in Le Sueur county.

Mr. Nobles from the Committee to whom was referred the petition of W. B. Cheever and others asking to be set off from the City of St. Anthony, reported by bill as follows: No. 236, H. of R., a bill to amend an act entitled an act to incorporate the City of St. Anthony.

Mr. Hunt moved that the House do now resolve itself into Committee of the Whole for the purpose of taking up the following bills and memorials:

No. 43, H. of R., an act to locate a Territorial Road from Fort Ripley to Fort Ridgley.

No. 16, C. F., a memorial to the President of the United States for treaties with the Sioux and Chippewa Indians for the purpose of promoting their early civilization.

No. 13, C. F., a memorial to Congress for the establishment of a Military Post near the head of Red River. Reported back without amendments and recommended that,

No. 190, H. of R., a bill to incorporate the Presbyterian Institute of the Presbytery at St. Paul.

No. 236, H. of R., to amend an act to incorporate the city of St. Anthony.

No. 14, C. F., an act to provide for laying out a Territorial Road from Red Wing to Henderson, after some time being spent therein the committee rose and by their chairman reported the bills back to the House with sundry amendments and recommended that they be ordered to their third reading.

Also, that bill No. 190, be engrossed for a third reading.

The report was accepted and bills No. 43, C. F., 236, H. of R., 14, C. F., and memorials No. 13, and 16 were ordered to their third reading, and bill No. 190, was ordered engrossed for a third reading.

A message from the Governor being announced Mr. Smith private secretary was announced and delivered the following message:

EXECUTIVE DEPARTMENT, M. T. }
St. Paul, Feb. 25, 1856. }

To the Speaker of the House of Representatives.

Sir: I am directed by His Excellency to inform the House of Representatives, that he has this day approved and signed, "an act to amend an act entitled an act to incorporate the Pittsburg and Minnesota Mining Company," passed by the Legislative Assembly of Minnesota Territory, and approved the 3d day of March A.D. 1855. No. 90, H. of R.

Mr. DeLaVergne upon leave granted presented the following bill:

No. 237, H. of R., a bill to incorporate the St. Peters Company, which was read a first and second time and referred to Messrs. McLeod, Norris, and Holland.

The House then resolved itself into Committee of the Whole, Mr. Bradley in the chair, to take into consideration the following bills:

No. 194, H. of R., a bill to provide for laying out a Territorial Road from the mouth of Crow River to Henderson.

No. 191, H. of R., a bill to legalize and confirm the election and qualification of officers in the county of Rice.

No. 198, H. of R., a bill to authorize the commissioners of Scott county to borrow money for the purpose of erecting County Buildings.

No. 196, H. of R., an act entitled an act to incorporate Lake Pepin, Henderson, and Glencoe Railroad Company, with instruction that it be reported back.

No. 198, H. of R., a bill to authorize the commissioners of Scott county to borrow money for the erection of County Buildings.

After sometime spent therein, the Committee rose and by their chairman reported back No. 194 H. of R., with an amendment and recommend its passage.

Mr. Norris offered the following amendment: Sec. 26, strike out all after the word complete, and insert the following—at least ten miles of said road (line 2) in five years.

Which amendment was adopted.

Upon motion the bills were then ordered to be engrossed for a third reading.

Mr. Holland then made the following report : The committee to whom was referred No. 237 H. of R., a bill to incorporate the Saint Peter Company have had the same under consideration and beg leave to report the same back to the House and recommend its passage.

JOHN M. HOLLAND } Committee.
GEO. A. McLEOD }

The report was accepted.

On motion, bill No. 237, H. of R., a bill to incorporate the St. Peters Company was read a third time by its title, passed, and its title agreed to.

Mr. Nobles, from the Joint Committee on engrossed bills, made the following report : The committee on Engrossed Bills beg leave to report the following bills as correctly engrossed :

No. 171, H. of R., a bill for an act to regulate Mills and Millers.

No. 176, H. of R., an act increasing the salaries of the Territorial Auditor, Treasurer, and Superintendent of Common Schools.

WM. H. NOBLES,
Chairman of Committee.

Mr. Nobles, from the Committee on engrossed bills, made the following report :

The Committee on engrossed bills have examined and found correctly engrossed the following bill :

No. 195, H. of R., a bill for an act to incorporate the Minneapolis Mill Company.

WM. H. NOBLES, Chairman of Committee.

No. 195, H. of R., a bill entitled an act to incorporate the Minneapolis Mill Company, was taken up, read a third time, passed and its title agreed to.

No. 176, H. of R., an act increasing the salaries of Territorial Auditors, Treasurer and Superintendent of Common Schools.

On motion No. 171, H. of R., a bill for an act to regulate Mills and Millers, was taken up and read a third time.

Mr. Hull offered the following amendment :

All dams across streams of water in this Territory, under twelve feet high, shall be supplied with slopes so constructed that fish may ascend the stream during the running season; and the said dams shall allow sufficient water at that season, for the purposes intended in this act. The amendment was accepted.

The question then recurring on the passage of the bill, it was passed, and its title agreed to.

Upon motion, the House resolved itself into Committee of the Whole, Mr. Holland in the Chair, and had the following bills under consideration.

No. 203, H. of R., an act to amend section 73 of chapter 70 of the Revised Statutes of the Territory of Minnesota.

No. 203, H. of R., a bill for an act to incorporate the Clinton University in the county of Steele and Territory of Minnesota.

No. 202, H. of R., an act for granting Hiram Burkley the right to establish and maintain a Ferry across the St. Croix, at the town of Marine Mills in Washington county. After some time passed therein the Committee rose, reported the bills back to the House without amendments and recommended that they be ordered to be engrossed for a third reading.

The report of the Committee was accepted, and the bills ordered to be engrossed for a third reading.

Upon motion, the House again resolved itself into Committee of the Whole, for the purpose of taking into consideration.

No. 204 H. of R., bill to incorporate the Shakopee City and Shaska Plank Road Company.

No. 208, an act to prohibit fishing with seines and nets in Lake Minnetouka.

No. 205 for the relief of Wm. H. Stoddard and others.

After some time passed therein the Committee arose, reported back the same to the House by their Chairman, with the recommendation that they be ordered to be engrossed for a third reading. The report was accepted.

Mr. Norris moved to indefinitely postpone bill No. 205 H. of R.

And the yeas and nays being called for and ordered, there were yeas 14, and nays 16 as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Cleveland, Gere, Gibbs, Hartenbower, Hubbell, Hull, Johnson, Murphy, Norris, Taylor, Thompson, Wilkinson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Boutillier, DeLaVergne, Farnham, Galbraith, Grant, Haus, Holland, Hunt, Knauff, Lott, McLeod, Pierce, Sturgis, Thorndike, Van Vorhes, and Wilson.

So the House refused to indefinitely postpone the bill.

Mr. Holland moved that the bill be engrossed for a third reading.

And the yeas and nays being called for and ordered, there were yeas 17, nays 14, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Burdick, Cleveland, DeLaVergne, Farnham, Galbraith, Grant, Haus, Holland, Hunt, Knauff, Lott, McLeod, Pierce, Sturgis, Thorndike, and Wilson—17.

Those who voted in the negative were,

Messrs. Bradley, Gere, Gibbs, Hartenbower, Hubbell, Hull, Johnson, Murphy, Nobles, Norris, Thompson, Van Vorhes, Wilkinson, and Mr. Speaker—14.

So the bill was ordered to be engrossed for a third reading.

Upon motion, Nos. 204 and 205 were also ordered to be engrossed for a third reading.

The House again resolved itself into a Committee of the Whole, Mr. Covel in the chair, for the purpose of taking into consideration the following bills:

No. 206, H. of R., a bill to incorporate the Minnesota Central Railroad Company.

No. 212, H. of R., a bill to incorporate the Henderson and Glencoe Plank Road Company,

No. 210, H. of R., a bill authorizing the Collector of Taxes to assess Real Estate and other property in certain cases.

After some time spent therein, the committee rose, and by their chairman reported the bills back with the recommendation that they be engrossed for a third reading.

The report was accepted, and upon motion, the bills were ordered to be engrossed for a third reading.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bill:

No. 196, H. of R., a bill to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company.

WM. H. NOBLES,

Chairman of Committee.

A message from the Governor being announced, Mr. Smith, Private Secretary to his Excellency appeared and delivered the following message.

EXECUTIVE DEPARTMENT, }
St. Paul, Feb. 25, 1856.

To the Speaker of the House of Representatives:

SIR:—I am directed by his Excellency to inform the House of Representatives that he has approved and signed

An act granting to Samuel Allen the right to establish and maintain a Ferry across the Minnesota river at the town of Chaska, in the county of Carver.

H.—33,

No. 24, H. of R., a memorial to Congress for an appropriation to open a road from Fort Ridgely to the South Pass of the Rocky Mountains.

No. 25, H. of R., an act granting to Reuben Richmond and John L. Wilson the right to establish and maintain a Ferry across the Mississippi river.

No. 43, H. of R., an act to incorporate the St. Cloud University of Minnesota.

No. 102, H. of R., an act to locate a Territorial Road from the old Sioux Crossing opposite the town of Traverse des Sioux by the Dogs Lodge and Vermillion Prairie to the Mendota and Big Sioux road to some point near Mendota.

No. 15, H. of R., an act to provide for the destruction of Wolves.

No. 95, H. of R., an act to change the name of Alexander Paul to Francis H. Milligan.

No. 87, H. of R., an act to provide for laying out a Territorial Road from Winona to Owatona.

No. 30, H. of R. an act to incorporate the Minnesota Mining Company.

No. 111, H. of R., an act entitled an act to incorporate the Chatfield Academy at Chatfield.

No. 96, H. of R., an act granting to George Houghton and Christopher Davis the right to establish and maintain a Ferry across the Mississippi river.

No. 23, H. of R., an act to amend an act entitled an act to amend section 16, article 8 of the Revised Statutes.

No. 38, H. of R., an act to provide for the more speedy publication of the Laws of the Territory.

The House again resolved itself into Committee of the Whole, Mr. Burdick in the Chair, for the purpose of taking into consideration the following bills:

No. 211, H. of R., a bill for an act to incorporate the Chisago Seminary at Taylor's Falls in the county of Chisago.

No. 214, H. of R., a bill to incorporate the Faribault and Henderson Plank Road Company.

No. 213, H. of R., a bill for act to amend an act entitled an act to incorporate the Historical Society of Minnesota, approved October 20, 1855. After some time spent therein the Committee rose and by the Chairman reported the bills back to the House and recommended their passage. The report was accepted, and upon motion the bills were ordered to be engrossed for a third reading.

Mr. Wilkinson moved that the House do now adjourn, which was lost.

The House again resolved itself into Committee of the Whole, Mr. Gibbs in the chair for the purpose of taking into consideration the following bills:

No. 215 H. of R., a bill to incorporate the Shakopee Mutual Friends Association of Shakopee City, Minnesota.

No. 216 H. of R., a bill entitled an act to amend the Revised Statutes.

No. 217 H. of R., an act to dissolve the marriage contract between Louisa Bolleman and her husband Henry Bolleman.

After sometime passed therein, the Committee rose and by their chairman reported the bills back to the House with a recommendation, No. 217 be referred to the committee on Judiciary, and that bills 215 and 216 be engrossed for a third reading.

The report was accepted.

Mr. Hunt moved that bill No. 215, and 216, be ordered to be engrossed for a third reading. Which was adopted.

Mr. DeLaVergue moved that bill No. 217, be ordered to the Committee on Judiciary. Which motion was adopted.

Mr. Gere from the Joint Committee on enrolled bills, made the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bills:

No. 79, C. F., a bill for an act granting to J. L. Wurtz the right to establish and maintain a Ferry across Root River.

No. 32, an act to amend an act entitled an act to incorporate the city of St. Paul.

J. ROLETTE, Council, }
WM. B. GERE, House, } Committee.

The Joint Committee on Enrolled Bills report that they have presented to his Excellency the Governor the following bills for his signature :

An act to incorporate the Minnesota Life and Fire Insurance Company.

An act to change the time of holding Courts in Le Sueur county.

Memorial to Congress to establish a mail route from Hamilton to Shakopee.

Memorial for an appropriation for the construction of a Road from Fort Snelling to Pembina.

A memorial to the Postmaster General for certain mail routes.

A memorial to Congress for an additional mail route in Dakota county.

A memorial to Congress for an appropriation of \$15,000 for the construction of the Mendota and Wabashaw Road.

An act entitled an act to incorporate the St. Anthony Falls Water Power Company.

A memorial to Congress for the relief of certain settlers upon School Lands.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R., } Committee.

A message from the Council being announced, Mr. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed the following House bills:

No. 50, a bill to incorporate the St. Paul Gas Company.

No. 45, a bill to authorize the formation of mining, smelting or manufacturing iron, copper, mineral, coal and silver or other ores or minerals, and for other manufacturing purposes.

No. 22, C. F., a bill to incorporate the town of Minneapolis, in the county of Hennepin.

No. 65, an act granting a charter to the Fort Snelling Bridge Company.

No. 149, a bill to incorporate the St. Peter's Institute.

No. 99, C. F., an act to authorize the Common Council of the city of St. Paul to issue bonds for certain purposes.

Also the following House memorial:

No. 28, a memorial to Congress for an appropriation of \$10,000 for the construction of Bridges and Culverts on a Territorial Road from the Iowa line, via Richland, Preston and Chatfield, to Rochester, in Minnesota.

Also the following Council bills:

No. 77, an act declaring certain roads projected in the Territory of Minnesota under authority of the United States, Territorial Roads.

No. 70, an act to amend the Revised Statutes.

No. 14, a memorial of the Legislative Assembly of the Territory of Minnesota to the President of the United States for a reduction of the Military Reserve at Fort Ripley.

The President has signed the following House bills:

An act to incorporate the St. Anthony Falls Water Power Company.

An act to change the time of holding courts in Le Sueur county.

An act to incorporate the Minnesota Life, Fire and Marine Insurance Company.

A memorial for a Military Road from Fort Snelling to Pembina, via St. Cloud.

A memorial for relief of settlers on school lands.

A memorial to establish a mail route from Hamilton to Shakopee.

A memorial for an appropriation of \$15,000 for the construction of Mendota and Wabashaw Road.

A memorial for the establishment of mail route in Dakota county.

Memorial to Postmaster General for certain mail routes.

No. 47, C. F., a bill relative to the terms of District Courts.

No. 19, C. F., a memorial for the passage of an act regulating the clerkships of the United States District Courts of this Territory.

No. 41, C. F., an act for a Territorial Road from Minneapolis to Glencoe.

No. 54, an act to organize the county of Pine.

No. 11, C. F., a memorial to Congress for an appropriation to construct the St. Paul and Kettle River Road, in the Territory of Minnesota.

W. COLVILLE, Secretary.

Mr. Wilkinson offered the following resolution.

Whereas a petition from citizens of St. Anthony reflecting on the conduct of members of this House has been improperly taken from the table of this House, and presented to the Council, therefore, Resolved: That a message be sent to the Council, requesting the Council to return the same to this House.

The resolution was adopted.

On motion of Mr. DeLaVergne the House adjourned.

Attest.

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER, Speaker.

TUESDAY, FEBRUARY 26, 1856.

House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Boutillier, Bradley, Buck, Cleaveland, Covell, DeLaVergne, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hull, Hunt, Ide, Jackman, Johnson, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Bradley moved,

That the further reading of the same be dispensed with.

Which was agreed to.

Mr. Galbraith moved a reconsideration of the vote by which the further reading of the Journal was dispensed with; which was decided in the affirmative.

Pending the reading of the Journal, Mr. Galbraith then moved,

That the further reading of the same be dispensed with.

Which was agreed to.

The Journal was then corrected and approved.

The chairman announced that the special order of the day was the reconsideration of bill No. 40, H. of R., granting an extension of time to the Minnesota Rail Road Co.

Which was returned with the Governor's objections to its becoming a law.

Mr. Wilkinson moved,

That the special order of the day be now taken up,

Which was adopted.

Mr. Taylor moved that the bill be laid on the table.

Mr. Gibbs moved a call of the House.

The Clerk called the roll and reported the following members absent:

Messrs. Covel, Haus, Ide, and Van Vorhes.

Mr. Hunt moved that all further proceedings under a call of the House be dispensed with;

And the yeas and nays being called for and ordered, there were yeas 21, and nays 15, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Hubbell, Hull, Hunt, Johnson, Kirkman, Lott, McLeod, Nobles, Sturgis, Tayler, Thompson, Wilkinson, Wilson, and Mr. Speaker—21.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Ide, Jackson, Knauff, Murphy, Norris, Pierce, Thorndike, and Van Vorhes—15.

So all further proceedings under the call of the House was dispensed with.

Mr. Burdick moved the previous question, which was ordered.

The question then recurring upon Mr. Taylor's motion to lay the special order on the table,

And the yeas and nays being called for and ordered, there were yeas 21, and nays 15, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Hubbell, Hull, Hunt, Johnson, Kirkman, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker—21.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Ide, Jackson, Knauff, Murphy, Norris, Pierce, Thorndike, and Van Vorhes—15.

So the motion was carried.

Mr. Nobles moved that the regular order of business be resumed.

Which was adopted.

A message from the Council being announced, Mr. Colville, Secretary of the same, appeared and announced the following :

MR. SPEAKER : Whereas, the House of Representatives did by resolution, passed February 25, 1856, request the return of a petition of certain citizens of the city of St. Anthony, to be returned to the House.

And whereas, the Council has this day instructed the Secretary of the Council to return the same to the House ; therefore, in pursuance of said request and instruction, the said petition is herewith returned.

W. COLVILLE, Secretary.

Mr. Holland presented a Remonstrance from citizens of Scott County upon the division of the same.

Which was read, and on motion of Mr. Holland was ordered to be printed in the Journal.

To the Honorable Legislative Assembly of Minnesota Territory:

REMONSTRANCE.—We the undersigned citizens of Scott County Minnesota Territory, do hereby remonstrate against any division of our County whatsoever. That our County is already too small. Our County being only eighteen miles from north to south and from eighteen to twenty miles from east to west, and we would further represent that the proposition to divide our County originates from ambitious office seekers who think by such a division to find a place at the public crib.

We therefore pray that your Honorable Body, will make no new county lines within our County. And for this favor we will as ever pray.

A. B. JONES, and 67 others.

Mr. Gere offered the following resolution :

Resolved, That a committee of three be appointed by the Chair, to enquire into the circumstances attending the abstraction of a certain petition from citizens of St. Anthony from the Chief Clerk's desk in this House.

Which was adopted.

The Chair appointed Messrs. Gere, Galbraith and Taylor as said Committee.

Mr. Holland offered the following resolution :

Resolved, That the Committee so appointed take all the testimony elicited before them in writing and report the same to this House.

Which was adopted.

Mr. Burdick, upon leave granted, presented bill No. 87, H. of R., a bill to incorporate the Le Sener and Farribault Plank Road Company.

Read a first and second time.

Mr. DeLaVergne presented a certain resolution.

Which was decided out of order.

Mr. Hunt presented bill No. 238, a bill to incorporate the Chaska and Glencoe Plank Road Company.

Which was read a first and second time.

Mr. Murphy presented bill No. 239, a bill entitled an act to incorporate the town of Hastings in the county of Dakota.

Which was read a first and second time.

Mr. Murphy moved,

That the rules be suspended and the bill be read a third time and put upon its passage.

And the yeas and nays being called for and ordered, there were yeas 31, and nays 1 as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleveland, DeLaVergne, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Those who voted in the negative were,

Mr. Covell.

So the rules were suspended.

And upon motion the bill was then taken up and read, pending the motion of the same,

Mr. Murphy moved that the further reading of the bill be dispensed with.

Which was carried.

The bill was then read and passed and its title agreed to.

Mr. Wilson offered the following resolution:

Resolved, That all petitions respectfully praying for the action of the Legislative Assembly on matters of general interest to the citizens of any portion of this Territory be and are hereby ordered to be printed in the Journal.

Mr. Bradley moved that the resolution be laid on the table.

Which was adopted.

Mr. Holland offered the following resolution:

Resolved, That the Chief Clerk be instructed not to print the resolution offered by Mr. DeLaVergne in the journal.

Which the chair also decided out of order.

Mr. Norris appealed from the decision of the chair.

And the yeas and nays being called for and ordered, there were yeas 11, and nays 23, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Gere, Grant, Hartenbower, Hubbell, Hull, Hunt and Wilkinson.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleveland, Farnham, Galbraith, Gibbs, Haus, Holland, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thorndike and Van Vorhes.

So the decision of the chair was not sustained.

Mr. DeLaVergne moved that the resolution of Mr. Holland be laid on the table.

And the yeas and nays being called for and ordered, there were yeas 15, and nays 18, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Lott, Nobles, Wilkinson, and Mr. Speaker.—15.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Farnham, Galbraith, Holland, Ide, Jackman, Johnson, Kirkman, Knauff, Murphy, Norris, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes.—18.

So the motion was lost.

Mr. DeLaVergne moved the indefinite postponement of Mr. Holland's resolution,

Which motion was also lost.

The question then recurring upon the adoption of Mr. Holland's resolution,

And the yeas and nays being called for and ordered, there were yeas 17, and nays 9, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Farnham, Galbraith, Gibbs, Holland, Ide, Jackman, Knauff, Murphy, Nobles, Norris, Sturgis, Taylor, Thorndike, Van Vorhes, and Mr. Speaker.—17.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Grant, Hartenbower, Haus, Hubbell, Hunt, Lott, and Wilkinson.—9.

So the resolution was adopted.

Mr. Van Vorhes asked leave to present the following petition, which was ordered to be laid on the table and printed in the Journal :

To the Honorable, our Representative in the Legislative Assembly from the Stillwater Precinct, Washington county :

We the undersigned, your constituents from the precinct of Stillwater, would respectfully request that you vote for, and give your support to the bill granting an extension of time to the Minnesota and North Western Railroad Company, now before the Legislative Assembly with the veto of His Excellency the Governor.

F. R. DELANO, and 216 others.

Mr. Nobles asked leave to present a communication from citizens of Stillwater, and asked that it be read.

After some time spent in debate, Mr. Norris moved,

That Mr. Nobles have leave to withdraw the above communication.

Pending which motion,

A message from the Council being announced, Mr. Colville, Secretary of the same, appeared and announced the following message:

MR. SPEAKER:—The Council has passed,

No. 195, H. of R., a bill entitled an act to incorporate the Minneapolis Mill Company, with amendments.

No. 164, an act to incorporate the Henderson Bridge Company.

No. 188, an act relating to distribution of school funds of Sibley county.

No. 140, a bill to incorporate the town of Clarksville, and for other purposes.

W. COLVILLE, Secretary.

The leave to withdraw the above petition, offered by Mr. Nobles, was granted, and it was withdrawn by Mr. Nobles.

Mr. Wilson presented the following resolution and asked that it be read.

Resolved, That the Chief Clerk of this House be and he is hereby instructed to cause to be published in some paper published in this city, all respectful petitions and remonstrances praying for the action of the Legislative Assembly on matters of general interest to the citizens of any portion of this Territory.

Which was read, and upon motion of Mr. Norris, was laid upon the table.

Mr. Haus upon leave granted presented,

No. 239, H. of R., which was read a first and second time and ordered to be printed.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills, Memorials and Joint Resolutions :

No. 126 H. of R., a bill for an act entitled an act to authorize the Regents of the Minnesota University to borrow money.

No. 4 H. of R., a memorial to the Postmaster General.

Nt. 7 H. of R., a memorial for an appropriation for certain improvements in this Territory.

No. 80 C. F., an act to incorporate the Target Lake Plank Road and Ferry Co.

No. 3 H. of R., a Joint Resolution for the relief of Wm. W. Kingsbury.

No. 13 H. of R., a bill to amend an act to define the boundaries of certain counties approved February 20, 1855.

JOS. ROLETTE, Council }
WM. B. GERE, H. of R. } Committee.

Mr. Bradley moved to take up bill No. 195, as returned with amendments from the Council.

Which was taken up, read and the amendments concurred in.

Mr. Buck, moved that the House do now adjourn until 2 o'clock P. M.

Which motion was adopted, and the House adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

House met pursuant to adjournment, and was called to order by the Speaker.

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

Bradley, Buck, Burdick, Cleaveland, Covell, DeLaVergne, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Stargis, Taylor, Thompson, Thorndyke, Van Vorhes, Wilkinson, Mr. Speaker.

The Speaker signed the following bills:

No. 13, H. of R., an act to amend an act entitled an act to define the boundaries of certain counties.

No. 3, H. of R., a Joint Resolution for the payment of W. W. Kingsbury's mileage and per diem, while contesting the seat of N. C. D. Taylor.

A message from the Council being announced, Mr. Oelville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed,

No. 112, C. F., a bill for an act to constitute the county of Hennepin a part of the Second Judicial District of the Territory of Minnesota, and for other purposes.

No. 86, C. F., a bill to incorporate the Mississippi Valley Railroad Company.

No. 45, C. F., an act concerning Registers of Deeds.

No. 78, C. F., an act to prescribe the times for holding the several terms of the District Courts in the several Judicial Districts.

Also the following House bills and memorials.

No. 5, a bill to incorporate the Lake Superior and Northern Pacific Railroad Company.

No. 124, an act entitled an act to incorporate the Caledonia Academy at Caledonia.

No. 166, a bill to incorporate the Minnesota Valley Institute.

No. 83, an act to incorporate the Mississippi and Missouri Railroad Company.

No. 188, an act to incorporate the Benevolent Society of the "United Sons of Erin."

No. 153, an act to incorporate the Mantorville Academy.

No. 142, an act to amend the Revised Statutes.

The President has signed the following bills:

No. 32, C. F., an act to amend an act entitled an act to incorporate the city of St. Paul, Ramsey county, Min. Ter.

No. 79, C. F., an act granting to J. L. Wurtz the right to establish and maintain a Ferry across the Root river.

No. 6, C. F., an act to incorporate the Henderson Manufacturing Company.

W. COLVILLE, Jr., Secretary.

Mr. Ide from the committee on County boundaries asked leave to present the following minority report :

The undersigned, one of the committee to whom was referred bill No. 197, a bill for an act to divide a portion of Minnesota Territory into counties and define their boundaries, begs leave to submit the following minority report:

Your committee cannot but regret that, in this instance, he is compelled to dissent from the views entertained by the honorable gentlemen associated with him on this committee. The majority of this committee have already made a report recommending the passage of the bill with certain amendments.

Your committee of the minority is of the opinion that the amendments proposed are good so far as they go, viz, to the effect of obviating certain conflicting propositions in the bill. But your committee thinks, nay is certain, that the main objects of the bill were overlooked by the majority—and inasmuch as these objects in themselves as worthy of our admiration, are likely to be ultimately defeated by the general provisions of the bill itself, the minority cannot resist the conclusion, that the majority, for some cause to him unknown, stopped short in their investigation, ere they arrived at the general feature of the bill. It is to this particularly grand feature that your committee would now call your most candid and impartial consideration.

First, let me presume, that inasmuch as your committee can see no beneficial results to be obtained by this legislature thus defining certain imaginary lines as boundary lines of imaginary counties all over the country, as yet unmarked by the axe of the surveyor; and inasmuch as he cannot see that by these proper lines the worthy speculator is aided at all in his research after county seats and county centres, which lines afford him neither mark nor bound by which he can stick his stakes with any assurance of any geographical whereabouts; therefore your committee must conclude that other and loftier objects were intended to be developed in this bill. And one of these objects, and certainly not the least manifest object, that appears on the face of this bill is, that very natural and noble ambition, inherent to every aspiring mind, to perpetuate the memory of our public acts to all coming time. To hand down the high distinction we have attained, and the wide spread fame we have so honorably won in eight short weeks to our posterity. And here, your committee think was the great mistake of the majority. This ultimatum of the whole bill was sadly neglected by that committee.

Now this bill proposes to erect monuments to our individual fame, or to effect the same purposes to affix our names to the counties as an indelible insignia of our lofty positions, many of which no man knoweth, nor no man guesseth their whereabouts, and naught but the red man can tell whether they be lake, river, mountain or marsh. I take it that this proposed measure is entirely inadequate to perpetuate our honor, nor is it commensurate to the services we have rendered. Why, a name, without a corresponding notoriety has no lasting qualities in it; neither from its obscurity is it suggestive of any marked political character to insure us of its perpetuity. Now, I in all humility submit whether it is safe in us to risk our honor to a monument erected to our memory built of material so perishable and changeable as these? "What's a name," is an old and true saying. "What's in a name," is a pertinent question for us to ask in the present instance. "What's in a name," the future inhabitants of Ide county will sing to the tune of I wonder! I wonder what he ever did to identify himself in any manner with this county, and to entail upon us that uneuphonious appella-

H.—34.

tion, significant and suggestive of nothing historically, geographically, geologically, philosophically or theologically, as found within the boundaries of this county, either above, or below the ground? and I reckon that in more cases than mine, the same tune will be played to the dance of merry feet over the graves of the buried homœra. Then who will be found to tell who we once were? None! forgotten! O, what a word; not known even in the annals of the past, sweetly slumbering in deep, silent forgetfulness.

Now, to prevent a catastrophe so much to be dreaded, your committee would recommend an amendment to the bill, as follows: Instead of affixing our names to an element so uncertain as a tract of land on paper, and so liable to fall into the hands, hereafter, of a people supremely selfish and ignorant, who can or will know anything of our great worth and importance, to change the character entirely of these mementos of ourselves, your committee would recommend as a substitute, the immediate erection of a large monument of unbaked dough, such material, he thinks, would be unmistakably suggestive and highly ornamental. This monument shall be composed of posts in form of tiles or blocks, one for each member, on which we can have a cast of our countenances raised in basso rilievo, and inasmuch as it is necessary that the cheek of this bass relief should be hard in order to withstand the storm of contempt from without; your committee proposes that the cheek should be overlaid or ornamented with brass, which material, he thinks, would also be very ornamental, if kept clean, and eminently suggestive of the fine feeling of the founders of this design.

Your committee would suggest that this monument should not be fully completed this year in consequence of the large amount of incomplete matter in our hands, and it might be desirable that some historical device of it should be wrought upon the panels of this monument. He would therefore recommend that the top be left unfinished till the Territory or future State of Minnesota can manufacture another Legislative body sufficiently hard in the cheek to form the cap and climax of this superb structure of monumental fame.

All of which is respectfully submitted.

J. C. IDE.

The report was accepted.

The Committee on Judiciary made the following report:

The Judiciary Committee have carefully considered House bills, No. 120, 132, and 158, and report the same back to the House, and recommend their passage.

B. W. LOTT.

A. F. DeLAVERGNE.

T. J. GALBRAITH.

The report was accepted.

Amendments to House bills made by the Council being in order.

No. 5, H. of R., an act to incorporate the Lake Superior and North Pacific R. R. Company, was taken up and read and the amendments concurred in.

Also: No. 137, H. of R., for an act to incorporate the Little Falls Manufacturing Company, with the amendments from the Council which were concurred in.

No. 65, H. of R., an act granting a charter to the Fort Snelling Bridge Company, with amendments from the Council was taken up and concurred in.

Mr. Hunt moved that the Council be informed that the House is now ready to unite in Joint Convention in the Halls of the House of Representatives.

Which was agreed to.

A message from the Governor being announced, Mr. Smith, Private Secretary appeared and delivered the following messages:

EXECUTIVE DEPARTMENT, }
St. PAUL, February 26, 1855. }

To the Speaker of the House of Representatives:

I am directed by his Excellency to inform the House that he has this day approved and signed "An act to define the boundaries of Benton, Morrison, and Sherburne, and for other purposes," No. 234, H. of R., which originated in the House of Representatives.

EXECUTIVE DEPARTMENT,
St. PAUL Feb. 24, 1856. }

To the Speaker of the House of Representatives.

SIR: I am directed by his Excellency to inform you that he has this day approved and signed, "An Act to change the time of holding Courts in Le Sueur county."

Memorial to Congress to establish a mail route from Hamilton to Shakopee.

"Memorial to Congress for the establishment of an additional mail route in Dakota county.

A memorial of the Legislative Assembly of the Territory of Minnesota, to Congress for an appropriation for the construction of a Military Road from Fort Snelling to Pembina, on the West side of the Mississippi, by way of Minneapolis, Monticello and St. Cloud.

A memorial to the Postmaster General for certain mail routes.

A memorial to Congress for the relief of certain settlers upon the School Lands.

A memorial to Congress for an appropriation of \$15,000, for the construction of the Mendota and Wabashaw Road.

Mr. Norris, from the Joint Committee on enrolled bills, made the following report :
The Joint Committee on enrolled bills have examined and found correctly enrolled the following bills.

No. 71, C. F., a bill for an act to amend chapter sixteen of the laws of 1853.

No. 47, C. F., a bill for an act relative to the terms of the District Courts.

J. ROLETTE, Council
J. S. NORRIS, House } Committee.

Upon leave granted, Mr. Burdick introduced bill No. 241, an act relative to the terms of the District Court, which was read a second time—and upon leave granted Mr. Burdick asked the rules to be suspended and the bill be put upon its third reading.

Which was agreed to, and the bill was taken up, read a third time and passed, and its title agreed to.

No. 227, H. of R., a bill for an act to establish the county of Minnetonka was taken up and referred to the Committee on County Boundaries.

No. 85, C. F., an act concerning the Registers of Deeds was taken up, read a first and second time, and upon leave granted the rules were suspended and the bill was put upon its third reading.

Read a third time and passed, and its title agreed to.

Mr. DeLaVergne offered the following resolution :

Resolved, That the Hon. Council be requested to instruct their Messenger to furnish the Messenger of this House, a sufficient number of C. F. Bills to supply the desks of this House.

Which resolution was adopted.

JOURNAL OF THE JOINT CONVENTION.

The Hon. members of the Council appeared and took their seats in Joint Convention of the two Houses. The Joint Convention was called to order by the Speaker.

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

Messrs. Bailly, Balcomb, Dooley, Flandrau, Freeborn, Lowry, Rollins, Stone, Thompson, Tillotson ; Bradley, Buck, Burdick, Cleaveland, Covell, DeLaVergne, Galbraith, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, Mr. Speaker.

Mr. Burdick moved a call of the Convention, and the roll being called, the Clerk reported the following members absent :

Messrs. Hanson, Ludden, Setzer, Stone, Boutillier, Dunbar, Gere, Kirkmau.

Mr. Wilkinson moved that all further proceedings under a call of the House be dispensed with, which motion was decided in the negative.

The Sergeant-at-Arms reported that the absent members would not appear in their seats.

Whereupon the Speaker commanded that the Sergeant-at-Arms be instructed to report the absent members in their seats.

Mr. Bradley moved that all further proceedings under a call of the House be dispensed with.

Which motion was lost.

Mr. Flandrau moved that the Speaker of the House be ordered to issue a warrant for the absent members.

Which motion was adopted.

Mr. Bradley moved that the Convention reconsider the vote by which the Convention refused to dispense with all further proceedings under the call.

Which motion was lost.

Mr. Flandrau moved that the Speaker issue his warrant, upon which the Chair decided that he did not possess the authority to issue such warrant against members of the Council—upon which Mr. Flandrau appealed from the decision of the Chair.

And the yeas and nays being called for and ordered, there were yeas 23, and nays 21 as follows :

Those who voted in the affirmative were,

Messrs. Dooley, Freeborn, Lowry, Rollins, Tillotson, Thompson, Buck, Farnham, Galbraith, Grant, Hartenbower, Hubbell, Jackman, Lott, McLeod, Nobles, Norris, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes and Wilson.

Those who voted in the negative were,

Messrs. Bailly, Balcomb, Flandrau, Hanson, Rolette, Bradley, Burdick, Cleveland, Covell, DeLaVergne, Gibbs, Haus, Holland, Hull, Hunt, Ide, Johnson, Knauff, Murphy, Pierce and Wilkinson.

So the decision of the Chair was sustained.

Mr. Lott moved that all further proceedings under a call of the Convention be dispensed with, which was carried.

Mr. Flandrau moved that the Convention do now adjourn, which was lost.

Mr. Wilson moved that the Convention do now proceed to elect a Surveyor for the 4th District.

Which was agreed to.

Mr. Sturgis nominated David P. Chapman.

Mr. Rollins nominated John De Pui.

The House then proceeded to a first ballot, which was as follows:

Messrs. Dooley, Freeborn, Lowry, Rolette, Setzer, Stone, Thompson, Tillotson, Mr. President; Bradley, Burdick, Cleveland, Covell, DeLaVergne, Farnham, Galbraith, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Knauff, McLeod, Murphy, Pierce, Sturgis, Thompson, Thorndike, Wilkinson, Wilson, and Mr. Speaker, voted for Mr. Chapman.

Messrs. Bailly, Ludden, Rollins, Buck, Johnson, Norris, and Van Vorhes, voted for Mr. De Pui.

Whole number of votes, 42.

Mr. Chapman received 35.

Mr. De Pui received 7.

David P. Chapman having received a majority of the votes cast was declared duly elected Surveyor of Logs and Lumber for the 4th Surveyor District.

Mr. Rolette moved that the Convention do now adjourn, which motion was lost.

Mr. Freeborn then moved that the Convention do now proceed to elect a Surveyor for the 3d Surveyor's District.

Which was carried.

The following names were then put in nomination :

Messrs. Henry D. Huff, William V. Lauver, and Mr. Dixon,
For Surveyor of Logs and Lumber for the 3d District.

The Joint Convention then proceeded to ballot as follows :

Messrs. Bailly, Dooley, Freeborn, Ludden, Setzer, Stone, Tillotson, Mr. President, Burdick, De LaVergne, Farnham, Galbraith, Hartenbower, Hubbell, Ide, Jackman, Knauff, Thompson, and Mr. Speaker, voted for Mr. Lauver.

Messrs. Flaudras, Lowry, Rolette, Grant, Holland, Murphy, Sturgis, Wilkinson and Wilson, voted for Mr. Dixon.

Messrs. Bradley, Buck, Cleaveland, Gibbs, Pierce, Thorndike, and Van Vorhes voted for Mr. Huff.

Whole number of votes, 35; necessary to a choice, 18.

Mr. Dixon received 9 votes; Mr. Huff received 7 votes; Mr. Lauver received 19 votes.

Mr. Lauver having received a majority of all the votes cast, was declared duly elected Surveyor of Logs and Lumber for the third Surveyor's district.

Mr. Wilson moved, that the Joint Convention do now adjourn sine die.

Which motion was carried, and the Joint Convention then adjourned sine die.

Mr. DeLaVergne moved that the House do now resolve itself into Committee of the Whole, for the purpose of transacting unfinished business.

Which motion was now adopted.

The House resolved itself into Committee of the Whole, Mr. DeLaVergne in the chair, for the consideration of the following bills:

No. 158, H. of R., a bill to dissolve the marriage contract between Amanda E. Richardson and Daniel Richardson.

No. 120, H. of R., an act to amend article fourth of the Statutes of Minnesota.

No. 197, H. of R., an act to divide a portion of the Territory of Minnesota into counties.

After some time spent therein, the committee rose and reported back bill No. 120, H. of R., with the recommendation that it be indefinitely postponed.

Bill No. 158, H. of R., was reported back, and recommended that it be laid on the table.

And upon bill No. 197, H. of R., the committee reported progress and asked leave to sit again.

The report was accepted, and upon motion was concurred in, and the bills disposed of as recommended by the committee.

Mr. Nobles, from the Committee on Engrossed Bills, made the following Report :

The Committee on Engrossed Bills beg leave to report the following bills and memorials as correctly engrossed :

No. 183, H. of R., a bill for an act relative to Free Schools in the city of St. Paul.

No. 184, H. of R., an act to amend an act to provide for the survey of Logs and Lumber in Minnesota Territory.

No. 31, H. of R., memorial to Congress for a donation to the county of Carver, Minnesota, of two townships of land for an Academy at Chaska.

No. 191, a bill to legalize and confirm the election of officers in the county of Rice.

No. 199, a bill for an act to incorporate the Clinton University in the county of Steele, in Minnesota Territory.

No. 204, an act to incorporate the Shakopee City and Chaska Plank Road Company.

No. 206, a bill to incorporate the Minnesota Central Railroad Company.

No. 202, an act granting Hiram Burkey the right to establish and maintain a Ferry.

No. 216, a bill to amend the Revised Statutes.

No. 133, an act to define and establish the boundaries of the county of Anoka, and for other purposes.

No. 214, a bill to incorporate the Farribault and Henderson Plank Road Company.

No. 215, a bill to incorporate the Shakopee Mutual Friend's Association of Shakopee City, Minnesota Territory.

No. 194, a bill to provide for laying-out a Territorial Road from the mouth of Crow River to Henderson.

No. 203, an act to amend section 78 of chapter 70 of the Revised Statutes of the Territory of Minnesota.

No. 211, a bill for an act to incorporate the Chicago Seminary at Taylor's Falls in the county of Chisago.

No. 210, a bill authorizing the Collector of Taxes to assess Real Estate and other purposes in certain cases.

No. 208, an act to prohibit fishing with seines and nets in Lake Minnetonka.

No. 205, a bill for the relief of Wm. H. Stodder and others.

No. 212, a bill to incorporate the Henderson and Glencoe Plank Road Company.

WM. H. NOBLES,
Chairman Committee.

A message from the Council being announced, Mr. Colville, Secretary of the Council, appeared and delivered the following message :

Mr. SPEAKER :—The President has signed the following bills originating in Council:

An act relative to the terms of the District Court.

And an act to amend chapter sixteen of the laws of 1853.

W. COLVILLE, Secretary.

The Speaker signed

An act to amend an act to incorporate the city of St. Paul.

A memorial to Congress for an appropriation to construct the St. Paul and Kettle River Road.

An act relative to the terms of the District Court.

An act to amend chapter 16 of the laws of 1853.

Mr. Bradley moved that bill No. 40 H. of R., be taken up and made the special order for to-morrow, pending which motion,

Mr. Lott moved that the House adjourn.

Which was adopted, and the House adjourned until to-morrow at 10 o'clock, A. M.

Attest

H. L. EDWARDS, Chief Clerk.

CHARLES GARDNER,
Speaker.

WEDNESDAY, FEBRUARY 27, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Bradley, Buck, Cleveland, Covell, DeLaVergne, Dunbar, Gere, Gibbs, Hartenbower, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, Nobles, Norris, Pierce, Sturgis, Taylor, Thorndike and Mr. Speaker.

Prayer by the Chaplain.

The Journal of the preceding day was read.

Pending the reading of the same Mr. Hunt moved,

That the further reading of the Journal be dispensed with,
Which motion was lost.

The Clerk then proceeded to the further reading of the Journal.
Which was read.

Mr. Norris then took into consideration the correction of the Journal.

Mr. Taylor moved,

That the House adjourn.

Which motion was lost.

After some time spent in debate, Mr. Bradley moved,

That the further consideration of the Journal be dispensed with.

Which was agreed to.

Mr. Van Verhes arose to a privilege question.

Mr. Jackman, also, rose to a privilege question.

Mr. Gere from the Joint Committee on enrolled bill, made the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bills:

No. 13, C. F., a bill for an act to incorporate the Minneapolis and St. Cloud Rail Road Company.

No. 137, H. of R., a bill for an act to incorporate the Little Falls Manufacturing Company.

No. 142, H. of R., an act to amend the Revised Statutes.

No. 188, H. of R., an act to incorporate the Benevolent Society of the United Sons of Erin.

No. 105, H. of R., an act relating to bills of exchange, bank checks, and promissory notes.

No. 48, H. of R., an act entitled an act to authorize School District No. 1, township 30, range 20 to levy a special tax.

No. 67, H. of R., an act to amend an act to incorporate the Root River Valley and Southern Minnesota Rail Road Company.

No. 10, H. of R., an act to provide for laying out a Territorial Road.

No. 115, H. of R., an act to incorporate the Owatonia Institute.

No. 195, H. of R., an act to incorporate the Minneapolis Mill Company.

JOS. ROLETTE, Council, }
WM. B. GERE, H. R. } Committee.

The Speaker signed the following bills:

Joint resolution No. 3, H. of R., for the payment of W. W. Kingsbury's mileage and per diem while contesting the seat of N. C. D. Taylor.

No. 13, H. of R., an act to amend an act entitled an act to define the boundaries of certain counties, approved Feb. 20, 1855.

No. 126, H. of R., an act entitled an act to authorize the Register of the Minnesota University to borrow money.

No. 4, H. of R., memorial to the Post Master General of the United States for the establishment of a mail route from Wabashaw by the way of Greenwood, Rochester, and High Forest to Austin.

No. 7, H. of R., a memorial for an appropriation for certain improvements in this Territory.

And the following Council files,

Nos. 54, C. F. No. 47, C. F., No. 19, C. F., No. 79, C. F., No. 19, C. F., a memorial.

And an act to incorporate the Henderson Manufacturing Company.

Mr. Hunt offered No. 241, H. of R., a bill for the relief of certain persons in the County of Carver, which was read a first and second time and laid upon the table to be printed.

The Speaker signed the following bill.

An Act to incorporate the Minneapolis Mill Company.

Mr. Nobles, from the Joint Committee on Engrossed bills, made the following report:

The Joint Committee on Engrossed Bills have examined and found correctly engrossed the following bills and memorials:

No. 213, H. of R., a bill for an act to incorporate the Historical Society of Minnesota, approved October 20th, 1849.

No. 190, a bill for an act to incorporate the Presbyterian Institute of the Presbytery of St. Paul.

No. 30, memorial to Congress to establish a certain mail route in the counties of Hennepin, Carver and Sibley, Minnesota Territory.

No. 181, H. of R., a bill to provide for the payment of an unsettled account.

Bills from the Council on a second reading being in order, the following bills were taken up, read a first and second time.

No. 85, C. F., an act concerning Registers of Deeds.

Also, No. 77, C. F., an act declaring certain Roads projected in the Territory of Minnesota under the authority of United States Territorial Roads.

Also, No. 70, C. F., an act to amend the Revised Statutes.

Also, No. 86, C. F., a bill to incorporate the Mississippi Valley Railroad Company.

Also, No. 112, C. F., a bill for an act to constitute the county of Hennepin a part of the Second Judicial District.

Also, No. 78, C. F., an act to prescribe the times of holding the several terms of the District Court in the Second Judicial District, which was taken up, read a first and second time, and

Upon motion of Mr. DeLaVergne,

Was referred to a Special Committee consisting of Messrs. DeLaVergne, Norris, and Taylor.

Also, No. 99, C. F., an act to authorize the Common Council of the City of St. Paul to issue bonds for certain purposes was taken up and read a first and second time.

Also, No. 14, C. F., a memorial of the Legislative Assembly of the Territory of Minnesota to the President of the United States, for a reduction of the Military Reserve at Fort Ridgley, was taken up and read a first and second time.

Mr. Hull, upon leave granted, presented the following resolution:

Resolved, That his Excellency, the Governor, be requested to return to this House, House bill No. 140, an act to incorporate the Minnesota Life, Fire, and Marine Insurance Company, without his signature.

Which was adopted.

The Joint Committee on Enrolled Bills report that they have presented to His Excellency the Governor, for his signature the following bill:

No. 47, C. F., an act relative to the terms of the District Court.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Bills on their third reading being in order, the following bills were read:

No. 213, H. of R., a bill to amend an act entitled an act to incorporate the Historical Society of Minnesota, approved October 20, 1849.

Was taken up, read a third time, passed, and its title agreed to.

No. 30, H. of R., a memorial to the Postmaster General to establish a certain mail route in the counties of Hennepin, Carver and Sibley, Minnesota Territory,

Was taken up, read a third time, passed, and its title agreed to.

No. 181, H. of R., a bill to provide for the payment of an unsettled account,

Was taken up, read a third time, passed, and its title agreed to.

No. 208, H. of R., an act to prohibit fishing with seines and nets in Lake Minnetonka,

Was taken up, read a third time by its title, and the title agreed to.

No. 183, H. of R., an act relative to Free Schools in the city of Saint Paul,

Was taken up, read a third time by its title, and the title agreed to.

No. 184, H. of R., an act to amend an act to provide for the survey of logs and lumber in Minnesota Territory,

Mr. Taylor moved that the bill be indefinitely postponed.

Which motion was adopted.

No. 190, H. of R., a bill to incorporate the Presbyterial Institute of the Presbytery of St. Paul,

Was read a third time, passed, and its title agreed to.

No. 205, H. of R., a bill for the relief of Wm. H. Stodder and others,

Was taken up, read a third time and passed, and its title agreed to.

No. 210, H. of R., a bill authorizing the collector of taxes to assess real estate and other property in certain cases.

Was read a third time, passed, and its title agreed to.

No. 211, H. of R., a bill for an act to incorporate the Chisago Seminary at Taylor's Falls, in the county of Chisago, was read a third time, passed, and its title agreed to.

No. 194, H. of R., a bill to provide for laying out a Territorial Road from the mouth of Crow River to Hudson.

Was read a third time and passed, and its title agreed to.

No. 215, H. of R., a bill to incorporate the Shakopee Mutual Association of Shakopee city, Minnesota Territory.

Was read a third time, passed, and its title agreed to.

No. 202, H. of R., an act for an act granting Hiram Burkey the right to establish and maintain a Ferry across the St. Croix at the town of Marine Mills, in Washington county.

Was read a third time, passed and its title agreed to.

No. 216, H. of R., a bill entitled an act to amend the Revised Statutes.

Was read a third time and passed, and its title agreed to.

No. 206, H. of R., a bill to incorporate the Minnesota Central Railroad Company.

Was read a third time,

And, Pending the reading of the bill, upon motion of Mr. Lott, it was referred to the Committee on Incorporations.

Mr. Buck asked leave to present the following resolution:

Resolved, That the Chief Clerk of this House be required to procure from the enrolling clerk forthwith, bill No. 207, H. of R., as it passed this House.

Also to produce the Journal of the House, of the day which this bill was considered in Committee of the Whole.

Which resolution was adopted.

Mr. Hunt asked leave to present the following resolution:

Resolved, That a Committee of three be appointed by the chair, to examine all Council bills, previous to their being put upon their third reading; whose duty will be to report daily; and it is hereby made the duty of the Chief Clerk, to submit all Council bills after their second reading to said Committee.

Which motion was adopted and the chair appointed Messrs. Hunt, Hartenbower, and Buck, said Committee.

Mr. DeLaVergne asked leave to present a report. Leave being granted, the following report was submitted:

The committee to whom was referred Council File, No. 78, have had the same under consideration and report the same back to the House, and recommend that it be indefinitely postponed.

Your committee believe that the terms of holding the several Courts in this Territory have been established by law with reference to the convenience of the people, as expressed through their Representatives, whom we believe are better qualified to establish the terms of the Court so as to meet the wants and conveniences of the several counties, than the Judges, who we believe would be more apt to suit their *own* convenience than those of the people.

We cannot believe that the proposed mode would lead to any beneficial results, but

H.—35.

might have a tendency to create confusion and disorder, by having the terms liable to be altered every year as proposed by the bill.

A. DeLaVERGNE,
N. C. D. TAYLOR, } Committee.
J. S. NORRIS,

Which report was accepted.

Mr. DeLaVergne moved that Council file No. 78, be indefinitely postponed.

Which motion was adopted.

Mr. Murphy asked leave to present the following resolution:

Resolved, That House bill No. 40, together with the Executive message upon the same be made the special order of the day for to-morrow morning at 10 o'clock.

M. T. MURPHY.

Mr. DeLaVergne moved, that the resolution be laid upon the table.

And the yeas and nays being called for and ordered, there were yeas 17, and nays 16 as follows:

Those who voted in the affirmative were,

Messrs. Covell, DeLaVergne, Dunbar, Galbraith, Grant, Hartenbower, Haus, Hull, Hunt, Johnson, Lott, McLeod, Nobles, Sturgis, Taylor, Wilkinson, and Mr. Speaker — 17.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleveland, Farnham, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Norris, Pierce, Thorndike, Van Vorhes—16.

So the resolution was laid on the table.

A message from the Council being announced, Mr. Mix, assistant Secretary, appeared and delivered the following message:

Mr. SPEAKER:—The Council has passed

No. 56, C. F., a bill to provide for paying the expenses of surveying and locating a Territorial Road, from St. Cloud to Minneapolis, in which the concurrence of the House is solicited.

WM. COLVILLE, Secretary.

On motion the House took a recess until 2 o'clock.

AFTERNOON SESSION.

House met pursuant to adjournment and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Buck, Burdick, Cleveland, De LaVergne, Dunbar, Farnham, Gere, Gibbs, Hartenbower, Haus, Hull, Jackman, Johnson, Kirkman, Lott, Murphy, Nobles, Pierce, Taylor, Thompson, Thorndike, Wilkinson, and Mr. Speaker.

Mr. Burdick asked unanimous consent to present No. 243, H. of R., an act to organize the county of Todd, which was granted.

The bill was then read a first and second time.

Upon motion, the House appointed a committee of three to investigate bill No. 207, H. of R., a bill granting to certain persons Ferry Charters, consisting of Messrs. Haus, Norris, and Van Vorhes.

Mr. Buck moved that bill No. 207, H. of R., be referred to the above committee, which was agreed to.

Mr. Buck moved that the House take up 64, H. of R., an act to incorporate the Zumbro Falls Manufacturing Company, which was agreed to, and the bill was read a third time, passed, and its title agreed to.

Also, No. 56, C. F., a bill to provide for paying the expense of surveying and locating a Territorial Road from St. Cloud to Minneapolis.

The question then recurring on the passage of the bill, and the yeas and nays being called for and ordered, there were yeas 25, nays 8, as follows:

February 27, 1856.] HOUSE OF REPRESENTATIVES.

Those who voted in the affirmative were,

Messrs. Burdick, Cleveland, Covel, DeLaVergne, Dunbar, Farnham, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hull, Hunt, Jackman, Knauff, Lott, McLeod, Nobles, Pierce, Sturgis, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker—25.

Those who voted in the negative were,

Messrs. Bradley, Buck, Johnson, Kirkman, Murphy, Norris, Taylor, and Thordike—8

So the bill was passed and its title agreed to.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER—The President has signed the following bills:

No. 80, C. F., an act to incorporate the Target Lake Plank Road and Ferry Company.

And No. 13, C. F., an act to incorporate the Minneapolis and St. Cloud Railroad Company.

The Council has passed the following House bills:

No. 215, an act to provide for an annual appropriation for the benefit of the Minnesota Historical Society.

No. 161, a bill to incorporate the Shakopee and Le Sueur Plank Road Company.

No. 237, a bill to incorporate the St. Peters Company.

No. 155, an act to incorporate the Henderson and Belle Plain Plank Road Company.

No. 29, a memorial to the President of the United States relative to the eastern line of the Sioux Reservation.

No. 164, a bill to incorporate the Minneapolis and Cedar Valley Railroad Company.

No. 150, an act to incorporate the City of Greenwood, and for other purposes.

No. 99, an act to establish the county of McLeod, and for other purposes.

Also the following with amendments.

No. 221, a bill to provide for laying out certain Territorial Roads.

And No. 235, a bill for an act to define the boundaries of Superior, Lake and Newton counties, and for other purposes.

Also C. F. No. 25, an act to incorporate the Northern Pacific Railroad Co.

W. COLVILLE, Jr.

Upon motion, No. 243 H. of R., an act to organize the county of Todd, was taken up, read a third time, passed, and its title agreed to.

Bills upon a third reading being in order, No. 236 H. of R., a bill to amend an act entitled an act to incorporate the City of St. Anthony, was taken up, read a third time, passed and its title agreed to.

No. 203 H. of R., an act to amend section 73, of chapter 70, of the Revised Statutes of the Territory of Minnesota, was taken up, read a third time, passed, and its title agreed to.

No. 212 H. of R., a bill to incorporate the Henderson and Glencoe Plank Road Company, was taken up, read a third time, passed, and its title agreed to.

No. 214, H. of R., a bill to incorporate the Faribault and Henderson Plank Road Company, was taken up, read a third time, passed, and its title agreed to.

No. 199, H. of R., a bill for an act to incorporate the Clinton University in the county of Steele and Territory of Minnesota, was taken up, read a third time, passed, and its title agreed to.

No. 191, H. of R., a bill to legalize and confirm the election and qualification of officers in the county of Rice, was taken up, read a third time, passed, and its title agreed to.

No. 31, H. of R., a memorial to Congress for a donation to the county of Carver, Minnesota Territory, of two townships of government land for the endowment of an Academy to be located at Chaska in said county of Carver, was taken up, read a third time, passed, and its title agreed to.

No. 204, H. of R., an act to incorporate the Shakopee City and Chaska Plank Road Company was taken up, read a third time, passed, and its title agreed to.

No. 196, H. of R., an act to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company, was taken up, read a third time, passed, and its title agreed to.

No. 133, H. of R., an act to define and establish the boundaries of the county of Anoka, and for other purposes.

Mr. Gere moved to refer the above bill to the Committee on Territorial Affairs.

And the yeas and nays being called for and ordered, there were yeas 10, and nays 23, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Gere, Hartenbower, Haus, Hull, Johnson, McLeod, and Wilkinson—10.

Those who voted in the negative were,

Messrs. Bradley, Cleaveland, Dunbar, Farnham, Galbraith, Gibbs, Grant, Hunt, Ide, Jackman, Kirkman, Knauff, Murphy, Nobles, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, and Mr. Speaker—22.

So the bill was not referred.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER: The President has signed the following bills originating in the Council: No. 27 and No. 40.

Also, the following House bills, memorials and joint resolutions:

No. 4, memorial; No. 13, and 126 bills; No. 7, memorial; No. 3, joint resolution, and an act to incorporate the Minneapolis Mill Company.

W. COLVILLE, Jr., Secretary.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message:

EXECUTIVE DEPARTMENT,
St. Paul, Feb. 27, 1856. }

To the Speaker of the House of Representatives—

Sir: I am directed by his Excellency to return to the House, bill No. 140 entitled "an act to incorporate the Minnesota, Life, Fire and Marine Insurance Company," without his signature, in accordance with a resolution of the House of Representatives.

Mr. Wilkinson then moved that the bill be laid on the table until to-morrow.

Which motion was lost.

The question then recurring upon the passage of the bill.

And the yeas and nays being called for and ordered, there were yeas 29 and nays 4, as follows:

Those who voted in the affirmative were:

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Holland, Hull, Hunt, Jackman, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Strugis, Taylor, Thompson, Thorndike, Van Vorhes, Wilson, and Speaker.

Those who voted in the negative were:

Messrs. Boutillier, Haus, McLeod and Wilkinson.

So the bill was passed and its title agreed to.

A message from the Council being announced, Mr. Mix, Assistant Secretary, appeared and delivered the following:

MR. SPEAKER:—The Council has passed No. 51, C. F., an act to incorporate the Lake Superior and Central Minnesota Railroad Company, in which the concurrence of the House is solicited.

W. COLVILLE, Secretary.

Mr. Gere from the Joint Committee on enrolled bills, made the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bills:

No. 61, C., F. a bill for an act to Incorporate the town of St. Cloud.

- No. 9, H. of R., a bill for laying out a Territorial Road from Winona to Austin.
- No. 14, H. of R., a bill for laying out a Territorial Road.
- No. 28, H. of R., a memorial to Congress for an appropriation of \$10,000.
- No. 13, H. of R., a memorial for the modification of the Pre-Emption Law.
- No. 27, H. of R., a memorial to the Postmaster General.
- No. 154, H. of R., an act to incorporate the Henderson Bridge Company.
- No. 138, H. of R., an act relating to the distribution of the School Fund.
- No. 14, H. of R., a bill to incorporate the town of Clarksville.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills:

- No. 40, C. F., an act to incorporate the Masonic Building Association.
- No. 27, C. F., an act to legalize certain elections.
- No. 5, H. of R., a bill entitled an act to incorporate the Lake Superior and Northern Pacific Railroad Company.
- No. 34, H. of R., a bill to provide for laying out a Territorial Road from Cannon Falls to the Iowa State Line.

JOS. ROLETTE, Council, } Committee.
W. B. GERE, H. of R., }

The Joint Committee on Enrolled bills have presented to his Excellency, the Governor, for his signature the following bills:

- No. 11, 79, 19, 54, 49, 19 and 41, C. F.
- An act to amend Chapter sixteen of the laws of 1853.
- An act to incorporate the Henderson Manufacturing Company.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

Mr. Hunt from the Committee to whom was referred Council Files made the following report:

The Committee to whom was referred Council Bills on their second reading ask leave to report the following bills back to the House after having carefully examined the same, and that there are no amendments to any of said bills, which is not of the same subject matter, as that contained in the body of the bills.

- Nos. 68, 75, 42, 72, 87, 53, 45, 86, 112, 11, 9, 35, 81, 6, 60, 77, 14, 99, 39 and 85.
- The report was accepted.

THOS. B. HUNT, } Committee.
J. H. HARTENBOWER, }
C. F. BUCK, }

Mr. Galbraith moved the reconsideration of the vote by which Bill No. 133 was passed Which motion was lost.

Bills on a third reading being still in order, No. 14 C. F., a bill to provide for laying out a Territorial Road from Red Wing to Henderson, was taken up, read a third time, passed, and its title agreed to.

No. 17 C. F., a bill to provide for the laying out and establishing a Territorial Road from Henderson to Fort Ridgley, was taken up, read a third time, passed, and its title agreed to.

No. 43 C. F., an act to locate a Territorial Road from Fort Ripley to Fort Ridgley, was taken up, read a third time, passed, and its title agreed to.

No. 14 C. F., an act to provide for laying out a Territorial Road from Red Wing to Henderson, read a third time, passed, and its title agreed to.

The Speaker signed

No. 40, an act to incorporate the Masonic Building Association.

Mr. Hull offered the following Resolution :

Resolved, (the Council concurring,) That the Enrolling Clerk of the House be authorized to strike out the word 'twelve,' and insert the word 'seven,' in section 10, of an act to incorporate the Minnesota Life, Fire, and Marine Insurance Company, and to insert at the end of said section, the words: "or such rates of interest as may be agreed upon by the parties, and to return the same to his Excellency."

Which was adopted.

Mr. Johnson introduced No. 244, H. of R., and upon leave granted, the bill was read a first and second time.

Upon motion of Mr. Johnson the rules were suspended and the bill read a third time, passed, and its title agreed to.

A message from the Governor being announced, Mr. Smith, private Secretary, appeared and delivered the following message :

EXECUTIVE DEPARTMENT,
ST. PAUL, Feb. 27, 1856. }

To the Speaker of the House of Representatives—

SIR : I am directed by his Excellency, to inform the House of Representatives that he has approved and signed "an act, entitled an act, to incorporate the St. Anthony Falls Water Power Company," which originated in the House of Representatives.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

Mr. Speaker the Council has passed the following bills :

No. 116, C. F., an act to amend an act to incorporate the St. Paul Bridge Company.

No. 107, an act to extend the time within which the Minnesota Bridge Company is required to commence building their bridge.

No. 65, C. F., an act to organize the county of Mower.

No. 117, an act to omit Chapter 36 of the Revised Statutes and Chapter 22, Laws of 1853.

And No. 96.

Also, House bill No. 16, a bill to locate a Territorial road from the town of LeSenr to the old Sioux crossing, with an amendment.

WM. COLVILLE, Jr., Secretary.

Mr. Van Vorhes moved that the House take up No. 39 C. F.

Which was agreed to.

Mr. Nobles moved that the rules be suspended and that the House resolve itself into a Committee of the Whole for the consideration of bills No. 39 and 70.

And on motion of Mr. Norris, No. 236 was also taken up.

The House resolved itself into a Committee of the Whole, Mr. Norris in the chair.

After some time passed therein the Committee rose and by their chairman, reported the bills back to the House with the recommendation that No. 39, C.F., be reported back with amendments and asked the concurrence of the House therein, and that the bill be put upon its third reading and passed.

Upon motion, the bill was then taken up, read a third time, passed, and its title agreed to.

That No. 70, C. F. be reported back to the House and referred to the Committee on Judiciary.

That No. 236 C. F. be reported back to the House and referred to the Committee on Judiciary.

The report of the Committee was accepted and upon motion, bills No. 70 and No. 236 C. F. were referred to the Committee on Judiciary.

Mr. Gere, from the Committee on Enrolled Bills presented the following report :

The Joint Committee on Enrolled Bills report that they have presented to his Excel-

lency the Governor, for his signature, the following bill:

No. 40, C. F., an act to incorporate the Masonic Building Association.
J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The Joint Committee on Enrolled Bills have examined, and found correctly enrolled the following bill:

No. 84, C. F.
An act relating to the County Seat of Fillmore county.
JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. R. }

Mr. Gibbs moved that the rules be suspended and that he be allowed to present a resolution relative to bill No. 40.

And the yeas and nays being called for and ordered, there were yeas 11, and nays 21, as follows :-

Those who voted in the affirmative were,
Messrs. Bradley, Buck, Cleaveland, Gibbs, Holland, Jackman, Murphy, Norris, Taylor, Thorndike, and Van Vorhes—11.

Those who voted in the negative were,
Messrs. Bontillier, Burdick, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Grant, Hartenbower, Haus, Hull, Hunt, Johnson, Kirkman, Knauft, Lott, McLeod, Nobles, Sturgis, Wilkinson, and Mr. Speaker—21.

So the motion was lost.

The Speaker signed the following Council Files :

No. 13, an act to incorporate the Minneapolis and St. Cloud Railroad Company.

No. 80. C. F., an act to incorporate the Target Lake Plank Road and Ferry Company.

No. 27, C. F., an act to legalize and confirm certain Elections.

Also the following House bills:

An act to incorporate the Lake Superior and Northern Pacific R. R. Co.

No. 115, H. of R., an act to incorporate the Owatonia Institute at Owatonia.

No. 105, H. of R., an act relating to bills of Exchange, Bank Checks and Promissory Notes falling due on New Year's day, Fourth day of July, Fast, Thanksgiving day and Christmas.

An act entitled an act to authorize School District No. 1, Town 30, Range 20, to levy a special tax.

An act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

An act to incorporate the Little Falls Manufacturing Company.

No. 138, H. of R., an act to incorporate the Benevolent Society of the United Sons of Erin, established at St. Paul in the year 1855.

No. 142, H. of R., an act to amend the Revised Statutes.

An act to incorporate the Henderson Bridge Company.

An act for which to provide for the laying out a Territorial Road from Cannon Falls to the Iowa Line.

A memorial to Congress for an appropriation of \$10,000, for the construction of Bridges and Culverts on a Territorial Road from the Iowa State Line, via Richland, Preston and Chatfield, to Rochester in Minnesota Territory.

A memorial to Congress for a modification of the Pre-emption Law.

A memorial of the Legislative Assembly of the Territory of Minnesota to the Postmaster General of the United States, praying further mail facilities in the Minnesota Valley.

An act to incorporate the Town of Clarksville, and for other purposes.

An act relating to the distribution of the School Funds in Sibley County.

An act to provide for laying out a Territorial Road from the Iowa line, past Austin, Owatonia, Farribault, to Dodd Road.

An act to provide for laying out a Territorial Road from Winona to Austin.

No. 10, H. of R., an act to provide for laying out a Territorial Road from Wabashaw to Austin, Mower county.

No. 84, C. F., an act relative to the county seat of Fillmore county.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER—The Council has passed No. 240, H. of R., an act relative to the terms of the District Court, amended by striking out in the 3d line of section 2, the word two, and insert the word one.

In which the concurrence of the House is solicited.

W. COLVILLE, Secretary.

MR. SPEAKER—The Governor, in accordance with a resolution of the Council, returned No. 50, C. F., to the Council in order that it might be amended.

The bill was amended by unanimous consent, and is herewith transmitted to the House with the request that it will concur therein.

W. COLVILLE, Jr., Secretary.

MR. SPEAKER: The President has signed an act to incorporate the town of St. Cloud. The Council has refused to pass No. 17, H. of R., a memorial to Congress for a donation to the county of Fillmore of all swamp or overflowed lands in the county, for the endowment of an Academy to be located at Carimona.

No. 110, an act to provide for the election of County Superintendents of Common Schools.

No. 143, an act to provide for the election of County Auditors and prescribing their powers and duties.

No. 176, an act increasing salaries of Territorial Auditor and Superintendent of Common Schools.

No. 171, a bill for an act regulating Mills and Millers.

The Council has passed the following bills:

No. 110, C. F., an act to provide for the survey of timber in the Second, Third, and Fourth Districts.

No. 118, a bill to authorize the County Commissioners of Hennepin county, to borrow money on the county bonds, for the purpose of erecting county buildings.

No. 30, H. of R., a memorial to Congress to establish a certain mail route in the counties of Hennepin, Carver and Sibley, Minnesota Territory.

No. 44, H. of R., an act to incorporate the St. Cloud Bridge Company.

No. 55, C. F., an act to provide for the free passage of logs and lumber down Cannon River; and

No. 115, C. F., an act to amend an act entitled an act providing for the appointment of a Librarian and for other purposes.

W. COLVILLE, Jr., Secretary.

Mr. Burdick asked unanimous consent of the House to present No. 245 H. of R., an act to organize the county of Crow Wing.

Which was read a first and second time.

Mr. Burdick moved that the rules be suspended and the bill read a third time.

Which motion was lost.

Upon motion of Mr. DeLaVergne the House resolved itself into Committee of the Whole, for the purpose of taking into consideration unfinished business of the Committee of the Whole House.

After some time passed therein, the Committee rose, and by their chairman reported back bill No. 197 with recommendations that it be indefinitely postponed.

The report of the Committee was accepted.

Mr. DeLaVergne moved that the House do now adjourn, which motion was lost.

Mr. Nobles moved that the bill be referred to a Special Committee to be appointed by the chair.

And the yeas and nays being called for and ordered, there were yeas 18 and nays 17 as follows:

Those who voted in the affirmative were:

Messrs. Burdick, Covell, Dunbar, Galbraith, Grant Hartenbower, Haus, Hull, Hunt, Johnson, Lott, McLeod, Nobles, Stargis, Taylor, Wilkinson, Wilson and Speaker—18.

Those who voted in the negative were:

Messrs. Boutillier, Bradley, Buck, Cleaveland, DeLaVergne, Farnham, Gibbs, Holland, Ide, Jackman, Kirkman, Knauff, Murphy, Norris, Pierce, Thorndike and Van Vorhes—17.

So the motion was carried and the Chair appointed Messrs. Nobles, Wilson and Burdick said Committee.

Mr. Burdick moved, that the House do now adjourn.

Which motion was adopted, and the House adjourned until to-morrow at 10 o'clock

A. M.

Attest:

H. L. EDWARDS,
Chief Clerk.

CHARLES GARDNER,
Speaker.

THURSDAY, FEBRUARY 28, 1856.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll being called the following members answered to their names:

Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson and Mr. Speaker.

Prayer by the Chaplain.

The Journal of the preceding day was read, corrected and approved.

Mr. Lott from the Judiciary Committee, submitted the following report:

The committee on the Judiciary, to which was referred No. 236, H. of R., a bill to provide for the publication and sale of the Statutes of the Territory, would respectfully report:

That your committee is deeply impressed with the necessity of the publication of an edition of the laws of the Territory in a collated form.

But while your committee approves of the object contemplated by the bill, they feel that the provisions of the bill must lead to an infringement of the rights of an existing law of one of the officers of this Legislature.

By the act relative to the election and duties of a Territorial Printer, it is provided that he shall do all the incidental printing of the laws, and he is required to give bond for the faithful execution of all the Territorial printing. It is therefore a matter of much doubt whether this Legislature has authority to designate any other person than the Territorial Printer to do any Territorial printing.

Your committee can see no valid reason why it should be done, when the Public Printer is amply prepared to execute the work, and is already under bond for the faithful performance of his duties.

H.—36.

Your committee has therefore prepared a substitute for the original bill, which contemplates the collection and publication of the laws under regulations which will enable them to be obtainable by all persons desiring copies, and the expense of publication, binding, and collecting, to be paid from the proceeds of the sale of the book; thus relieving the Territorial Treasury from the burden of the expenditure necessary for the work.

Your committee therefore respectfully recommends the adoption of the substitute herewith presented, and the passage of the bill thus amended.

Your committee have also had under consideration No. 70, C. F., a bill to amend the Revised Statutes, to which they have suggested sundry amendments, and recommend their adoption by the House.

All of which is respectfully submitted.

B. W. LOTT,
A. F. DeLAVERGNE, } Judiciary Com.

Mr. Galbraith from the committee on Judiciary submitted the following report:

The undersigned from the Committee on Judiciary, to whom was referred, bill No. 236, H. of R., begs leave to respectfully dissent from the report of the majority of the Committee.

T. J. GALBRAITH,

The Speaker signed the following bill:

An act to incorporate the town of St. Cloud.

Mr. Lott moved that the substitute for bill No. 236, H. of R., a bill to provide for the publication and sale of the Statutes of the Territory, be read a first and second time.

Mr. Holland moved that the further reading of the substitute be dispensed with and the bill be referred to the Committee on Science and Literature.

Pending the discussion of the same the motion was withdrawn.

A message from the Governor being announced, Mr. Smith, Private Secretary appeared and delivered the following message:

EXECUTIVE DEPARTMENT, St. Paul, M. T. Feb'y 28, 1856.

To the Speaker of the House of Representatives.

SIR: I am directed by his Excellency to inform the House of Representatives that he has approved and signed "A Memorial for an appropriation for certain improvements in this Territory." No. 7, H. of R.

"An act entitled an act to incorporate the Minneapolis Mill Company."

"An act entitled an act to authorize the Regents of the Minnesota University to borrow money."

Upon motion of Mr. Hunt, the rules were suspended, and the House resolved itself into Committee of the Whole, to consider bill No. 236, H. of R., a bill to provide for the publication and sale of the Statutes of the Territory.

After some time being spent therein, the Committee rose and by their chairman reported the bill back with amendments, and recommended that it be engrossed for a third reading.

Mr. Hunt moved that the amendment be concurred in.

Mr. Nobles moved that the substitute be adopted in lieu of the original bill.

And the yeas and nays being called for and ordered, there were yeas 21 and nays 15, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covel, DeLaVergne, Dunbar, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Taylor, Wilkinson, Wilson, and Mr. Speaker—21.

Those who voted in the negative were,

Messrs. Bontillier, Bradley, Buck, Cleaveland, Farnham, Galbraith, Gibbs, Jackman, Kirkman, Murphy, Norris, Pierce, Thompson, Thorndike, and Van Vorbes—15.

The motion was decided in the affirmative, and the substitute adopted.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills, memorials and joint resolution.

No. 43, C. F., a bill for an act to locate a Territorial Road from Fort Ripley to Fort Ridgley.

No. 17, C. F., a bill for an act to provide for laying out a Road from Henderson to Fort Ridgley.

No. 64½, C. F., a memorial to incorporate the Little Falls Manufacturing Company.

No. 14, C. F., a memorial to provide for laying out a Road from Red Wing to Henderson.

No. 56, C. F., a joint resolution to provide for paying the expenses of surveying, and locating a Territorial Road, from St. Cloud to Minneapolis.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The Joint Committee on Enrolled Bills, did, on the 28th day of February, A. D., 1856, present to the Governor, for his signature, the following bills:

An act to incorporate the Target Lake Plank Road and Ferry Company.

An act to legalize and confirm certain elections.

J. ROLETTE, Council. } Committee.
WM. B. GERE, H. R. }

The Joint Committee on Enrolled Bills report that they have presented to his Excellency the Governor for his signature the following Bills, Memorials and Joint Resolution.

An act entitled an act to incorporate the Minneapolis Mill Company.

An act to amend an act entitled an act to define the boundaries of certain counties.

A memorial for certain improvements in this Territory.

A memorial to the Postmaster General for the establishment of a mail route.

An act entitled an act to authorize the Regents of the Minnesota University to borrow money.

Joint Resolution for the payment of W. W. Kingsbury's mileage and per diem while contesting the seat of N. D. C. Taylor.

No. 84, C. F., a bill relative to the County Seat of Fillmore County.

JOS. ROLETTE, Council. } Committee.
WM. B. GERE, H. of R. }

Mr. Lott moved,

That the bill be engrossed for a third reading.

Which motion was adopted.

Mr. Galbraith asked leave to withdraw certain petitions praying for the establishment of the county of Anoka.

Which motion was adopted.

Mr. Farnham asked leave to introduce the following resolution.

Whereas, House bill, No. 236, an act to amend an act entitled an act to incorporate the city of St. Anthony has passed this House,

Resolved, by this House, that the Chief Clerk be instructed to call on the Council and respectfully request them to return House bill No. 236 to the House for further consideration.

Leave was granted.

Mr. Farnham moved that the Resolution be adopted:

And the yeas and nays being called for and ordered, there were yeas 20 and nays 12, as follows:

Those who voted in the affirmative were,

Messrs. Boutwell, Bradley, Beck, Burdick, Cleveland, Covel, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Hunt, Jackson, Kirkman, Murphy Norris, Taylor, Thurn-dike, Van Vorhes and Willson—20.

Those who voted in the negative were,
Messrs. Gere, Grant, Hartenbower, Haus, Johnson, Knauft, Lott, McLeod, Nobles
Pierce, Wilkinson and Mr. Speaker—12.

So the motion was adopted.

Mr. Nobles moved that the House take a recess until half past two o'clock, P. M.
Which motion was adopted, and the House took a recess.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Norris upon leave being granted presented the following resolution:

Resolved, That the Chief Clerk of the House be, and is hereby instructed to procure the original or printed copy of a memorial reported by the Committee on Agriculture, asking Congress for a grant of land to aid the Minnesota Agricultural Society.

Which was adopted.

Mr. Galbraith, on leave granted, presented No. 240, a bill to grant an extension of time to the Minnesota and North Western Railroad Company.

Which was read a first and second time.

Mr. Galbraith moved that the House resolve itself into a Committee of the Whole for the consideration of the above bill.

Mr. Norris rose to a point of order,

That the bill could not be acted upon, pending the question upon the bill returned with the executive veto and now lying on the table.

The Chair decided adverse to the point of order.

A message from the Council being announced, Wm. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER: The President has signed the following House bills which are herewith returned:

An act to incorporate the Little Falls Manufacturing Company.

An act relating to Bills of Exchange, Bank Checks, &c.

An act authorizing School District No. 1, Town 30, range 20, to levy a special tax.

An act to incorporate the Owatonia Institute.

An act to provide for laying out a Territorial Road from Cannon Falls to the Iowa line.

An act to incorporate the Henderson Bridge Company.

An act to amend the Revised Statutes.

An act to incorporate the Benevolent Society of United Sons of Erin.

An act to incorporate the town of Clarksville.

An act to provide for laying out a Territorial Road from the Iowa line, past Austin, Owatonia and Faribault, to the Dodd Road.

An act relating to the distribution of the School Fund in Sibley county.

An act providing for laying out a Territorial Road from Winona to Austin.

An act to provide for laying out a Territorial Road from Wabashaw to Austin, Winona county.

An act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

An act to incorporate the Lake Superior and Northern Pacific Railroad Company.

A memorial to Congress for a modification of the Pre-emption Law.

A memorial to Congress for an appropriation of \$10,000 for the construction of bridges and culverts on a Territorial Road from the Iowa line, via Richland, Preston and Chatfield, to Rochester in Minnesota Territory.

A memorial of the Legislative Assembly of Minnesota Territory to the Postmaster General of the United States, praying further mail facilities in the Minnesota Valley.

Also Council Files No. 13, an act to incorporate the Minneapolis and St. Cloud Railroad Company.

The Council has passed No. 63, C. F., a bill to incorporate the town of Little Falls West.

No. 57, C. F., a bill to provide for laying out a Territorial Road from Watab to the Road from St. Cloud to Pembina.

No. 58, C. F., an act to provide for laying out a Territorial Road from St. Cloud to Fort Ripley.

No. 102, C. F., an act to incorporate the Cannon Falls Manufacturing Company.

No. 211, H. of R., an act to incorporate the Chisago Seminary at Taylor's Falls in Chisago county.

No. 239, H. of R., an act to incorporate Hastings.

No. 213, C. F., a bill to amend an act entitled an act to incorporate the Historical Society of Minnesota, approved Oct. 20, 1849.

No. 190, H. of R., a bill to incorporate the Presbyterian Institute of the Presbytery of St. Paul.

No. 199, a bill for an act to incorporate the Clinton University in the county of Steele.

No. 23, H. of R., a memorial to Congress to alter the form of Red Wing, Winona and Root River Land Districts.

The Council has indefinitely postponed No. 214, H. of R., a bill to incorporate the Faribault and Henderson Plank Road Company

No. 54, H. of R., an act to license and regulate agencies of Insurance Companies in the Territory of Minnesota.

No. 205, H. of R., a bill for the relief of Wm. H. Stodder and others.

No. 181, H. of R., a bill to provide for the payment of an unsettled account.

The Council has also passed No. 121, H. of R., a bill to provide for locating the County Seat of Steele, and for other purposes.

W. COLVILLE, Secretary.

Mr. Bradley rose to a point of order.

That no bill could be read the first time by its title only.

The Chair decided that the House had amended Rule 34, as follows: by striking out the words "shall be at length," and decided that the bill had been read a first and second time.

Mr. Galbraith withdrew the previous motion, and moved,

That the Veto Message of the Governor upon bill No. 40, H. of R., a bill to grant an extension of time, be now taken up.

Which was adopted.

Mr. Galbraith moved, that the bill be read by its title, and put upon its passage, the objections of the Governor to the contrary notwithstanding.

And the yeas and nays being called for and ordered, there were yeas 6, and nays 32, as follows:

Those who voted in the affirmative were,

Messrs. DeLaVergne, Dunbar, Hunt, Johnson, Wilkinson, and Mr. Speaker—6.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Burdick, Cleaveland, Covell, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Knauff, Lott, McLeod, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, and Wilson—32.

So the bill was not passed.

A message from the Council being announced, Mr. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed,

No. 243, H. of R., an act to organize the county of Todd.

No. 196, H. of R., an act to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company.

The President has signed,

Council File, an act to locate a Territorial Road from Fort Ripley to Fort Ridgley.

An act to incorporate the Zembro Falls Manufacturing Company.

An act to provide for laying out and establishing a Territorial Road from Henderson to Fort Ridgley.

An act to provide for paying the expenses of laying out and locating a Territorial Road from St. Cloud to Minneapolis.

An act for laying out a Territorial Road from Red Wing to Henderson.

A message from his Excellency the Governor being announced, Mr. R. A. Smith, appeared and delivered the following :

EXECUTIVE DEPARTMENT,
St. Paul, Feb. 28, 1856. }

To the Speaker of the House of Representatives:

SIR:—I am directed by his Excellency to inform the House of Representatives that he has approved and signed

An act to amend an act entitled an act to define the boundaries of certain counties, approved February 20th, 1855, No. 13, H. of R.

Also a Joint Resolution for the payment of W. W. Kingsbury's mileage and per diem while contesting the seat of N. C. D. Taylor. No. 3, H. of R.

Mr. Gibbs moved that the House reconsider the vote by which they refused to pass bill No. 40, H. of R.

Which was decided in the negative.

Mr. Galbraith again moved that the House resolve itself into Committee of the Whole for the consideration of No. 240, H. of R., a bill granting an extension of time to the Minnesota & North-Western Rail Road.

Mr. Norris moved that the bill be laid on the table and ordered to be printed, and made the special order of the day for to-morrow morning at 10 o'clock.

Which was lost.

Mr. DeLaVergne moved the previous question, which was not sustained.

Mr. Holland rose to a point of order ; that a motion to commit could not now be entertained, which point of order was not sustained by the chair.

Mr. Holland appealing from the decision of the chair,

And the yeas and nays being called for and ordered, there were yeas 20, and nays 11, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Thompson, Wilkinson, and Mr. Speaker.—20.

Those who voted in the negative were,

Messrs. Boutillier, Buck, Cleveland, Farnham, Holland, Jackman, Murphy, Norris, Pierce, Thorndike, Van Vorhes.—11.

So the decision of the chair was sustained.

Mr. Galbraith moved to commit the above bill to the Committee of the Whole,

And the question recurring upon the motion of Mr. Galbraith, after some time spent in debate,

Mr. DeLaVergne moved the previous question, which motion was ordered.

The question then recurring on the motion of Mr. Galbraith to commit,

Which motion prevailed.

The House then resolved itself into a Committee of the Whole,

Mr. DeLaVergne in the chair, for the purpose of taking into consideration bill No. 240, H. of R., and after some time passed therein,

The committee rose, and by their Chairman reported the bill back to the House with a recommendation that it be referred back to the House with amendments, and asked the concurrence of the House therein, and that the bill be put upon its third reading and passed.

Upon motion the bill was taken up, the amendments read, and upon leave granted, Mr. Van Vorhes was allowed to withdraw an amendment offered by him in Committee of the Whole.

Mr. Bradley offered the following amendment :

Strike out the words "two per cent." where they occur in the bill, and insert the words "four per cent."

Which amendment was lost.

Mr. Norris offered the following amendment:

Provided, always that the said company shall deposit with the Secretary of the Treasury of the United States, on or before the fourth day of July, eighteen hundred and fifty six, two hundred thousand dollars worth of State or United States stocks, in trust for the Territory or future State of Minnesota, to be forfeited to the said Territory or State in case the said company should fail to construct the said Road according to the charter and the amendments thereto, the said Company at the same time receiving the interest thereon,

And the yeas and nays being called for and ordered, there were yeas 15, and nays 23, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland Ide, Jackman, Kirkman, Murphy, Norris, Pierce, Thorndike and Van Vorhes.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson and Mr. Speaker.

The amendment was lost.

Mr. Van Vorhes offered the following additional section as an amendment :

The route of said road shall pass to a point not exceeding one and one-fourth of a mile from that portion of Lake St. Croix, adjoining the eastern limits of the city of Stillwater in said Territory, and also to and through the town of St. Anthony Falls, any thing contained in the act to which this is amendatory to the contrary notwithstanding.

And the yeas and nays being called for and ordered there were yeas 15 and nays 22, as follows :

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Jackman, Kirkman, Murphy, Norris, Pierce, Taylor Thorndike, and Van Vorhes.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis Thompson, Wilkinson, Wilson, and Mr. Speaker.

So the amendment was lost.

Mr. Bradley offered the following amendment:

That the said road should pass to and through the city of St. Anthony.

And the yeas and nays being called for and ordered, there were yeas 17, and nays 21, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Hunt, Jackman, Kirkman, Murphy, Norris, Pierce, Sturgis, Taylor, Thorndike and Van Vorhes.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Johnson, Knauff, Lott, McLeod, Nobles, Thompson, Wilkinson, Wilson and Mr. Speaker.

So the amendment was lost.

Mr. Van Vorhes offered the following amendment:

That said company shall construct a branch of said road from St. Paul to Stillwater.

And the yeas and nays being called for and ordered, there were yeas 18, and nays 20, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Hunt, Ide, Jackman, Kirkman, Murphy, Norris, Pierce, Taylor, Thompson, Thorndike, and Van Vorhes—18.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Wilkinson, Wilson, and Mr. Speaker—20.

So the amendment was lost.

Mr. Norris offered the following amendment:

The several counties in this Territory through which said road runs shall have the right to tax said company for said road for county purposes, as other property is taxed, anything in this act to the contrary notwithstanding.

Mr. Holland moved to amend the amendment by inserting the following:

The said company shall construct and keep in operation a branch road from St. Paul to Mankato via Shakopee, Le Sueur, Henderson and St. Peter.

The question then recurring upon the amendment to the amendment,

And the yeas and nays being called for and ordered, there were yeas 8, and nays 29, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Farnham, Holland, Johnson, Murphy, and Norris—8.

Those who voted in the negative were,

Messrs. Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Kirkman, Knauff, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker—29.

So the amendment to the amendment was lost.

Mr. Boutillier offered the following amendment to the amendment of Mr. Norris.

That the said company shall build a branch to hit St. Cloud, Watab, Mille Lac, and from hence to Lake Superior.

Which was lost.

The question then recurring upon the amendment of Mr. Norris,

And the yeas and nays being called for and ordered, there were yeas 13, and nays 25, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Jackman, Kirkman, Murphy, Norris, Pierce, and Thorndike.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

So the amendment was lost.

Mr. Norris offered the following amendment:

Nothing in this act contained, or the amendments thereto, shall be so construed as to exempt the lands of said company from taxation after the patents are issued.

And the yeas and nays being called for and ordered, there were yeas 14, and nays 23, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Bradley, Buck, Cleaveland, Farnham, Gibbs, Holland, Jackman, Kirkman, Murphy, Norris, Pierce, Thorndike, and Van Vorhes—14.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Knauff, Lott, McLeod, Nobles, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker—23.

So the amendment was lost.

Mr. Galbraith moved that the bill be now engrossed for a third reading.

And after some time spent in debate,

Mr. DeLaVergne moved the previous question, which was ordered.

And the question recurring upon the previous question,

And the yeas and nays being called for and ordered, there were yeas 27, and nays 11, as follows:

Those who voted in the affirmative were,

Messrs. Boutillier, Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Knauff, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleveland, Farnham, Gibbs, Holland, Jackman, Murphy, Norris, Thorndike and Van Vorhes—11.

So the motion to engross was decided in the affirmative.

Mr. Wilkinson moved that the rules be suspended and the bill be put upon its third reading,

And the yeas and nays being called for and ordered, there were yeas 25 and nays 12, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Knauff, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thompson, Wilkinson, Wilson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleveland, Farnham, Gibbs, Holland, Jackman, Murphy, Norris, Thorndike and Van Vorhes.

Two-thirds of all the members voting for the motion to suspend the rules, it was decided in the affirmative.

Upon motion of Mr. Covell, the bill was ordered to be read a third time by its title only.

The bill was then taken up and read a third time by its title, and the question then recurring upon the passage of the bill,

And the yeas and nays being called for and ordered, there were yeas 26, and nays 12, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Gere, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Kirkman, Knauff, Lott, McLeod, Nobles, Pierce, Sturgis, Taylor, Thompson, Wilkinson, Wilson, and Mr. Speaker—26.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Buck, Cleveland, Farnham, Gibbs, Holland, Jackman, Murphy, Norris, Thorndike, and Van Vorhes—12.

So the bill was passed.

Mr. Galbraith moved that the vote by which the bill was passed be reconsidered.

Which was determined in the negative.

Upon motion of Mr. Burdick, the House then adjourned.

House met pursuant to adjournment, and was called to order by the Speaker.

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

Messrs. Boutillier, Bradley, Burdick, Cleaveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Hubbell, Hull, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, Murphy, Nobles, Norris, Pierce, Sturgis, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Prayer by the Chaplain.

Pending the reading of the Journal,

Mr. DeLaVergne moved that the further reading of the Journal be dispensed with. Which motion was adopted.

The Journal was corrected and approved.

Mr. Gere offered the following resolution :

Resolved, That the Committee on Enrolled Bills be requested to return No. 84, C. F. to this House.

Upon motion, the resolution was adopted.

Mr. Taylor asked leave to present bill No. 241, H. of R., a bill to incorporate the North Shore Mining Company, which was taken up, read a first time, and

Upon motion of Mr. Taylor,

The rules were suspended and the bill read a third time, passed, and its title agreed to.

Mr. Buck moved that the rules be suspended, and that bills ready for a third reading be now taken up.

Which motion did not prevail.

Mr. Murphy offered the following resolution :

Resolved, That the agent of the (so called) Minnesota and North Western Railroad Company be, and he is hereby required to submit to this House on to-morrow A. M. his written and sworn statement, containing a correct list of the names of the stockholders directors, and officers of the said Company, together with the place of residence and the amount of stock held by each individual member of said Company on the first day of January, 1856.

Mr. Wilson moved that the resolution be laid upon the table.

Which motion was decided in the affirmative.

Mr. Galbraith moved that the resolution be taken from the table.

Which was adopted.

Mr. DeLaVergne moved that the resolution be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 20, and nays 13, as follows:

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Johnson, Knauff, Lott, Nobles, Sturgis, Taylor, Wilkinson, Wilson, and Mr. Speaker—20.

Those who voted in the negative were,

Messrs. Boutillier, Bradley, Cleaveland, Farnham, Gibbs, Holland, Jackman, Kirkman, Murphy, Norris, Pierce, Thorndike, and Van Vorhes—13.

So the resolution was indefinitely postponed.

Mr. Johnson from the committee to which was referred the petition of citizens of Nicollet and Blue Earth counties, praying that a portion of Nicollet be attached to Blue Earth county ; also, House bill No. 237, have had the same under consideration, and report said bill back to the House and recommend its passage.

Which is respectfully submitted.

P. K. JOHNSON, } Committee.
N. C. D. TAYLOR, }

Upon motion, the report of the committee was accepted.

Bills from the House, with amendments proposed by the Council being in order, the following bills were taken up and read, and their amendments concurred in.

No. 296, H. of R., a bill to define the boundaries of St. Louis and Lake counties and for other purposes, with amendments, was taken up, read and the amendments concurred in.

No. 221, H. of R., a bill to provide for the laying out of certain Territorial Roads in the Territory of Minnesota, and for other purposes, was taken up, read and the amendments concurred in.

No. 54, C. F., an act to organize the county of Pine.

No. 161, H. of R., a bill to incorporate the Shakopee and Le Seur Plank Road Company,

was taken up, read and the amendments concurred in.

No. 30, H. of R., a memorial to Congress to establish a certain mail route in the county of Hennepin, &c.

No. 16, H. of R., a bill to locate a Territorial Road from some point at Le Seur to the old Sioux Crossing.

No. 240, H. of R., an act relative to the terms of the District Courts, was taken up, and amendments were read and concurred in, and the following amendment was offered:

Provided, also, that the said road shall intersect the Territorial Road leading from St. Paul to Traverse des Sioux, within two miles of the terminus of said road, and was adopted.

No. 240, H. of R., an act relating to the terms of the District Court, was taken up, read and its amendments concurred in.

No. 54, C. F., an act to organize the county of Pine, was taken up, read and the amendments concurred in.

Mr. Norris, upon leave granted, presented the following report and resolution.

The report was accepted and the resolution adopted.

The committee to whom was referred the subject of the alteration of No. 207, H. of R., a bill to grant the right to certain persons to establish and maintain Ferries in this Territory, beg leave to report:

That they have examined the bill referred to, and find that the 12th section has, by some means, been altered by erasing the names of Alexis Bailly, Henry G. Bailly, Henry H. Sibley, and Levi Hurtzel, and inserting the names of Richard Ireland, and Halsey M. Mattison, in lieu thereof:

This alteration may be accounted for, from the fact that when the bill was under consideration by the Committee of the Whole, of this House, such amendment was submitted and rejected, and that the amendment may have been accidentally folded up with other amendments which were adopted in the bill, and thus got into the hands of the Engrossing Clerk. However this may be, your committee are of the opinion that the alteration referred to is a fact so well known to the members of the House, that any proofs to establish it would be superfluous.

They, therefore, recommend the adoption of the following resolution:

J. S. NORRIS,	} Committee.
A. VAN VORHES,	
R. HAUS,	

Resolved, that the Chief Clerk of the House be instructed to return to the Council bill No. 207, H. of R., a bill to grant the right to certain persons to establish and maintain Ferries in this Territory, and the Council is hereby requested to strike out the names of Richard Ireland and Halsey M. Mattison, in the 12th section of said bill; and insert in lieu thereof the names of Alexis Bailly, Henry G. Bailly, Henry H. Sibley, and Levi Hurtzel, and thus make the bill what it was when it passed this House, and the Chief Clerk is also instructed to transmit to the Council a copy of the accompanying report.

Mr. Gere, from the Committee on Enrolled Bills, submitted the following report:

The Joint Committee on Enrolled Bills report that they have presented to his Excellency the Governor, the following bills and memorials for his signature and approval:

- An act to incorporate the Town of St. Cloud.
- A memorial to the Postmaster General.
- An act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.
- A memorial to Congress for a modification of the Pre-Emption Law.
- A memorial to Congress for an appropriation of \$10,000 for the construction of bridges and culverts on a Territorial Road.
- An act to incorporate the Lake Superior and Northern Pacific Railroad Company.
- An act to incorporate the Little Falls Manufacturing Company.
- An act relating to Bills of Exchange, Bank Notes, and Promissory Notes.
- An act entitled an act to authorize School District No. 1, town 30, range 20, to levy a special tax.
- An act to incorporate the Owatonia Institute.
- An act to provide for the laying out of a Territorial Road from Cannon Falls to the Iowa line.
- An act to incorporate the Henderson Bridge Company.
- An act to amend the Revised Statutes.
- An act to incorporate the Benevolent Society of the United Sons of Erin.
- An act to incorporate the town of Clarksville and for other purposes.
- An act to provide for laying out a Territorial Road from the Iowa line past Austin, Owatonia and Faribault, to the Dodd Road.
- An act relating to the distribution of the School Fund in Sibley county.
- An act to provide for laying out a Territorial Road from Winoona to Austin.
- An act to provide for laying out a Territorial Road from Wabashaw to Austin in Mower county.
- An act to incorporate the Minneapolis and St. Cloud Railroad Company.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Upon motion the report was accepted.

Mr. Speaker:—The Council has passed No. 84, C. F., an act relative to the county seat of Fillmore county.

It has concurred in House amendments to No. 37, C. F., an act to incorporate the city of Stillwater.

WM. COLVILLE, Jr., Secretary.

Mr. Ide, from the committee to whom was referred the following bills, submits the following report:

Your committee, to whom was referred bill No. 109, an act to establish the county of Olean, beg leave to report the bill back to the House with two amendments, and recommend the passage of the bill as amended.

All of which is respectfully submitted.

J. C. IDE
P. K. JOHNSON
J. H. HARTENBOWER } Committee.

The committee to whom was referred bill 129, a bill to establish the boundaries of certain counties, beg leave to report as follows:

Your committee deem it inexpedient to interfere with those lines the present session. All of which is respectfully submitted.

J. C. IDE
P. K. JOHNSON
J. H. HARTENBOWER } Committee.

Upon motion the reports were accepted.

Mr. Nobles from the committee to whom was referred the following bill, submitted the following report:

The Committee to whom was referred bill No. 197 H. of R., have examined, and report the same back to the House and recommend the following amendments:

Strike out the names of all the counties contained in the bill except Byron, Newton, Lake, Superior, Pembina and Cass and insert numbers 1, 2, 3, &c. to the counties as described on the map accompanying the bill and also add the following section:

Section. Anything contained in this act shall not be construed so as to interfere with any boundary lines heretofore established except the county of Pembina, and also that anything herein contained shall be so construed as to interfere with any law heretofore enacted attaching certain districts in this Territory to certain counties for Judicial purposes.

And recommend the passage of the bill.

WM. H. NOBLES, Chairman.

Upon motion the report was accepted.

Mr. Nobles from the Joint Committee on engrossed bill, made the following report:

The Joint Committee on engrossed bills have examined and found correctly engrossed the following bills:

No. 147 C. F., a bill for an act to authorize Clerks of Courts of Record and Justices of the Peace in this Territory to issue subpoenas to witnesses to appear before the Register and Receiver of the Land Office.

WM. H. NOBLES, Chairman.

Mr. Nobles from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following Bills:

No. 173, a bill for an act to incorporate the St. Paul Savings Institution.

No. 198, a bill for an act to authorize the commissioners of organized counties to borrow money.

No. 236, a bill to provide for the publication and sale of the Statutes of the Territory.

WM. H. NOBLES, Committee.

Mr. Bradley offered the following Joint Resolution:

Resolved, (The Council concurring) that the Committee on Enrolled Bills be and are hereby authorized to amend engrossed bill No. 22, H. of R., in such a manner as to make it conform in its provisions to the original bill as it passed the House of Representatives by inserting the following words viz:

Counted, and a true statement thereof proclaimed to the voters present by one of the Judges, and the clerk shall make a true record thereof, and within five days thereafter he shall give notice to the persons so elected of their election, and it shall be the duty of the same town council, at least ten days before each and every election to give notice of the same, by setting up advertisements at three of the most public places in said town. Each member of said town council before entering upon duties of his office shall take an oath or affirmation to support the Constitution of the United States, and also an oath of office. Adopted.

Mr. Galbraith moved that,

No. 198, H. of R., be taken up, read a third time, and passed.

Which was agreed to,

And the bill was taken up, read a third time, passed, and its title agreed to.

Bills and resolutions from the Council on the second reading being in order,

No. 51, C. F., an act to incorporate the Lake Superior, and Central Minnesota Railroad Company was taken up and read a first and second time.

No. 110, C. F., a bill for an act to provide for the surveying of timber in the second and third and fourth districts, was taken up and read a first and second time.

No. 117, C. F., an act to amend Chapter 36 of the Revised Statutes, and Chapter 22, Laws of 1853, was taken up and read a first and second time.

No. 96, C. F., a bill to incorporate the West Branch Dam Company was taken up and read a first and second time.

No. 115, C. F., an act to amend the eighth section of an act providing for the appointment of a Librarian, and for other purposes, was taken up and read a first and second time.

No. 106, C. F., an act to amend an act to incorporate the St. Paul Bridge Company was taken up and read a first and second time.

No. 65, C. F., an act to organize the County of Mower was taken up and read a first and second time.

No. 57, C. F., a bill to provide for laying out a Territorial Road from Watab to a point intersecting the road from St. Cloud to Pembina, was taken up and read a first and second time.

No. 58, C. F., an act to provide for laying out a Territorial Road from St. Cloud to Fort Ripley, was taken up and read a first and second time.

No. 118, C. F., a bill to authorize the County Commissioners of Hennepin county to borrow money on the county bonds for the purpose of erecting county buildings was taken up and read a first and second time.

No. 102, C. F., an act entitled an act to incorporate the Cannon Falls Manufacturing Company, was taken up and read a first and second time.

No. 55, C. F., a bill to provide for the passage of logs and lumber down Cannon river, was taken up and read a first and second time.

No. 25, C. F., an act to incorporate the North Pacific Railroad Company, was taken up and read a first and second time.

Upon motion, the following bills were taken up, read a third time and passed, and the titles agreed to.

No. 236, H. of R. a bill to provide for the publication and sale of the Statutes of the Territory.

No. 60, C. F., a bill to incorporate the Young Men's Association of Winona.

No. 147, H. of R., a bill to authorize Clerks of Courts of Record and Justices of the Peace in this Territory to issue subpoenas to witnesses to appear before the Register and Receiver of the Land Offices.

No. 173, H. of R., a bill to incorporate the Saint Paul Savings Institution.

No. 107, C. F., an act to extend the time within which the Minnesota Bridge Company is required to commence building their bridge.

No. 198, H. of R., a bill to authorize the Commissioners of organized counties to borrow money for the purpose of erecting county buildings.

No. 241, H. of R., a bill to incorporate the North Shore Mining Company.

All of which were read a third time, passed, and their titles agreed to.

Upon motion, the House resolved itself into Committee of the Whole for the purpose of considering the following Council Files, Mr. Covert in the Chair.

No. 45, C. F., an act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin.

No. 42, C. F., an act to provide for the laying out certain Territorial Roads.

No. 35, C. F., a bill to provide for the laying out a Territorial Road from Red Wing to Moses Sailor's, in Faribault county.

After some time passed therein, the Committee rose and by their chairman reported the bills back with a recommendation that they be ordered to a third reading.

The report was accepted.

And upon motion, it was adopted, and the bills were ordered to their third reading.

Upon motion the House then resolved itself into Committee of the Whole for the purpose of considering of the following Council Files.

No. 53, an act to incorporate the Bellevue Seminary of Learning.

No. 81, C. F., a bill to provide for laying out a Territorial Road from the Point Douglas and St. Louis River Road, to Mille Lac.

No. 99, C. F., an act to authorize the Common Council of the City of St. Paul to issue bonds for certain purposes. After some time spent therein the committee rose and by their chairman reported the bills back with the recommendation that they be ordered to a third reading.

The report of the committee was accepted, and upon motion adopted. The bills were ordered to their third reading.

Upon motion, the House then resolved itself into Committee of the Whole.

Council Files,

No. 14, C. F., a memorial of the Legislative Assembly of the Territory of Minnesota to the President of the United States for a reduction of the Military Reserve at Fort Ripley.

No. 11, C. F., an act granting to Louis LaCroix the right to establish and maintain a Ferry across the Minnesota river at the town of Little Rapids.

No. 9, C. F., a bill granting to Richard G. Murphy the right to establish and maintain a Ferry across the Minnesota river at a point now known as Murphy's Ferry.

After some time spent therein the Committee rose, and by their chairman reported the bills back with the recommendation that they be ordered to a third reading.

The report of the committee was accepted, and upon motion adopted. The bills were ordered to their third reading.

Upon motion, the House resolved itself again into Committee of the Whole for the purpose of considering the following Council Files :

Mr. Bradley in the Chair.

No. 86, C. F., a bill to incorporate the Mississippi Valley Rail Road Company.

No. 46, C. F., an act granting to John Henderson the right to establish and maintain a Ferry across the Minnesota river.

No. 72, C. F., an act to incorporate the Minnesota Female Seminary.

No. 87, C. F., a bill to provide for the laying out of a Territorial Road from Stillwater to a point on Snake river.

No. 85, C. F., an act concerning Registers of Deeds.

No. 77, C. F., an act declaring certain roads projected in the Territory of Minnesota, under the authority of the United States, Territorial roads.

No. 68, C. F., an act prescribing the manner in which corporations may convey real estate.

No. 112, C. F., a bill for an act to constitute the county of Hennepin a part of the second Judicial District of the Territory of Minnesota, and for other purposes.

After some time spent therein, the Committee rose, and by their chairman reported the bills back to the House with the recommendation that they be ordered to a third reading.

The report of the Committee was accepted, and on motion adopted.

The bills were ordered to a third reading.

A message from the Council being announced, Mr. Colville appeared and delivered the following message :

Mr. SPEAKER : The Council has concurred in the Joint resolution of the House of Representatives, relative to authorizing the Committee on Enrolled bills to amend engrossed bill No. 22, H. of R., in such a manner as to make it conform in its provisions to the original bill.

The Council has passed No. 98, C. F., an act authorizing School District No. 1, in Hennepin county, to raise money for the purpose of purchasing a site and erecting School buildings.

Also, No. 212, H. of R., a bill to incorporate the Henderson and Glencoe Plank Road Company.

No. 183, H. of R., an act relative to Free Schools in the City of St. Paul.

Also, No. 216, H. of R., a bill to amend the Revised Statutes, with certain amendments, in which the concurrence of the House is respectfully requested.

W. COLVILLE, Secretary.

Mr. McLeod submitted the following report :

The Committee to which was referred No. 8, H. of R., a memorial to the Congress of the United States for a grant of land for the benefit of a Territorial Lunatic, a Territorial Blind, and Territorial Deaf and Dumb Asylum, with the amendments thereto,

have had the same under consideration, and report the memorial back to the House, with a recommendation that it pass, without the amendments, as adopted in the Committee of the Whole.

G. A. McLEOD,
JOHN M. HOLLAND, } Committee.

Which was accepted.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills and memorials :

No. 50, H. of R., a bill for an act to incorporate the St. Paul Gas Light Company.

No. 18, C. F., memorial to the President of the United States for treaties with the Sioux and Chippewa Indians.

No. 13, C. F., memorial to Congress for the establishment of a Military Post near the head of Red River.

J. ROIETTE, Council,
WM. B. GERE, H. of R., } Committee.

Mr. Hunt submitted the following report:

The committee to whom was referred Council bills on their second reading, ask leave to report the following bills back to the House after having carefully examined the same, and that there are no amendments to any of said bills, which is not of the same subject matter as that contained in the body of the bills:

Nos. 65, 106, 115, 96, 110, 117, 51, 102, 118, 57, 58, 55, 25.

THOS. B. HUNT
J. H. HARTENBOWER } Committee.

Upon motion of Mr. Hunt,

Bill No. 75 was referred to the Carver county delegation.

Upon motion the rules were suspended and the House resolved itself into Committee of the Whole, Mr. Nobles in the chair, for the consideration of the following Council Files:

No. 25, an act to incorporate the Northern Pacific Railroad company.

No. 65, an act to organize the county of Mower.

No. 70, an act to amend the Revised Statutes.

No. 63, a bill to incorporate the town of Little Falls West, and for other purposes.

No. 57, a bill to provide for laying out a Territorial Road from Watab to intersect a road from St. Cloud to Pembina.

No. 58, an act to provide for laying out a Territorial Road from St. Cloud to Fort Ridgley.

No. 55, a bill to provide for the free passage of logs and lumber down the Cannon River.

No. 117, an act to amend chapter 36 of the Revised Statutes, and chapter 22, Laws of 1853.

No. 51, C. F., an act to incorporate the Lake Superior and Central Minnesota Railroad Company.

No. 118, a bill authorizing the County Commissioners of Hennepin county to borrow money on county bonds for the purpose of erecting county buildings.

No. 110, C. F., a bill for an act to provide for the surveying of timber in the second and third districts.

No. 102, C. F., an act entitled, an act to incorporate the Cannon Falls Manufacturing Company.

No. 106, C. F., an act to amend an act to incorporate the St. Paul Bridge Company.

No. 105, C. F., an act to amend the eighth section of an act entitled an act providing for the appointment of a Librarian and for other purposes.

No. 96, C. F., a bill to incorporate the West Branch Dam Company.

After some time spent therein the committee rose and by their Chairman reported back the bills to the House and recommended that they be ordered to their third reading.

The report of the committee was accepted.

Mr. Ide offered the following amendment to No. 65, C. F.

Section 1, first line.—strike out the names of George White and Philip Howell, and insert Alonson B. Vaughan and Orlando Wilder.

Also, strike out all after the word "commissioners," and insert the following :—"Who are hereby authorized to call an election of the voters of said county, on the 2nd Tuesday in April, A. D., 1856, by giving ten (10) days notice thereof, who shall then and there vote direct to locate the county seat of said county, and the site receiving the largest number of votes shall be thereafter the county seat, any conflicting provisions to this clause in this act notwithstanding."

And the yeas and nays being called for and ordered, there were yeas 7 and nays 16, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Jackman, Johnson, Knauff, Murphy, Nobles, Norris, Van Vorhes.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Dunbar, Farnham, Hartenbower Holland, Hubell, Hull, Hunt, Lott, McLeod, Sturgis, Wilkinson Wilson, and Mr. Speaker.

So the amendment was lost.

Mr. Ide moved that No. 65, H. of R. be indefinitely postponed, which motion was lost.

Upon motion, the rules were suspended, and bill, No. 65 was read a third time, and passed, its title agreed to.

A message from the Council being announced, Mr. Colville appeared and delivered the following.

Mr. SPEAKER :—The Council has passed,

No. 139, H. of R., an act to amend an act to incorporate the St. Paul, and St. Anthony Railroad.

W. COLVILLE, Jr., Secretary.

Mr. Hunt, offered the following amendment to No. 70, H. of R. an act to amend the Revised Statutes.

Amendment—Chapter 31, (laws 44,) section 4, the said section is hereby repealed. Which was adopted.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills and memorials :

No. 190, 218, 156, 121, 209, 213, 83, H. of R., acts.

No. 29 and 24, H. of R. memorials.

J. ROLETTE, Council,	} Committee.
WM. B. GERE, H. of R.,	

The question being put, was decided in the affirmative.

Mr. Wilson offered the following amendment :

Amend by inserting the following :

And be it further enacted, That all counties now organized or may hereafter be organized in this Territory, lying West of the Missouri River, shall be entitled to all the rights, privileges and immunities in all cases whatsoever, as the organized counties East of the Mississippi, any laws to the contrary notwithstanding.

Pending the amendment,

Mr. Wilkinson, from the Committee on Incorporations, asked leave to return the petitions of Hennepin county on the location of the County Seat.

On motion of Mr. Wilkinson,

The House took a recess until 3 o'clock, P. M.

AFTERNOON SESSION.

The House was called to order by the Speaker.

The question recurring upon the amendment of Mr. Wilson to Bill No. 70, C. F.

After some time spent in debate, the amendment was withdrawn.

Mr. Bradley moved to reconsider the vote by which section 4, chapter 31st of the Session Laws of 1854 was stricken out of the Bill in question.

The motion to reconsider being put was decided in the affirmative.

The question then recurring upon the adoption of the amendment offered by Mr. Hunt by striking out section 4, chapter 31st of the Session Laws of 1854, upon motion the amendment was withdrawn.

Mr. Wilson offered the following amendment:

Amend chapter 31st, section 4 of Session Laws of 1854, as follows:

Be it further enacted:

That nothing in said section shall be construed as conferring the right, lawfully, for Indians to take and destroy liquors, ardent spirits or wines in this Territory, or lawful to perform any duties as officers under the laws of this Territory.

Upon motion of Mr. Farnham the amendment was indefinitely postponed.

A message from the Council being announced Mr. Colville, Secretary, appeared and delivered the following message:

Mr. Speaker:

The Council has passed No. 240, H. of R. A Bill granting an extension of time to Minnesota and North Western Rail Road Company and for other purposes.

The President has signed C. F. A Memorial to the President of the United States for treaties with the Sioux and Chippewa Indians, for the purpose of promoting their early civilization, and A Memorial for the establishment of a Military Post near the head of Red River.

WM. COVILLE,

Secretary.

And then withdrew.

Mr. Hunt offered the following amendment to No. 80, C. F.

Section 4, of chapter 31 of the laws of 1854, is hereby amended so as to read as follows, viz :

It shall be lawful for any person in the service of the United States, or for any officer appointed or elected under the provisions of any law of this Territory, to take and destroy any ardent spirits, or wine found within that portion of this Territory before mentioned, excepting military supplies, as mentioned in the first section of this act.

Which amendment was adopted.

Mr. DeLaVergne offered the following amendment :

Amend by inserting this section :

Section That the session laws of 1854, chapter 31, passed March 4th, 1854, entitled "An act to prohibit the introduction of liquor into the Territory purchased from the Sioux Indians," is hereby repealed.

Mr. Hunt moved that the amendment be indefinitely postponed,

And the yeas and nays being called for and ordered, there were yeas 11, and nays 7 as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gibbs, Ide, Knauff, Thorndike, and Mr. Speaker.

Those who voted in the negative were,

Messrs. Burdick, Covell, DeLaVergne, Hunt, Johnson, Murphy, Wilson.

So the amendment was indefinitely postponed.

Mr. Bradley offered the following amendment:

Sec. 1st, of Chapter fifth (5th,) of the Revised Statutes, on page forty-five (45) is hereby amended so as to read as follows:

Sec. 1st. All free white male inhabitants over the age of twenty-one years who shall have resided within this Territory for four months, next preceding an election, shall be entitled to vote at any elections for Delegate to Congress and for Territorial, County and Precinct officers; Provided,

That they shall be citizens of the United States, or shall have resided within the United States for a period of two years next preceding such elections, and declared on oath before any court of record having a seal and clerk, or in time of vacation, before the clerk thereof, his intention to become such; and shall have taken an oath to support the Constitution of the United States and the provisions of an act of Congress, entitled "an act to establish the Territorial Government of Minnesota," approved March third, one thousand eight hundred and forty-nine—and Provided also,

That nothing in this chapter shall be so construed as to prohibit all persons of mixed White and Indian blood who have adopted the customs and habits of civilization, from voting.

Mr. Hubbel moved a call of the House, and the roll being called, the Clerk reported,

Messrs. Boutillier, Burdick, Cleaveland, Dunbar, Grant, Hull, Jackman, Johnson, McLeod, Norris, Pierce, Sturgis, Taylor, Thompson, Van Vorhes,

As the absent members.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills and memorials,

No. 199, H. of R., a bill for an act to incorporate the Clinton University in the county of Steele, in the Territory of Minnesota.

No. 44, H. of R., a bill for an act to incorporate the St. Cloud Bridge Company.

No. 23, H. of R., a memorial to Congress to alter the form of the Red Wing, Winona, and Root River Land Districts.

No.—C. F., an act to organize the county of Todd.

No.—C. F., a bill for an act to incorporate the St. Peter Company.

No. 240, H. of R., a bill granting an extension of time to the Minnesota and North Western Railroad Company, and for other purposes.

No.—C. F., a bill for an act to extend the time within which the Minnesota Bridge Company is required to commence building their bridge.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R., } Committee.

Mr. Nobles moved that further proceedings under a call of the House be dispensed with.

Which motion was adopted.

Mr. Hunt called for the reading of the amendment.

Mr. Hunt then moved to lay the amendment on the table.

And the yeas and nays being called for and ordered, there were yeas 8, and nays 15, as follows:

Those who voted in the affirmative were,

Messrs. Covel, DeLaVergne, Hubbell, Hunt, Krafft, Lott, Wilkinson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Ide, Kirkman, Murphy, Nobles, Taylor and Thorndike.

So the motion was lost.

Mr. Hunt moved a call of the House.

The Clerk announced the following members absent:

Messrs. Dunbar, Grant, Haus, Holland, Jackman, Johnson, McLeod, Norris, Pierce, Sturgis, Van Vorhes and Wilson.

Mr. Wilkinson moved that all further proceedings under a call of the House be dispensed with.

Which motion was adopted.

Mr. DeLaVergne moved that the amendment proposed by Mr. Bradley be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 10, and nays 16, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covell, DeLaVergne, Hubbell, Hunt, Lott, Nobles, Wilkinson, Wilson, and Mr. Speaker—10.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Hull, Ide, Kirkman, Knauff, Murphy, Pierce, and Thorndike—16.

So the motion was lost.

Mr. Hunt moved a call of the House, and being ordered, the Clerk announced the following members absent :

Messrs. Boutillier, Burdick, Dunbar, Galbraith, Grant, Haus, Jackman, Johnson, McLeod, Nobles, Norris, Sturgis, Taylor, Thompson, Van Vorhes, and Wilson.

Mr. Gibbs moved the previous question.

Pending which motion, Mr. DeLaVergne moved that the House do now adjourn.

And the yeas and nays being called for and ordered, there were yeas 5, and nays 20, as follows:

Those who voted in the affirmative were,

Messrs. Buck, DeLaVergne, Hull, Kirkman, Nobles—5.

Those who voted in the negative were,

Messrs. Bradley, Cleaveland, Covell, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Holland, Hubbell, Hunt, Ide, Knauff, Lott, Murphy, Pierce, Sturgis, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker—20.

So the motion was lost.

Mr. Hunt moved a call of the House, and being ordered the Clerk announced the following members absent :

Messrs. Boutillier, Burdick, Cleaveland, Dunbar, Grant, Haus, McLeod, Norris, Thompson, and Wilson.

Mr. Farnham moved that all further proceedings under a call of the House be dispensed with.

And the yeas and nays being called for and ordered, there were yeas 27, and nays 2, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Cleaveland, Covell, DeLaVergne, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Holland, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Lott, McLeod, Murphy, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes, Wilkinson, and Mr. Speaker—27.

Those who voted in the negative were,

Messrs. Hubbell and Hull—2.

So the motion prevailed.

Mr. Galbraith moved that the bill be indefinitely postponed.

Mr. Gibbs rose to a point of order, that on the previous question being called for, the motion to indefinitely postpone could not be entertained.

Which was sustained by the chair.

Mr. DeLaVergne rose to speak to the bill, and the chair decided Mr. DeLaVergne out of order.

Mr. DeLaVergne appealed from the decision of the chair.

And the yeas and nays being called for and ordered, there were yeas 10, and nays 22, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, Dunbar, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Hubbell, Jackman, Kirkman, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Van Vorhes, Wilkinson and Wilson.

Those who voted in the negative were,
Messrs. Covell, DeLaVergne, Hull, Hunt, and Johnson—5.

So the Chair was sustained.

Mr. Hunt moved that the House do now adjourn.

And the yeas and nays being called for and ordered, there were yeas 13 and nays 16, as follows.

Those who voted in the affirmative were,
Burdick, DeLaVergne, Farnham, Hartenbower, Haus, Hubbell, Hull, Hunt, Johnson, Lott, Murphy, Nobles, Wilkinson,—13.

Those who voted in the negative were,
Bradley, Buck, Burdick, Cleveland, Covell, Dunbar, Galbraith, Gere, Gibbs, Holland, Jackman, Norris, Pierce, Taylor, Thorndike, Van Vorhes, Speaker,—16.

So the motion was lost.

Mr. Buck moved the previous question, which was ordered.

The question then recurring upon the adoption of the amendment of Mr. Bradley.

And the yeas and nays being called for and ordered, there were yeas 20 and nays 10, as follows:

Those who voted in the affirmative were,
Bradley, Buck, Cleveland, Farnham, Galbraith, Gere, Gibbs, Hartenbower, Haus, Hull, Ide, Jackman, Johnson, Knauft, Lott, Murphy, Nobles, Pierce, Taylor, Thorndike, Van Vorhes, Wilson—20

Those who voted in the negative were,
Burdick, Covell, DeLaVergne, Dunbar, Holland, Hubbell, Hunt, Norris, Wilkinson, Speaker—10.

So the amendment was adopted.

Mr. Hull moved that the House now adjourn.

Which motion was lost.

Mr. Galbraith moved the indefinite postponement of the bill.

After some time spent in discussing the bill, the question being put, was decided in the negative.

Mr. Hull moved that the House do now adjourn, which was lost.

Mr. Wilson moved that the bill be laid on the table.

Which motion was lost.

Mr. Burdick moved the previous question, upon a motion to commit to a third reading.

Mr. Bradley moved that the rules be suspended, and the bill be put upon its third reading.

And the yeas and nays being called for and ordered, there were yeas 25 and nays 3, as follows:

Those who voted in the affirmative were,
Messrs. Bradley, Buck, Burdick, Cleveland, Covell, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Haus, Holland, Ide, Jackman, Kirkman, Knauft, Lott, Nobles, Norris, Pierce, Taylor, Thorndike, Van Vorhes, Wilson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Hubbell, Hull and Hunt.

So the rules were suspended.

The bill was then taken up read a third time, and passed and its title agreed to.

A message from the Council being announced, Mr. Mix, Assistant Secretary, appeared and delivered the following message.

Mr. SPEAKER:—The President signed a bill granting an extension of time to the Minnesota and North Western Railroad Company, and for other purposes.

The Council has passed the following House resolution:

Resolved, The Council concurring, that the Enrolling Clerk of the House be authorized to strike out the word "twelve," and insert the word "seven" in section 10 of an act to incorporate the Minnesota Life, Fire and Marine Insurance Company, and to in

sert at the end of said section the words "or such rates of interest as may be agreed upon by the parties," and to return the same to his Excellency.

The President has signed,

An act to locate the county seat of the county of Steele and for other purposes.

And an act to incorporate the St. Paul Gas Light Company.

MR. SPEAKER:—The Council has instructed me to return to the House No. 198 and 241, H. of R., because they are not properly engrossed.

W. COLVILLE.

And then withdrew.

The Speaker signed the following House bills:

An act to incorporate the St. Paul Gas Light Company.

An act provide for an annual appropriation for the benefit of the Minnesota Historical Society.

An act to incorporate the city of Greenwood, and for other purposes."

An act to incorporate the Presbyterial Institute of the Presbytery of St. Paul

An act to provide for locating the county seat of the county of Steele and for other purposes.

An act to legalize the acts of the county and precinct officers of Wabashaw county.

An act to amend an act entitled an act to incorporate the Historical Society of Minnesota, approved October 2d, 1849.

A memorial to the President of the United States relative to the eastern line of the Sioux Reservation.

A memorial of the Legislative Assembly of Minnesota to Congress.

An act to incorporate the Mississippi and Missouri River Railroad Company.

An act to incorporate the Minnesota and North Western Railroad Company, and for other purposes.

An act to incorporate the St. Cloud Bridge Company.

An act to organize the county of Todd.

An act to incorporate the Clinton University, in the county of Steele, in Minnesota,

Memorial to Congress to alter the form of the Red Wing, Root River and Winona Land Districts.

The Speaker has signed the following bills and memorials which originated in the Council.

An act to provide for laying out a Territorial Road from Red Wing to Henderson.

An act to provide for paying the expenses of surveying and locating a Territorial road from St. Cloud to Minneapolis.

An act to locate a Territorial road from Fort Ripley to Fort Ridgley.

An act to incorporate the Zumbro Falls Manufacturing Company.

An act to provide for laying out a Territorial road from Henderson to Fort Ridgley.

Memorial to Congress for the establishment of a military road near Red River.

Memorial to the President of the United States for treaties with the Sioux and Chippewa Indians for the purpose of promoting their early civilization.

Upon motion No. 117 C. F., an act to amend chapter 86 of the Revised Statutes, and Chap. 22 Laws of 1853.

No. 99 C. F., an act to authorize the Common Council of the city of St. Paul to issue bonds for certain purposes.

No. 51 C. F., an act to incorporate the Lake Superior and Central Minnesota Railroad Company.

No. 58 C. F., an act to provide for laying out a territorial road from St. Cloud to Fort Ripley.

No. 77 C. F., an act declaring certain roads projected in the Territory of Minnesota, under the authority of the United States, territorial roads.

No. 46 C. F., an act granting to John Henderson the right to establish and maintain a Ferry across the Minnesota river.

No. 112 C. F., a bill for an act to constitute the county of Hennepin a part of Sec -

and Judicial District of Territory of Minnesota, and for other purposes.

No. 110 C. F., a bill for an act to provide for the survey of timber in the Second Third and Fourth Districts.

No. 45, C. F., an act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin.

No. 72, C. F., an act to incorporate the Minnesota Female Seminary.

No. 9, C. F., a bill granting to Richard G. Murphy the right to establish and maintain a Ferry across the Minnesota river, at a point now known as Murphy's Ferry.

No. 57, C. F., a bill to provide for laying out a Territorial road from Watab to a point intersecting the road from St. Cloud to Pembina.

No. 53, C. F., an act to incorporate the Bellevue Seminary of Learning.

No. 25 C. F., a bill for the Northern Pacific Railroad.

69 C. F., an act prescribing the manner in which corporations may convey Real Estate.

No. 14 C. F., a memorial of the Legislative Assembly of the Territory of Minnesota to the President of the United States for a reduction of the Military Reserve at Fort Ripley.

No. 115, C. F., an act to amend the eighth section of an act entitled an act providing for the appointment of a librarian and for other purposes.

No. 86, C. F., a bill to incorporate the Mississippi Valley R. R. Co.

No. 118, C. F., a bill to authorize the County Commissioners of Hennepin County to borrow money on the County Bonds for the purpose of erecting County Buildings.

No. 42, C. F., an act to provide for the laying out of certain Territorial Roads.

No. 96, C. F., a bill to incorporate the West Branch Dam Co.

No. 102, C. F., an act entitled an act to incorporate the Cannon Falls Manufacturing Company.

No. 55, C. F., a bill to provide for the passage of logs and lumber down Cannon river.

No. 87, C. F., a bill to provide for the laying out of a Territorial road from Stillwater to a point on Snake river.

No. 85, C. F., an act concerning Registers of Deeds.

No. 11 C. F., an act granting to Louis LaCroix the right to establish and maintain a Ferry across the Minnesota river at the town of Little Rapids.

No. 35 C. F., a bill to provide for the laying out a Territorial road from Red Wing to Moses Sailor's in Faribault county.

No. 206 H. of R., a bill to incorporate the Minnesota Central Railroad Company.

No. 63 C. F., a bill to incorporate Little Falls West.

No. 81 C. F., a bill to provide for laying out a territorial road from the Point Douglas and St. Louis River Road to Mille Lac were all taken up.

Read a third time and passed, and their titles agreed to.

Mr. Galbraith moved that bill No. 198 H. of R. be now engrossed.

Which was adopted.

Mr. Dunbar moved that the committee on engrossed bills be excused from reporting bill No. 75 H. of R. until to-morrow morning.

Which was agreed to.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

The Council has agreed to House amendments to C. F. No. 117, a bill to amend chapter 36 of Revised Statutes, and chapter 22 Laws 1853.

It has passed No. 210 H. of R., a bill authorizing Collectors of taxes to assess real estate and other property in certain cases; and No. 203, an act to amend an act to amend section 73. of chapter 70. of the Revised Statutes of the Territory of Minnesota.

Mr. Nobles from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bill :

No. 75, H. of R., a bill for an act for the relief of certain persons having claims against the Territory of Minnesota, for the year 1855.

WM. H. NOBLES, Chairman.

Mr. Gere moved that the rules be suspended and that bill No. 84, C. F., an act relative to the County Seat of Fillmore county be taken up and read a first and second time, which was agreed to, and the bill was read a first and second time.

Mr. Gere then moved that the rules be suspended and the bill be put upon its third reading.

Pending which, Mr. Gere withdrew his motion.

Mr. Lott moved that the House do now adjourn.

Which motion was decided in the affirmative, and the House adjourned.

Attest.

CHARLES GARDNER, Speaker.

H. L. EDWARDS, Chief Clerk.

SATURDAY, MARCH 1st, 1856.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll being called the following members answered to their names :

Messrs. Bradley, Buck, Burdick, Cleaveland, DeLaVergne, Dunbar, Farnham, Galbraith, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Ide, Jackman, Kirkman, Knauff, Lott, Norris, Pierce, Taylor, Thompson, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker.

Prayer by the Chaplain.

Pending the reading of the Journal,

Mr. Wilkinson moved that the further reading of the Journal be dispensed with.

Which motion was carried.

The Journal was then corrected and approved.

Mr. Galbraith moved a suspension of the rules, and that Mr. Hunt from the Committee on Territorial Expenditures be allowed to present a report.

Which was read a first and second time.

Mr. Taylor asked leave to present bill No. 242, H. of R., a bill to incorporate the French River Mining Company.

Leave being granted, the bill was read a first and second time, and

On motion, the rules were suspended and the bill was read a third time and passed, and its title agreed to.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message :

EXECUTIVE DEPARTMENT,
St. Paul, Feb. 29, 1856. }

To the Speaker of the House of Representatives—

Sir : I am directed by his Excellency to inform the House of Representatives, that he has approved and signed "an act to amend the Revised Statutes." No. 142, H. of R.

"An act to incorporate the Benevolent Society of the 'United Sons of Erin' established at St. Paul in the year 1855." No. 188, H. of R.

"An act relating to the distribution of the School Fund in Sibley county." H. of R.

Mr. Gere from the Joint Committee on Enrolled bills, made the following report:

The Joint Committee on enrolled bills have examined and found correctly enrolled the following bills and memorials :

No. 285, H. of R., an act to define the boundaries of Lake and St. Louis counties, and for other purposes.

No. 30, H. of R., a memorial.

Nos. 139, 65, 240, H. of R., acts.

No. 16, H. of R., a bill.

No. 99, H. of R., an act.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

The Joint Committee on Enrolled bills report that they have presented to his Excellency the Governor, for his signature, the following bills :

No. 240, H. of R., a bill granting an extension of time to the Minnesota and North Western Railroad Company.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

The Joint Committee on enrolled bills report that they did, on the 29th day of February, A.D., 1856, present to his Excellency the Governor, for his signature, the following bills:

An act to locate the County Seat of Steele County.

JOS. ROLETTE, Council, }
WM. B. GERE, H. R. } Committee.

Mr. Galbraith moved that the Engrossing Committee be ordered to procure immediately, House Bill No. 198, correctly engrossed from the Engrossing Clerk.

Which motion was adopted.

Mr. Hull presented No. 44, H. of R., which upon motion was read a first and second time and laid on the table to be printed.

Mr. Hunt presented the following report:

The Carver County Delegation to whom was referred Council Bill No. 75, ask leave to report the said bill back to the House, with a recommendation that it be indefinitely postponed.

THOS. B. HUNT, }
ARBA CLEVELAND, } Committee.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills :

No. 46, C. F., an act granting to John Henderson the right to establish and maintain a Ferry across the Minnesota river.

No. 106, C. F., an act to amend an act to incorporate the St. Paul Bridge Company.

An act to amend chapter 36 of the Revised Statutes.

No. 112, C. F., an act to constitute the county of Hennepin a part of the Second Judicial District of the Territory of Minnesota, and for other purposes.

No. 99, C. F., an act to authorize the Common Council of the city of St. Paul to issue bonds for certain purposes.

No. 117, C. F., an act.

No. 58, C. F., an act to provide for laying out a Territorial Road from St. Cloud to Fort Ripley.

No. 45, C. F., an act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin.

No. 77, C. F., an act declaring certain roads projected in the Territory of Minnesota under authority of the Government of the United States, Territorial Roads.

H.—39.

No. 110, C. E., an act to provide for the surveying of timber in the second, third and fourth districts.

JOS. ROLETTE, Council; }
WM. B. GERE, H. R. } Committee.

Amendments made by the Council to House bills, being in order.

No. 216, H. of R., with amendments, was taken up, amendments read and concurred in.

No. 188, H. of R., an act relating to Free Schools in the city of St. Paul,

Was taken up, and the amendments read and concurred in.

Bills from the Council on a second reading being in order, the following bill was taken up and read a third time.

No. 98, C. E., an act authorizing School District No. 1, Hennepin county, &c.

Mr. Galbraith, upon leave granted, introduced bill No. 245, H. of R., which was read a first and second time, and upon motion, the rules were suspended and the bill ordered to be read a third time and passed now.

Which motion was carried, and the bill passed, and its title agreed to.

Mr. Van Vorhes offered the following resolution;

Resolved, That the thanks of this House be, and the same are hereby tendered to H. L. Edwards, Esq., for the able and impartial manner in which he has discharged the arduous duties of Chief Clerk of this Assembly.

And the yeas and nays being called for and ordered, there were yeas 30, and nays 0, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Holland, Hubbell, Hull, Hunt, Ide, Jackman, Lott, Nobles, Norris, Pierca, Sturgis, Taylor, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker—30.

So the motion was carried unanimously.

Mr. Galbraith offered the following Joint Resolution:

Resolved, by the House of Representatives, (the Council concurring) that the Enrolling Clerk be authorized to insert the following additional section to the bill, granting an extension of time to the "Minnesota and North Western Railroad Company" and for other purposes.

Said Company shall construct and put in operation a branch thereof to a point within one and a quarter miles of the eastern limits of the city of Stillwater, provided it is consistent with the act of Congress approved 29th of June, 1854, granting lands "to aid said Territory in the construction of a road therein."

Which was read.

After some debate, the previous question being called for, the main question was then put.

And the yeas and nays being called for and ordered, there were yeas 27, and nays 3, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleaveland, DeLaVergne, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Jackman, Lott, Nobles, Norris, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes, Wilson, and Mr. Speaker—27.

Those who voted in the negative were,

Messrs. Buck, Holland, and Wilkinson—3.

So the resolution was adopted.

Mr. Galbraith moved a re-consideration of the vote by which the Joint Resolution was adopted, which being put, was ordered in the negative.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message:

Mr. Speaker:—The President has signed the following House Files:

Bills No. 156, 213, 218, 44, 209, 83, 190, 199, and an act to incorporate the St. Peters Co.; also House memorials Nos. 29, 28, and a memorial of the Legislative Assembly of Minnesota Territory to the Congress of the United States.

The Council has also passed,

No. 105, C. F., an act to locate a Territorial Road from Cannon Falls to St. Paul.

Also, C. F., a Joint Resolution in reference to the western boundary of Minnesota.

No. 147, H. of R., a bill to authorize Clerks of Courts, and Justices of the Peace in this Territory to issue subpoenas to witnesses to appear before Registers and Receivers of Land Offices.

No. 236, H. of R., a bill to amend an act to incorporate the city of St. Anthony, is herewith returned, as per request of the House.

W. COLVILLE, Secretary.

And then he withdrew.

Mr. Nobles, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills have examined and found correctly engrossed the following bills:

No. 241, H. of R., a bill for an act to incorporate the North Shore Mining Company.

No. 75, H. of R., a bill for an act for the relief of certain persons having claims against the Territory of Minnesota.

No. 198, H. of R., a bill to authorize the commissioners of organized counties to borrow money.

WM. H. NOBLES, Chairman of Com.

Mr. Wilson moved,

That the rules be suspended, and that all bills ready for a third reading be taken up read a third time, and passed,

Which was agreed to, and

No. 198, H. of R., a bill authorizing the commissioners of organized counties to borrow money for the purpose of erecting county buildings,

Was taken up, read a third time, passed, and its title agreed to.

No. 75, H. of R., a bill for an act for the relief of certain persons having claims against the Territory of Minnesota,

Was taken up, and, upon motion of Mr. Nobles, it was indefinitely postponed.

Mr. Lott moved,

That the vote by which the bill was indefinitely postponed be reconsidered.

And the yeas and nays being called for and ordered, there were yeas 6, and nays 22, as follows:

Those who voted in the affirmative were,

Messrs. Bardick, Grant, Hubbell, Hunt, Knauft, and Wilkinson.—6.

Those who voted in the negative were,

Messrs. Bradley, Cleaveland, Dunbar, Farnham, Gere, Gibbs, Hastenbower, Haus, Hall, Ide, Jackman, Kirkman, Lott, Nobles, Norris, Pierce, Thompson, Thorndike, Van Vorhes, Wilson, and Mr. Speaker.

So the motion to reconsider was lost.

Mr. Holland offered the following resolution:

Resolved, That the thanks of this House be, and they are hereby tendered to Ephraim Pierce, of Scott county, for the very able manner in which he has discharged the duties of Assistant Clerk, during the present session of the House of Representatives.

Which resolution was unanimously adopted by the House.

A message from the Council being announced, Wm. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed,

No. 202, H. of R., a bill for an act granting Hiram Buckley the right to establish and maintain a Ferry across the St. Croix at the town of Marine Mills in Washington county.

No. 208, H. of R., an act to prohibit fishing with seines and nets in Lake Minnetonka.

No. 194, a bill to provide for laying out a Territorial Road from the mouth of Crow river.

No. 121, H. of R., an act to divide Dakota county into two Representative Districts.

W. COLVILLE, Jr., Secretary.

Mr. Norris, upon leave granted, introduced,

No. 5, Joint Resolution relative to the printing of the School Laws.

Read a first and second time, and upon motion, the rules were suspended, and the resolution was read a third time and passed, and its title agreed to.

A message from the Council being announced, Mr. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed the following Joint Resolution of the House of Representatives:

Resolved, By the House of Representatives, (the Council concurring,) that the Enrolling Clerk be authorized to insert the following additional section to the bill granting the extension of time to the Minnesota and North-Western Railroad Company, and for other purposes.

Said company shall construct and put in operation a branch thereof to a point within one and one-fourth miles of the eastern limits of the city of Stillwater, provided it is consistent with the act of Congress approved 29th day of June, 1854, granting lands to said Territory for the construction of roads therein.

The President has signed,

C. F., an act to incorporate the Northern Pacific Railroad Company.

The Council has passed,

No. 204, H. of R., an act to incorporate the Shakopee City and Chaska Plank Road Company.

And No. 215, H. of R., a bill to incorporate the Shakopee Mutual Friends' Association of Shakopee city, M. T., with amendments.

W. COLVILLE, Secretary.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

MR. SPEAKER—The President has signed,

No. 99, C. F., No. 117, C. F., an act to provide for laying out a Territorial Road from St. Cloud to Fort Ripley.

An act to constitute the county of Hennepin a part of the Second Judicial District of the Territory of Minnesota, and for other purposes.

No. 100, C. F., an act to amend an act to incorporate the St. Paul Bridge Company.

An act to extend the time within which the Minnesota Bridge Company is required to commence building their bridge.

An act granting to J. Henderson the right to establish and maintain a Ferry across the Minnesota river.

W. COLVILLE, Jr., Secretary.

The Speaker signed the following bills:

An act to locate a Territorial Road from some point near the town of Le Sueur to the Old Sioux Crossing.

An act relative to the terms of the District Court.

An act to define the boundaries of the counties of Lake and St. Louis, and for other purposes.

An act granting a charter to the Fort Snelling Bridge Company.

An act to amend an act entitled an act to incorporate the St. Paul and St. Anthony Railroad Company.

An act to incorporate the St. Cloud Bridge Company.

- An act to incorporate the Northern Pacific Railroad Company.
- A memorial to Congress to establish certain mail routes in the counties of Hennepin, Carver and Sibley, Minnesota Territory.
- All of which originated in the House of Representatives.
- An act to incorporate the Northern Pacific Railroad Company.
- An act to authorize the Common Council of the city of St. Paul to issue bonds for certain purposes.
- An act to amend chapter 30 of the Revised Statutes, and chapter 22 of the Laws of 1853.
- An act to amend an act to incorporate the St. Paul Bridge Company.
- An act to constitute the county of Hennepin a part of the Second Judicial District of the Territory of Minnesota, and for other purposes.
- An act granting John Henderson the right to establish and maintain a Ferry across the Minnesota river.
- An act to extend the time within which the Minnesota Bridge Company is required to commence building their bridge.
- An act to provide for laying out a Territorial Road from St. Cloud to Fort Ripley.
- All of which originated in the Council.
- Also, A bill to authorize the commissioners of organized counties to borrow money to erect county buildings.
- An act to incorporate the North Shore Mining Company.
- An act to incorporate the French River Mining Company.
- All of which originated in the House of Representatives.
- A message from the Council being announced, Wm. Colville appeared and delivered the following message:
- MR. SPEAKER—The Council has passed,
- No. 236, H. of R., a bill to provide for the publication and sale of the Statutes, with amendments.
- The Council has concurred in House amendments to
- No. 102, C. F., an act to incorporate the Cannon Falls Manufacturing Company.
- W. COLVILLE, Jr., Secretary.
- An act to incorporate the North Shore Mining Company was taken up, read a third time and passed, and its title agreed to.
- Upon motion of Mr. Nobles,
- The House then resolved itself into a Committee of the Whole, Mr. Hunt in the chair, for the purpose of considering the following bills:
- No. 197, H. of R., a bill for an act to divide a portion of Minnesota Territory into counties and define the boundaries.
- No. 233, H. of R., an act to divide the county of Scott into two districts, and for other purposes.
- No. 239, H. of R., a bill to incorporate the town of Monticello.
- No. 241, H. of R., a bill for the relief of certain persons in the county of Carver.
- No. 232, H. of R., an act to incorporate the Minnesota River and Minnetonka Lake Plank Road Company.
- No. 133, H. of R., an act to dissolve the marriage contract between Ellen McKenzie and her husband Wallace McKenzie.
- No. 223 H. of R., a bill for an act to incorporate the Henderson University in the county of Sibley, and Territory of Minnesota.
- No. 246, H. of R. an act regulating Precinct officers.
- No. 245, H. of R., an act to organize the county of Crow Wing.
- No. 220, H. of R., a bill for an act to authorize Justices of the Peace to render judgment for costs in certain cases, and for other purposes.
- No. 109, H. of R., an act to establish the county of Orleans.
- No. 224, H. of R., an act to incorporate the town of Mille Lac.

No. 222, H. of R., a bill for an act to amend an act entitled an act allowing a change of venue in certain cases.

No. 231, H. of R. a bill for an act to incorporate the Minnetonka University.

No. 228, H. of R., a bill for an act to incorporate the town of Geneva.

No. 226, H. of R., a bill for an act to incorporate the Minnetonka Free Bridge Company.

An Act for an appropriation to defray the expenses of the Territorial Assembly, and for other purposes.

No. 98, C. F., an act authorizing School District No. 1, in Hennepin county to raise money for the purpose of purchasing a site and erecting school buildings.

No. 84, C. F., an act relative to the County Seat of Fillmore county.

After some time spent therein, the Committee rose, and by their chairman reported the bills back to the House with the recommendation that the bills be ordered to be engrossed for a third reading, with the exception of No 197, H. of R., a bill for an act to divide a portion of Minnesota Territory into counties and define the boundaries.

No. 232, H. of R., an act to divide the county of Scott into two Jury districts, and for other purposes.

No. 220 H. of R., a bill for an act to authorize Justices of the Peace to render judgment in certain cases, and for other purposes.

No. 225, H. of R., an act to amend an act entitled an act to regulate the sale of spirituous liquors in this Territory.

No. 241, H. of R., a bill for the relief of certain persons in the county of Carver.

Which were reported back with a recommendation that they be indefinitely postponed.

The report of the Committee was accepted.

Upon motion the rules were suspended,

And No. 182, H. of R., an act to dissolve the marriage contract between Ellen McKenzie and her husband Wallace McKenzie.

No. 246, H. of R., an act regulating Precinct officers.

No. 224, H. of R., a bill to incorporate the town of Mille Lac.

No. 231, H. of R., a bill for an act to incorporate the Minnetonka University.

No. 245, H. of R., an act to incorporate the county of Crow Wing.

Also No. 223, H. of R., a bill for an act to incorporate the Henderson University, in the county of Sibley, M. T.

Also No. 238, H. of R., a bill to incorporate the Chaska and Glencoe Plank Road Company.

Also No. 226, H. of R., a bill for an act to incorporate the Lake Minnetonka Free Bridge Company.

Also No. 239, H. of R., a bill to incorporate the town of Monticello.

Also No. 229, H. of R., a bill to incorporate the Little Rapids Manufacturing Company.

Also No. 228, H. of R., a bill to incorporate the town of Glencoe.

Also No. 230, H. of R., an act to incorporate the Nicolett Mining Company.

Also No. 232, H. of R., an act to incorporate the Minnesota River and Minnetonka Lake Plank Road Company.

Also No. 98, C. F., an act authorizing School District No. 1, Hennepin county, to raise money for the purpose of purchasing a site and erecting school buildings.

Were all taken up and read a third time and passed and their titles agreed to.

No. 84, C. F., a bill relating to the county seat of Fillmore county was taken up and read.

Mr. Hull moved to strike out Forestville, Channah, and Preston.

Mr. Cere moved a call of the house which was ordered and the following members were reported absent:

Messrs. Boutillier, Bush, Cleveland, Galbraith, Grant, Holland, Hubbell, Johnson, Lott, McLeod, Norris, Taylor, Thompson, Theodore and Van Vorhes.

Mr. Hunt moved that all further proceedings under a call of the House be dispensed with.

Which motion was carried in the affirmative.

Upon motion, the bill No. 84, C. F., was made the special order for 3 o'clock, p. m.

Mr. Hunt moved that the bills not yet acted upon from the Committee of the Whole be taken up and disposed of according to the recommendation of the Committee.

Which was agreed to.

Upon motion, bill 109, H. of R., an act to establish the county of Orleans was taken up, read and passed, and its title agreed to.

Also, an act to defray the expenses of the Legislative Assembly of the Territory of Minnesota for the Seventh Session, A. D., 1856.

Was also taken up and the amendments were concurred in, and the bill was read a third time and passed and its title agreed to.

Bill No. 222, H. of R., a bill for an act to amend an act entitled an act allowing a change of venue in certain cases was taken up and referred to the Committee on Judiciary.

Mr. Hunt moved that No. 225 be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 10, and nays 10 as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Covell, DeLaVergne, Farnham, Galbraith, Gibbs, Hunt, Jackman, Knauff, Murphy—10.

Those who voted in the negative were,

Messrs. Burdick, Dunbar, Hartenbower, Haus, Hull, Norrie, Stargis, Wilkinson, Wilson and Mr. Speaker—10.

So the motion was lost.

Mr. Hunt moved a suspension of the Rules and that bill No. 225, be taken up and read a third time and passed.

Which motion was lost.

Mr. Bradley moved that the bill be laid upon the table and made the special order of the day for 3 o'clock.

Which motion was agreed to.

Upon motion No. 241, H. of R., was made the special order for 3 o'clock, p. m.

Also, bill No. 225, H. of R., was made the order for 3 o'clock, p. m.

No. 197, was taken up, read, and upon motion it was indefinitely postponed.

Mr. Galbraith moved a reconsideration of the vote by which the bill was indefinitely postponed.

Which being put was decided in the negative.

No. 233, H. of R., was taken up, read, and upon motion, it was indefinitely postponed.

Mr. Hunt moved a reconsideration of the vote by which the bill was indefinitely postponed.

Which being put was decided in the negative.

No. 220, H. of R., was taken up and read, and on motion it was indefinitely postponed.

A message from the Council being announced, Wm. Colville appeared and delivered the following message

MR. SPEAKER—The Council has passed,

No. 245, H. of R., a bill to authorize the commissioners of Scott county to borrow money.

The Council has concurred in House amendments to

No. 63, C. F., a bill to incorporate Little Falls West.

The Council refuses to concur in House amendments to

No. 70, C. F., an act to amend the Revised Statutes.

Which is herewith returned.

W. COLVILLE, Jr., Secretary.

MR. SPEAKER—The President has signed,
Council bills No. 81, 115, 118, 51, 11, 35, 87, 42, 60, 45, and an act to provide
for the survey of timber in the 2d, 3d, and 4th districts.

And an act declaring certain roads projected in the Territory of Minnesota, under the
authority of the Government of the United States Territorial Roads.

Also the following House bills:

Memorial to Congress to establish a certain mail route in the counties of Hennepin,
Carver and Sibley, M. T.

An act to locate a Territorial Road from some point near the town of Le Sueur to
the Old Sioux Crossing.

An act to amend an act entitled an act to incorporate the St. Paul and St. Anthony
Railroad Company.

An act to establish the county of McLeod, and for other purposes.

An act to define the boundaries of Lake and St. Louis counties, and for other pur-
poses.

An act relating to the terms of the District Court, and Nos. 44 and 65.

The Council has passed,

No. 34, H. of R., an act to establish the common boundary between the counties of
Dakota and Scott.

W. COLVILLE, Jr., Secretary.

And then he withdrew.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:
The Joint Committee on Enrolled Bills have examined and found correctly enrolled
the following bills:

No. 25, C. F., a bill for an act to incorporate the Northern Railroad Company.

No. 211, H. of R., a bill for an act to incorporate the Chicago Seminary at Taylor's
Falls.

No. 22, H. of R., an act to incorporate the town of Minneapolis.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled
the following Bill :

No. 45, H. of R., a bill for an act to authorize the formation of Mining, Smelting
or Manufacturing Iron, Copper, Mineral Coal &c.

JOS. ROLETTE, Council. } Committee.
WM. B. GERE, H. of R. }

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled
the following Bills

No. 81, 118, 35, 87, 115, 11, 42, 51, C. F., Acts.

J. ROLETTE, Council. } Committee.
WM. B. GERE, H. R. }

The Joint Committee on Enrolled Bills report that they have presented to his Excel-
lency the Governor for his signature the following Bills:

An act to organize the county of Todd.

A memorial to Congress for the establishment of a Military Post near the head of
Red River.

An act to provide for laying out a Territorial Road.

An act to incorporate the Zombro Falls Manufacturing Company.

An act to provide for laying out a Territorial Road.

An act for laying out a Territorial Road from Red Wing to Henderson.

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HOUSE OF REPRESENTATIVES.

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An act to locate a Territorial Road from Fort Ripley to Fort Ridgley.

A memorial to the President of the United States for treaties with the Sioux and Chippewa Indians.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R. } Committee.

Upon motion the House then took a recess until 3 o'clock, p. m.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Bradley rose to a privileged question, and asked that a committee be appointed to ascertain what disposition has been made of an amendment offered by him to bill No. 70, H. of R., an act to amend the Revised Statutes.

Pending the discussion of which, Mr. Bradley withdrew his request.

A message from his Excellency the Governor being announced, Mr. R. A. Smith Private Secretary of the Governor, appeared and delivered the following messages:

EXECUTIVE DEPARTMENT, M. T. }
St. Paul, March 1, 1856. }

To the Speaker of the House of Representatives:

Sir—I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed,

An act to legalize the acts of the county and precinct officers in Wabashaw county. No. 209, H. of R.

An act to amend an act entitled an act to incorporate the Historical Society of Minnesota, approved October 20th, 1849. No. 213, H. of R.

An act to provide for an annual appropriation for the benefit of the Minnesota Historical Society. No. 218, H. of R.

An act to incorporate the Presbyterial Institute of the Presbytery of St. Paul. No. 190, H. of R.

EXECUTIVE DEPARTMENT, M. T., }
Saint Paul, March 1, 1856. }

To the Speaker of the House of Representatives:

Sir—I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed,

An act to provide for the laying out of a Territorial Road from Winona to Austin.

An act to provide for locating the county seat of the county of Steele, and for other purposes. No. 121, H. of R.

An act to provide for laying out a Territorial Road from Wabashaw to Austin, Mower county. No. 10, H. of R.

An act to provide for laying out a Territorial Road from the Iowa line, past Austin, Owatonia, Faribault, to the Dodd Road.

An act entitled an act to authorize School District No. 1, Town 30, Range 20, to levy a special tax.

An act relating to Bills of Exchange, Bank Checks, and Promissory Notes falling due on New Years Day, Fourth Day of July, Fast, Thanksgiving Day, and Christmas. No. 105, H. of R.

A memorial to Congress for an appropriation of \$10,000, for the construction of Bridges and Culverts on a Territorial Road from the Iowa State Line, via Richland, Preston and Chatfield, to Rochester, in Minnesota Territory.

An act to amend an act to incorporate the Root River Valley and Southern Minnesota Railroad Company.

A memorial to Congress for a modification of the Pre-emption Laws.

Memorial of the Legislative Assembly of the Territory of Minnesota, to the Post-H.—40.

master General of the United States, praying further mail facilities in the Minnesota Valley.

A memorial to the President of the United States, relative to the Eastern line of the Sioux Reservation. No. 29, H. of R.

Mr. Burdick offered the following resolution:

Resolved, That the thanks of this House are eminently due to Samuel Poucher, for the zeal and energy which has characterized him in the discharge of the arduous duties of his office.

Which was adopted.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

We the undersigned Joint Committee on Enrolled Bills have compared the engrossed with the enrolled bill and find that the Enrolling Clerk has inserted the section as directed by the Council and House of Representatives in the act entitled an act granting an extension of time to the Minnesota and North Western Railroad Company and for other purposes, before it was signed by the Governor.

J. ROLETTE, Council, } Committee
WM. B. GERE, H. of R., }

And, also, presented the following Joint Resolution and Report:

Resolved, by the House of Representatives, the Council concurring, that the Enrolling Clerk be authorized to insert the following additional section to the "Bill granting an extension of time to the Minnesota and North Western Railroad Company and for other purposes."

Sec. 4. Said Company shall construct and put in operation a branch thereof to a point within one and a quarter miles of the eastern limits of the city of Stillwater. Provided, it is consistent with the act of Congress, approved 29th of June, 1854, granting land to "aid said Territory in the construction of a Road therein."

Attest:

A true copy.

H. L. EDWARDS, Chief Clerk H. of R.

March 1st, 1856.

In obedience to the foregoing Joint Resolution I have inserted the preceding section and marked it section (4.)

J. P. WILSON, Enrolling Clerk, H. of R.

The Joint Committee on Enrolled Bills, report that they have presented to his Excellency the Governor for his approval and signature, the following bills, memorials and joint resolutions:

- No. 213, H. of R.—an act.
- No. 156, " "
- No. 218, " "
- No. 199, " "
- No. 209, " "
- No. 83, " "
- No. 29, " a memorial.
- No. 190, " an act.
- No. 28, " a memorial.

A memorial of the Legislative Assembly of Minnesota Territory to the Congress of the United States.

An act to incorporate the St. Peter Company.

Also: No. 25, C. P., 99, 117, 112, 107.

An act to provide for laying out a Road from St. Cloud to Fort Ripley.

An act granting to John Henderson the right to maintain a Ferry.

An act to amend an act to incorporate the St. Paul Bridge Company.

JOS. ROLETTE, Council, } Committee
WM. B. GERE, H. of R., }

Mr. Gere moved that the special order of the day be now taken up.

Which motion being adopted,

No. 84, an act relative to the County Seat of Fillmore county was taken up.

The question recurring upon the adoption of the amendment offered by Mr. Hull, viz: strike out, Forrestville, Carimona and Preston.

And the yeas and nays being called for and ordered, there were yeas 12, nays 17, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Farnham, Hartenbower, Haus, Hull, Ide, Knauff, Lott, Nobles, Thorndike, Wilkison and Wilson.

Those who voted in the negative were,

Messrs. Buck, Burdick, Cleaveland, Covell, Dunbar, Gere, Gibbs, Hubbell, Hunt, Jackman, Kirkman, Murphy, Norris, Pierce, Taylor, Thompson and Mr. Speaker.

So the amendment was lost.

Mr. Haus moved that the House do now adjourn.

Which motion being put, was decided in the negative.

Mr. Gere moved that bill No. 84, be now read a third time and put upon its passage, which motion was agreed to.

The bill was read a third time, and the question recurring upon the passage of the bill,

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

Those who voted in the affirmative were,

Messrs. Bradley, Buck, Burdick, Cleaveland, Covell, Dunbar, Farnham, Gere, Gibbs, Hartenbower, Hubbell, Hunt, Ide, Jackman, Johnson, Kirkman, Knauff, Murphy, Norris, Pierce, Stargis, Taylor, Thompson, Thorndike and Mr. Speaker.

Those who voted in the negative were,

Messrs. Grant, Hull, Lott, Van Vorhes, Wilkinson and Wilson.

So the bill was passed, and its title agreed to.

A message from the Council being announced, Mr. Colville, appeared and delivered the following message:

MR. SPEAKER:—The Council has passed No. 200, H. of R., an act to attach a portion of Township one hundred and twelve Range 19 West to Dakota Co.

They have not agreed to the title, and have made an amendment to the bill.

It has also passed.

No. 120, C. F., an act to incorporate the towns of Franklin and Glencoe.

And No. 130, C. F., an act to incorporate the town of Wilton.

W. COLVILLE, Secretary.

And then withdrew.

Mr. Gere moved.

The reconsideration of the vote by which the House passed bill No. 84, H. of R.

Which motion was lost.

Mr. Lott asked leave to present the following Resolution:

Resolved, That the Chief Clerk be, and he is hereby directed to return bill No. 70, C. F., to the Council, and call their attention to the amendment, which was drafted and introduced on by the Council.

On motion the resolution was adopted.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills, memorials, and joint resolutions:

No. 102, C. F., a bill for an act to incorporate Cannon Falls Co.

No. 96, C. F., a bill for an act to incorporate the West Branch Dam Co.

No. 49, C. F., an act prescribing the manner in which Corporations may convey Real Estate.

No. 53, C. F., an act to incorporate the Bellevue Seminary of Learning.

No. 65, an act to organize the county of Mower.

No. 55, an act to provide for the free passage of Logs and Lumber down Cannon River.

No. 85, an act concerning Register of Deeds.

No. 57, an act for laying out a Territorial Road.

No. 72, an act to incorporate the Minnesota Female Seminary.

No. 14, memorial for reduction of Military Reserve at Fort Ripley.

JOS. ROLETTE, } Committee.
WM. B. GERE, }

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report :
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill :

No. 204, H. of R., A bill for an act to incorporate the Shakopee and Chaska Plank Road Company.

JOS. ROLETTE, } Committee.
WM. B. GERE, }

Mr. Lott offered the following Joint Resolution :

Resolved, By the House of Representatives, (the Council concurring,) that the Enrolling Clerk of the House be required to insert at the end of section 24 of the enrolled bill entitled "An act to incorporate the Lake Superior and Northern Pacific Railroad Company," the following proviso, to wit :

Provided, That if any lands shall be appropriated for said Road by Congress, or by any act of the Legislature, provision shall be made by law for a suitable resulting interest to the Territory, or future State, in proportion to the quantity of land granted, and the length of the road in the Territory or State.

Which was adopted.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

Mr. Speaker—The Council has passed,

No. 98, H. of R., an act regulating the time of holding the terms of the District Court in and for the county of Carver, and for other purposes.

W. COLVILLE, Jr., Secretary.

No. 241, H. of R., a bill for the relief of certain persons in the county of Carver, Coming up as the special order of the day,

Mr. Norris moved that it be indefinitely postponed.

Which motion was decided in the affirmative.

Mr. Nobles moved,

No. 225, H. of R., an act to amend an act entitled an act to regulate the sale of Spirits,

Be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 20, and nays 7, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Cleveland, Covell, Dunbar, Farnham, Gibbs, Holland, Hunt, Ide, Jackman, Johnson, Knauff, Murphy, Norris, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes, and Mr. Speaker—20.

Those who voted in the negative were,

Messrs. Burdick, Gere, Grant, Hartenbower, Hubbell, Hall, and Wilkinson—7.

So the motion to indefinitely postpone was decided in the affirmative.

Mr. Jackman offered the following Resolution :

Resolved, That the thanks of this House are eminently due to the Rev. E. D. Neill

Court in and for the county of Carver, and for other purposes, was taken up, read, and the amendments of the Council concurred in.

Upon motion, No. 236½, H. of R., a bill to amend an act entitled an act to incorporate the City of St. Anthony, which was sent from the Council for further consideration was taken up.

Mr. Nobles moved that the House refuse to reconsider the bill, and that it be returned to the Council.

Which motion was adopted.

Mr. Galbraith offered the following resolution:

Resolved, That the thanks of this House are due, and are hereby tendered to Thos. McDonough, for the faithful and prompt manner in which he has discharged the duties of Sergeant-at-Arms of the House of Representatives.

Which, upon motion, was adopted.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill:

No. 9, H. of R., an act granting to Richard S. Murphy the right to establish and maintain a Ferry across the Minnesota river at a point now known as Murphy's Ferry.

JOS. ROLETTE, Council, } Committee.
W. B. GERE, H. of R., }

Upon motion, the report was adopted.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

MR. SPEAKER—The Council has passed,

No. 20, C. F., a memorial to Congress for an appropriation of one hundred townships of land, &c.

No. 131, an act to incorporate Manhattan.

No. 239, H. of R., a bill to incorporate Monticello.

No. 53, H. of R., a bill to incorporate the St. Paul Water Company, with amendments.

W. COLVILLE, Jr., Secretary.

A message from his Excellency the Governor being announced, Mr. R. A. Smith, appeared and delivered the following:

EXECUTIVE DEPARTMENT,
St. Paul, March 1, 1856. }

To the Speaker of the House of Representatives:

SIR:—I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed

An act to incorporate the St. Peter Company.

An act to incorporate the Mississippi and Missouri Railroad Company.

An act to incorporate the town of St. Cloud.

An act to incorporate the Little Falls Manufacturing Company.

Upon motion,

No. 64, H. of R., a bill granting to Elijah A. Russell the right to establish and maintain an Omnibus Line in the city of St. Paul,

Was taken up and read a third time, and its title agreed to.

Upon motion of Mr. Lott,

No. 53, H. of R., a bill to incorporate the St. Paul Water Company,

Was taken up and read, and the amendments from the Council concurred in.

No. 200, H. of R., an act to attach a portion of Township 112 of Range 19 West to Dakota county, with amendments from the Council, was taken up and the amendments first made by the Council concurred in.

for the attentive, kind and ministerial manner in which he has performed his duties as Chaplain over this body during the present session.

Which was unanimously adopted.

Mr. Hunt offered the following resolution:

Resolved, That the thanks of this House are eminently due and are hereby tendered to Charles Gardner for the able and impartial manner in which he has discharged the laborous duties of the office of Speaker of the House of Representatives of the Legislative Assembly of the Territory of Minnesota.

Which was also unanimously adopted.

A message from the Council being announced, Mr. Colville, appeared and delivered the following message:

MR. SPEAKER:—The President has signed the following Council Files:

No. 72, 57, 53, 55, 65, 85, 102, 68 and 96.

And memorial No. 14.

WM. COLVILLE, Secretary.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills:

No. 84, C. F., a bill relative to the county seat of Fillmore county.

No. 54, C. F., an act to organize the county of Pine.

JOS. ROLETTE, Council, } Committee;
WM. B. GERE, H. of R. }

The Joint Committee on Enrolled Bills report that they have presented to his Excellency the Governor for his signature the following bills:

An act relative to the terms of the District Court.

An act to locate a Territorial Road.

An act to define the boundaries of Lake and St. Louis counties.

An act to establish the county of McLeod.

An act to amend an act entitled an act to incorporate the St. Paul and St. Anthony Railroad Company.

An act granting a charter to the Fort Snelling Bridge Company.

A memorial to Congress to establish a mail route.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

A message from the Council being announced Mr. Colville appeared and delivered the following message:

MR. SPEAKER: The President has signed No. 84, C. F., an act relative to the County Seat of Fillmore county.

WM. COLVILLE, Jr. Secretary.

No. 237, H. of R.—a bill to attach a portion of Nicolett county to Blue Earth, was taken up.

Upon motion the bill was taken up and read a third time, passed, and its title agreed to.

Upon motion of Mr. Holland, the House then took up the following bills returned from the Council with amendments,

No. 215, H. of R.—a bill to incorporate the Shakopee Mutual Friends Association of Shakopee City, M. T.

Coming up with amendments, upon motion, the amendments were concurred in.

No. 236, H. of R.—a bill to provide for the publication and sale of the Statutes of the Territory, were taken up, read and the amendments of the Council concurred in.

No. 98, H. of R., an act regulating the time of holding one term of the District

The Speaker signed No. 84, C. F., an act relative to the county seat of Fillmore county.

No. 200, H. of R., an act to attach a portion of Township 112, of Range 19 West, to Dakota county, with amendments from the Council, was taken up.

Mr. Gibbs moved to indefinitely postpone.

And the yeas and nays being called for and ordered, there were yeas 8, and nays 21, as follows:

Those who voted in the affirmative were,

Messrs. Buck, Dunbar, Gibbs, Jackson, Kirkman, Murphy, Norris and Van Vorhes—8.

Those who voted in the negative were,

Messrs. Bradley, Burdick, DeLaVergne, Farnham, Galbraith, Gere, Grant, Haus, Holland, Hubbell, Hull, Hunt, Ide, Knauft, Nobles, Pierce, Sturgis, Thorndike, Wilkinson, Wilson and Mr. Speaker—21.

Mr. Murphy moved a call of the House, and the roll being called, the Clerk reported the following members absent:

Messrs. Boutillier, Booth, Clearstad, Coval, Johnson, McLeod, Nobles, Norris, Taylor and Thompson.

Mr. Ide moved,

That all further proceedings under the call of the House be dispensed with.

Which motion was adopted.

So the motion was lost.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills:

No. 207, H. of R., a bill for an act to grant the right to certain persons to establish and maintain Ferries in this Territory.

No. 215, H. of R., a bill to incorporate the Shakopee Mutual Association.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

The Joint Committee on Enrolled Bills report that they have presented to his Excellency the Governor, for his signature, the following bills:

No. 51, C. F., an act to incorporate the Lake Superior and Central Railroad Company.

No. 84, C. F., an act relative to the county seat of Fillmore county.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Upon motion, the report was accepted.

The question then recurring upon the adoption of the amendments to bill No. 200, H. of R.,

And the yeas and nays being called for and ordered, there were yeas 20, and nays 6, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Coval, DeLaVergne, Farnham, Galbraith, Grant, Hartenbower, Haus, Hubbell, Hull, Hunt, Ide, Knauft, Pierce, Sturgis, Thompson, Wilkinson, Wilson, and Mr. Speaker—20.

Those who voted in the negative were,

Messrs. Gibbs, Jackson, Kirkman, Murphy, Norris, and Van Vorhes—6.

So the amendments made by the Council were concurred in.

Upon motion of Mr. Holland,

No. 20, C. F., a memorial to Congress for an appropriation of one hundred townships of unsurveyed land, within the boundaries of the Territory of Minnesota, to aid in the construction of a canal from a point above the Falls of St. Anthony, to a point at, or near the city of St. Paul, in M. T.

And No. 120, C. F.—a bill for an act to incorporate the towns of Franklin and Glencoe.

Also No. 20, C. F.—a Joint Resolution in reference to the western boundary of Minnesota.

Also No. 121, C. F.—an act to divide Dakota county into two Representative Districts.

Also No. 105, C. F.—a bill to locate a Territorial Road from Cannon Falls to St. Paul.

Also No. 120, C. F.—to incorporate the town of Wilton, were taken up, and upon motion, were read a first and second time.

A message from the Council being announced, Mr. Colville appeared and delivered the following Message:

MR. SPEAKER: The Council has passed No. 116, H of R., an act providing for two terms of the District Court in Winona and other counties.

W. COLVILLE, Secretary.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report: The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bills:

No. 210, H. of R.—An Act.

No. 203, H. of R.—An Act.

No. 34, " "

No. 216, " "

No. 147, " "

No. 124, " "

No. 239, " "

No. 78, C. F., " "

JOS. BOLETTE, Council, }
WM. B. GERE, H. of R., } Committee.

A message from the Governor being announced, Mr. Smith, private Secretary, appeared and delivered the following:

EXECUTIVE DEPARTMENT.

St. Paul, March 1, 1866.

To the Speaker of the House of Representatives:

Sir—I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed:

An act granting a charter to the Fort Snelling Bridge Company.

The Speaker signed the following bills:

An act to incorporate the town of Minneapolis in the county of Hennepin.

An act to incorporate the Chisago Seminary at Taylor's Falls, in the county of Chisago.

An act to authorize the formation of mining, smelting or manufacturing iron, copper, mineral, coal and silver, and other ores or minerals, and for other manufacturing purposes.

An act to incorporate the St. Cloud Bridge Company.

Which originated in the House.

The Speaker has signed the following Council bills:

An act to provide for the surveying of timber in the second, third and fourth districts.

An act declaring certain roads projected in the Territory of Minnesota, under authority of the Government of the United States, Territorial Roads.

No. 60, C. F. an act to incorporate the Young Men's Association of Winona.

No. 45, C. F., an act granting to Calvin Potter the right to establish and maintain a Ferry across Lake Pepin.

No. 11, C. F., an act granting to Louis Lacroix the right to establish and maintain a

Ferry across the Minnesota river at the town of Little Rapids.

No. 81, C. F., a bill to provide for laying out a Territorial Road from the Point Douglas and St. Louis River to Mille Lac.

No. 118, C. F., an act to authorize the County Commissioners of Hennepin county to borrow money on the county bonds for the purpose of erecting the county buildings.

No. 115, C. F., an act to amend the eighth section of an act entitled an act providing for the appointment of a Librarian, and for other purposes.

No. 55, C. F., an act to provide for the free passage of logs and lumber down the Cannon river.

No. 65, C. F., an act to organize the county of Mower.

No. 68, C. F., an act prescribing the manner in which corporations may convey real estate.

No. 85, C. F., an act concerning Registers of Deeds.

No. 72, C. F., an act to incorporate the Minnesota Female Seminary.

No. 96, C. F., an act to incorporate the West Branch Dam Company.

No. 102, C. F., an act entitled an act to incorporate the Cannon Falls Manufacturing Company.

No. 14, C. F., a memorial of the Legislative Assembly of the Territory of Minnesota to the President of the United States for a reduction of the Military Reserve at Fort Ripley.

No. 57, C. F., an act to provide for laying out a Territorial Road from Watab to a point intersecting the road from St. Cloud to Pembina.

No. 53, C. F., an act to incorporate the Bellevue Seminary of Learning.

No. 35, C. F., a bill to provide for the laying out of a Territorial Road from Red Wing to Moses Sailor's, in Faribault county.

No. 87, C. F., a bill to provide for the laying out of a Territorial Road from Stillwater to some point on Snake River.

Upon motion, the House then took a recess until 7 o'clock P. M.

EVENING SESSION.

House met and was called to order by the Speaker.

The Speaker signed the following bills:

An act to grant the right to certain persons to establish and maintain Ferries in the Territory.

An act authorizing the Clerks of Courts of Record and Justices of the Peace in the Territory to issue subpoenas to witnesses to appear before the Register and Receiver of the Land Offices.

An act to incorporate the Caledonia Academy at Caledonia.

An act to amend the Revised Statutes.

An act authorizing the Collector of Taxes to assess Real Estate and other property in certain cases.

An act to amend section 73, of chapter 70 of the Revised Statutes of the Territory of Minnesota.

An act to establish the common boundary between the counties of Dakota and Scott.

A bill to incorporate the Shakopee Mutual Friends Association of Shakopee City, Minnesota Territory.

An act to incorporate the town of Monticello.

Mr. Gere from the Committee on Enrolled Bills made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill:

No. 236, H. of R., a bill to provide for the publication and sale of the Statutes of the Territory.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

A message from the Governor being announced Mr. Smith appeared and delivered the following message:

EXECUTIVE DEPARTMENT, M. T.

ST. PAUL, March 1, 1856.

To the Speaker of the House of Representatives:

SIR: I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed an act to amend an act entitled an act to incorporate the St. Paul and St. Anthony Railroad Company.

A memorial to Congress to alter the form of Red Wing, Winona and Root River Land District, 23, H. of R.

A memorial of the Legislative Assembly of Minnesota Territory to the Congress of the United States.

An act to incorporate the Clinton University in the county of Steele, in the Territory of Minnesota, 199, H. of R.

An act to provide for the laying out a Territorial Road from Cannon Falls to the Iowa line—H. of R.

An act to locate a Territorial Road from some point near the town of La Sueur, to the old Sioux Crossing.

An act relative to the terms of the District Court.

A message from the Council being announced, Mr. Colville, Secretary thereof, appeared and delivered the following message:

MR. SPEAKER:—The President has signed,

No. 98, C. F.,

Also, No. 239, H. of R., a bill to incorporate the Little Rapids Manufacturing Co.

An act granting to Richard G. Murphy a Ferry Charter has been signed by the President.

He has also signed an act to provide for the publication of the Statutes of the Territory.

W. COLVILLE, Secretary.

Mr. Holland, upon leave granted, offered the following bill:

An act to increase the salaries of certain Territorial officers, and for other purposes.

The bill was read a first and second time.

Mr. Bradley moved to strike out of the 4th section of the bill, "And be it further enacted that the Commissioners appointed under the act of 1855 to lay out and locate a Territorial Road from St. Cloud to Minneapolis, be and the same are hereby authorized to be paid by the Territorial Treasurer.

Which motion was adopted.

Mr. Holland moved that the Rules be suspended and the bill be read a third time and put upon its passage.

The Rules were suspended and the bill read a third time and passed.

Mr. Bradley moved to strike out of the title "and for other purposes."

Mr. DeLaVergne moved to amend the amendment by striking out all of the enacting clause.

And the yeas and nays being called for and ordered, there were yeas 2, and nays 25, as follows:

Those who voted in the affirmative were,

Messrs. DeLaVergne and Wilkinson—2.

Those who voted in the negative were,

Messrs. Bradley, Buck, Burdick, Covel, Dunbar, Farnham, Gibbs, Grant, Haus, Holland, Hull, Hunt, Ide, Johnson, Kirkman, Knaust, Lott, Murphy, Nobles, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes and Mr. Speaker—25.

So the motion was not adopted.

The question then recurring upon the amendment, it was decided in the affirmative. The title was also agreed to.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill :

No. 154, H. of R., a bill to incorporate the Minneapolis and Cedar Valley Railroad Company.

JOSEPH ROLETTE, Council } Committee
WM. B. GERE, House }

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

MR. SPEAKER—The Council has passed the following resolution:

Resolved, That a committee of conference be appointed to confer with a similar committee of the House, upon the proposed amendment to

No. 70, C. F., an act to amend the Revised Statutes,

And Mr. Ludden has been appointed as said committee.

Mr. Hunt moved the adoption of said resolution from the Council.

The question being put, it was determined in the affirmative.

The Chair appointed Mr. Lott on said committee.

Mr. Burdick asked leave to present the following resolution:

Resolved, That the thanks of this House are tendered to Mr. Joseph Le Bonne, Messenger of this body, for the kindness, willingness and accommodation manifested toward the members of this body while in the performance of the duties above mentioned.

The question recurring upon the adoption of the resolution, and being put, it was decided in the affirmative.

The Speaker signed the following bills:

An act to incorporate the Minneapolis and Cedar Valley Railroad Company.

An act to authorize School District No. 1, in Hennepin county, to raise money for the purpose of purchasing a site and erecting school buildings.

An act granting to Richard G. Murphy the right to establish and maintain a Ferry across the Minnesota river, at a point now known as Murphy's Ferry.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following:

MR. SPEAKER—The President has signed No. 239, H. of R., an act to incorporate the town of Monticello.

W. COLVILLE, Jr., Secretary.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report :

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill:

No. 86, C. F., a bill for an act to incorporate the Mississippi Valley Railroad Company.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The Committee on Enrolled Bills beg leave to report that they presented to his Excellency, the Governor, for his signature, the following bills, &c.

No. 87, 42, 35, 53, 57, 14, 102, 96, 72, 85, 68, 66, 55, 115, 118, 81, 11, 45, and 40 C. F., an act to provide for the surveying of Timber on the 2nd, 3rd and 4th Districts.

JOS. ROLETTE, Council, } Committee.
W. B. GERE, H. of R., }

A message from the Council being announced, Mr. Colville, appeared and delivered the following message :

Mr. SPEAKER : The President has signed the act granting certain persons the right to establish and maintain Ferries in this Territory.

W. COLVILLE, Jr., Secretary.

The Joint Committee on Enrolled Bills report that they have presented to his Excellency, the Governor, for his signature, the following bills:

An act to provide for the publication and sale of the Statutes of the Territory.

An act to incorporate the town of Monticello.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Mr. Hunt moved that the remaining Council Files now before the House be taken up.

Mr. Gibbs moved to amend by excepting bill No. 121, C. F.

Which amendment was lost.

The question then recurring upon the original motion of Mr. Hunt.

And the yeas and nays being called for and ordered, there were yeas 13, and nays 16, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Dunbar, Gere, Hartenbower, Haus, Hubbell, Hull, Hunt, Nobles, Sturgis, Wilkinson and Mr. Speaker—13.

Those who voted in the negative were,

Messrs. Buck, Cleveland, Covel, Farham, Galbraith, Gibbs, Jackman, Johnson, Kirkman, Knauff, Murphy, Norris, Pierce, Thorndike and Van Vorhes—16.

So the motion was lost.

A message from the Council being announced, Mr. Colville, Sec'y., appeared and delivered the following Message:

MR. SPEAKER—The President has signed

An act to authorize the formation of Mining, Smelting, and Manufacturing of Iron, Copper, Mineral, Coal and Silver and other ores or minerals, and for other manufacturing purposes.

And an act to incorporate the St. Cloud Bridge Company.

And an act to incorporate the Mississippi Railroad Company.

W. COLVILLE, Jr., Secretary.

The Committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor for his signature, the following bills:

No. 9, C. F.

No. 98, C. F.

An act to grant the right to certain persons to establish Ferries.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R. }

Mr. Lott from the Committee of Conference made the following report:

The undersigned, Joint Committee of Conference, to whom was referred bill No. 70, C. F., a bill for an act to amend the Revised Statutes.

Report the same back with the following recommendation,

That the bill shall be passed without the amendments relative to striking out the tenth section of said bill, and also,

The amendment last made by the House, relative to the time of residence required as a qualification for voters.

All of which is respectfully submitted.

J. D. LUDDEN, } Committee,
B. W. LOTT, }

The question recurring upon the adoption of the report,

And the yeas and nays being called for and ordered, there were yeas 14, nays 16, as follows:

Those who voted in the affirmative were,
Messrs. Burdick, Covell, DeLaVergne, Dunbar, Galbraith, Hartenbower, Haus, Hubbell, Hunt, Johnson, Lott, Wilkinson, Wilson and Mr. Speaker.

Those who voted in the negative were,
Messrs. Bradley, Cleaveland, Farnham, Gibbs, Grant, Hull, Ide, Jackman, Kirkman, Knauff, Murphy, Norris, Pierce, Taylor, Thorndike and Van Vorhes.

So the report was rejected.

Upon motion of Mr. Buck,

Bill No. 116, H. of R., an act providing for two terms of the District Court in Winona and other counties,

Was taken up, and the amendments made by the Council to said bill were read and concurred in, and the title also agreed to.

A message from the Council being announced, Wm. Colville, Secretary, appeared and delivered the following message:

MR. SPEAKER—The Council has accepted the report of the committee of conference upon

C. F. No. 70, a bill to amend the Revised Statutes

Which report has been accepted and adopted.

W. COLVILLE, Jr., Secretary.

Mr. Van Vorhes offered a resolution relative to the establishing of the county of Anoka.

Mr. Wilkinson moved to lay the resolution on the table.

And the yeas and nays being called for and ordered, there were yeas 12, and nays 20 as follows:

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Hartenbower, Haus, Hubbell, Hull, Johnson, Knauff, Lott, Wilkinson, Wilson, and Mr. Speaker—12.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Covell, Dunbar, Farnham, Galbraith, Gere, Gibbs, Grant, Ide, Jackman, Kirkman, Norris, Pierce, Sturgis, Taylor, Thorndike and Van Vorhes—20.

So the motion to lay on the table was lost.

The Joint Resolution was then read a first and second time.

Mr. Van Vorhes moved a suspension of the Rules and that the Joint Resolution be put upon its third reading.

And the yeas and nays being called for and ordered, there were yeas 17, and nays 10, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Covell, Farnham, Galbraith, Gibbs, Hartenbower, Jackman, Hull, Kirkman, Murphy, Nobles, Norris, Pierce, Sturgis, Thorndike and Van Vorhes—17.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Grant, Haus, Hubbell, Knauff, Lott, Wilkinson Taylor, Wilson and Mr. Speaker—10.

A suspension of the Rules requiring a two-third vote the motion was lost.

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill:

No. 39, C. F., a bill for an act to amend an act entitled an act to incorporate the city of Stillwater.

JOS. ROLETTE, } Committee.
WM. B. GERE. }

Mr. Gere from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following Bills, Memorials, and Joint Resolutions:

No. 200, H. of R., a bill for an act to attach a portion of Township 112, of Range 19 West to Dakota county.

No. 118, H. of R., a bill for an act to incorporate the Carimona Academy.

No. 13. C. F., an act to incorporate the town of Little Falls West, and for other purposes.

No. 116. H. of R., an act providing for two terms of the District Court in Winona, Olmsted and Goodhue counties.

No. 229. H. of R., an act to incorporate the Little Rapids Manufacturing Company.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. R. }

A message from his Excellency, the Governor, being announced, Mr. R. A. Smith appeared and delivered the following message:

EXECUTIVE DEPARTMENT, M. T.,
St. Paul, March 1, 1856.

To the Speaker of the House of Rep.:

SIR—I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed,

An act to establish the county of McLeod, and for other purposes.

A memorial to Congress to establish a certain mail route in the counties of Hennepin, Carver and Sibley, Minnesota Territory.

An act to define the boundaries of Lake and St. Louis counties, and for other purposes.

An act to incorporate the St. Paul Gas Light Company.

An act to incorporate the town of Monticello.

The Joint Committee on Enrolled Bills report:

That they have presented to his Excellency the Governor the following bills for his signature:

No. 45, H. of R., an act to authorize the formation of a company for Mining, Smelting, or Manufacturing Iron, Copper, Mineral, Coal, Silver, and other Minerals, and for other purposes.

No. 44, H. of R., an act to incorporate the St. Cloud Bridge Company.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

A message from the Council being announced, Wm. Colville appeared and delivered the following message:

MR. SPEAKER—The President has signed,

An act to incorporate the Minneapolis and Cedar Valley Railroad Company.

An act to incorporate the Shakopee City and Chaska Plank Road Company.

The Council has passed,

A Joint Resolution, originating in the House of Representatives, in regard to inserting a resulting interest clause in the act to incorporate the Lake Superior and Northern Pacific Railroad Company,

Which is herewith returned.

The Council has also passed,

A Joint Resolution relative to inserting a resulting interest clause in the act incorporating the Lake Superior and Central Minnesota Railroad Company,

In which the concurrence of the House is respectfully requested.

The Council has passed

A Joint Resolution relative to printing the Journal and Session Laws of the present session.

WM. COLVILLE, Jr., Secretary.

March 1, 1856.]

HOUSE OF REPRESENTATIVES.

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Mr. Gere, from the Committee on Enrolled Bills, submitted the following report:
The Joint Committee on Enrolled Bills have examined and found correctly enrolled the following bill:

No. 53, H. of R., a bill for an act to incorporate the St. Paul Water Company.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R., } Committee,

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

MR. SPEAKER: The Council has passed No. 236½, C. F., a bill to amend an act to incorporate the City of St. Paul.

Also an act to increase the salaries of certain Territorial officers, with an amendment. The President has signed No. 63, C. F., an act to incorporate the town of Little Falls West.

An act to incorporate the city of Stillwater.

And an act to incorporate the town of Minneapolis.

WM. COLVILLE, Jr., Secretary.

A message from the Council being announced, Mr. Mix, Asst. Sec'y, appeared and delivered the following message:

MR. SPEAKER: The President has signed an act to incorporate the St. Paul Water Company.

The Council has passed No. 224, H. of R., a bill to incorporate the town of Mille Lac.

W. COLVILLE, Jr., Secretary.

Mr. Wilson offered the following Resolution:

Resolved, That the thanks of the House of Representatives is due, and is hereby tendered to the Hon. J. Travis Rosser for the kindness and courtesy with which he has treated the members of the House during the present session, and his readiness to respond to their wants when in his power.

Which resolution was adopted.

Mr. DeLaVergne offered the following resolution:

Resolved, That the thanks of this House are eminently due, and are hereby tendered to the Reporters of this House for the impartial and courteous manner with which they have reported the proceedings of this body.

Which was adopted.

The Speaker signed the following bills:

An act to incorporate the Mississippi Valley Railroad Company.

An act to incorporate the St. Paul Water Company.

An act Providing for two terms of the District Court in Winona, Olmsted, and Goodhue counties.

An act to incorporate the Carimona Academy.

An act to attach a portion of Township 112 of Range 19 West, to Dakota county

An act to incorporate the Little Rapids Manufacturing Company.

An act to incorporate the town of Little Falls West, and for other purposes.

An act to amend an act entitled an act to incorporate the city of Stillwater.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message:

EXECUTIVE DEPARTMENT, St. Paul, M. T. March 1, 1856.

To the Speaker of the House of Representatives.

SIR: I am directed by his Excellency to inform the House of Representatives that he has approved and signed "An act to incorporate the town of Monticello. No. 289, H. of R.

An act to authorize the formation of Mining, Smelting or Manufacturing Iron, Cop-

per, Mineral, Coal and Silver and other ores or minerals, and for other purposes, No. 44, H. of R.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

MR. SPEAKER :—The President has signed an act to incorporate the Chisago Seminary.

WM. COLVILLE,
Secretary.

And then withdrew.

Mr. Wilkinson moved a call of the House,

And being ordered, the following members were reported absent :

Messrs. Boutillier, DeLaVergne, Dunbar, Farnham, Gere, Lott, McLeod, Thompson and Wilson.

Upon motion, all further proceedings under the call of the House was dispensed with.

Mr. Bradley moved that the rules be suspended, and all the bills not yet acted upon, except No. 121, H. of R., be taken up for consideration.

Mr. Wilkinson moved to amend by including No. 121, H. of R.

And the yeas and nays being called for and ordered, there were yeas 8, and nays 18, as follows :

Those who voted in the affirmative were,

Messrs. Burdick, DeLaVergne, Grant, Hubbell, Ide, Knauff, Wilkinson and Mr. Speaker.

Those who voted in the negative were,

Messrs. Bradley, Buck, Cleaveland, Dunbar, Farnham, Galbraith, Gibbs, Holland, Hunt, Jackman, Johnson, Kirkman, Murphy, Norris, Pierce, Taylor, Thorndike and Van Vorhes.

Which motion was lost.

The question then recurring on Mr. Bradley's motion,

And the yeas and nays being called for and ordered, there were yeas 8, and nays 22, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Dunbar, Galbraith, Hubbell, Ide, Knauff and Mr. Speaker—8.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Farnham, Gibbs, Grant, Hartenbower, Haus, Holland, Hull, Hunt, Jackman, Johnson, Kirkman, Lott, Murphy, Norris, Pierce, Sturgis, Taylor, Thorndike, Van Vorhes and Wilkinson,—22.

So the motion was decided in the negative.

The Joint Committee on Enrolled Bills would report :

That they have presented to his Excellency the Governor for his signature the following bills.

An act to incorporate the St. Paul Water Company.

An act to incorporate the Minneapolis and Cedar Valley Railroad Company.

An act to incorporate the town of Minneapolis.

No. 204, an act to incorporate the Shakopee City and Chaska Plank Road Company.

WM. FREEBORN, C. F., } Committee,
WM. B. GERE, H. of R., }

A message from the Council being announced Mr. Colville appeared and delivered the following message:

MR. SPEAKER: The President has signed House Files No. 210, 147, 216, 203 124, 34.

And an act to incorporate the Shakopee Mutual Friends Association.

WM. COLVILLE, Jr., Secretary.

The Committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor for his signature, the following bill:

No. 85, C. F., to incorporate the Mississippi Valley Railroad Company.

J. ROLETTE, Council,
WM. B. GERE, H. of R., } Committee.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message:

EXECUTIVE DEPARTMENT,
St. Paul, March 1, 1856. }

To the Speaker of the House of Representatives—

Sir: I am directed by his Excellency to inform the House of Representatives, that he has this day approved and signed

An act to incorporate the town of Minneapolis, in the county of Hennepin.

An act to incorporate the Minnesota Life, Fire and Marine Insurance Company.

EXECUTIVE DEPARTMENT,
St. Paul, March 1, 1856. }

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed a bill entitled "An act to incorporate the Minnesota Life, Fire and Marine Insurance Company," and in this connection I beg leave respectfully to say that I have waived some serious political objections to the bill, and now feel it my duty to say that I have signed one other bill containing like obnoxious provisions in a political point of view, but I shall not feel inclined to be held as committed in favor of such a principle as is contained in the 9th and 10th sections of said act hereafter, deeming my present approval a mere yielding to public policy in the infancy of our Territory. And most respectfully ask that this communication be placed on your Journals.

W. A. GORMAN.

On motion, the above message was ordered to be printed in the Journal.

The Joint Committee on Enrolled Bills report that they have presented to his Excellency the Governor, for his signature, the following bills:

An act to incorporate the Chicago Seminary at Taylor's Falls.

No. 215, H. of R., an act to amend the Revised Statutes.

A bill to incorporate the Shakopee Mutual Friends Association of Shakopee.

Also, Nos. 34, 147, 210, 203, and 124, H. of R.

JOS. ROLETTE, Council, }
WM. B. GERE, H. of R., } Committee.

Mr. Holland moved that the House do now take up a bill entitled an act to increase the salaries of certain Territorial officers, with an amendment, substituting No. 70, C. F. in lieu of the original.

Mr. Norris moved that the bill be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 13, and nays 17 as follows:

Those who voted in the affirmative were,

Messrs. Cleveland, Farnham, Gibbs, Hull, Ide, Jackman, Knauff, Norris, Pierce, Taylor, Thorndike, and Van Vorhes.—13.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergue, Dunbar, Galbraith, Gere, Grant, Hartenbower, Holland, Hubbell, Hunt, Johnson, Lott, Murphy, Nobles, Wilkinson, Wilson, and Mr. Speaker.—17.

So the motion was lost.

Mr. Holland moved that the bill be adopted.

H.—42.

Mr. Norris offered an amendment to the amendment by striking out all after the section increasing the salaries of certain officers.

And the yeas and nays being called for and ordered, there were yeas 14, and nays 15, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Cleaveland, Farnham, Gibbs, Hull, Ide, Jackman, Knauff, Norris, Pierce, Taylor, Thorndike, Van Vorhes, and Mr. Speaker—14.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Dunbar, Galbraith, Grant, Hartenbower, Holland, Hubbell, Hunt, Johnson, Lott, Nobles, Wilkinson, and Wilson—15.

So the amendment to the amendment was decided in the negative.

Mr. Hunt moved the adoption of the amendment,

And the yeas and nays being called for and ordered, there were yeas 21 and nays 7 as follows :

Those who voted in the affirmative were,

Messrs. Burdick, Covel, DeLaVergne, Dunbar, Galbraith, Gere, Gibbs, Grant, Hartenbower, Holland, Hubbell, Hull, Hunt, Ide, Knauff, Lott, Nobles, Pierce, Wilkinson, Wilson, and Mr. Speaker—21.

Those who voted in the negative were,

Messrs. Bradley, Cleaveland, Farnham, Jackman, Norris, Thorndike, and Van Vorhes.—7.

So the amendment was adopted.

Mr. Gibbs introduced a Joint Resolution relative to the organization of Mower county, and upon motion,

The rules were suspended, and the bill read a third time and passed, and its title agreed to.

The Committee on Enrolled Bills beg leave to report, that they have presented to his Excellency the Governor for his signature, the following bills:

No. 39, C. F.,

No. 68, C. F.,

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

Mr. Lott moved,

To take up Joint Resolution relative to printing Journal and Session Laws.

Upon motion,

The Rules were suspended and the resolution was read a third time and passed, and its title agreed to.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

MR. SPEAKER:—The President has signed the following House Files:

Nos. 116, 118, 200 and 239.

The Council has approved bill

No. 132, H. of R., a bill to divorce the marriage contract between Ellen McKenzie and her husband Wallace McKenzie.

W. COLVILLE, Jr., Secretary.

Mr. Lott offered the following Joint Resolution relative to authorizing the Enrolling Clerk of the House of Representatives to add the following additional section.

"Nothing therein contained shall be so construed as to allow said Company to obstruct the free navigation of said River."

And upon motion,

The Rules were suspended and the bill was read a third time and passed.

A Message from the Governor being announced, Mr. Smith appeared and delivered the following message :

EXECUTIVE DEPARTMENT, St. Paul March 1, 1856.

To the Speaker of the House of Representatives:

Sir: I am directed by his Excellency to inform the House of Representatives, that he has this day signed "An act to incorporate the Chicago Seminary at Taylor's Falls in the county of Chicago."

An act to incorporate the Caledonia Academy at Caledonia.

An act to amend section 73, of Chapter 70, of the Revised Statutes, of the Territory of Minnesota.

An act to amend the Revised Statutes.

An act to incorporate the St. Paul Water Company.

An act to grant the right to certain persons to establish and maintain Ferries in this Territory.

An act to incorporate the Minneapolis and Cedar Valley Railroad Company,

An act to incorporate the Lake Superior and Northern Pacific Railroad Company.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

MR. PRESIDENT: The Council has passed Joint Resolution of the House relative to the St. Cloud Bridge Company.

W. COLVILLE, Jr., Secretary.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report: The Joint Committee on Enrolled Bills, have examined and found correctly enrolled the following bills:

No. 183, H. of R., a bill for an act relative to Free Schools in the city of St. Paul.

No. 124, H. of R., a bill for an act to provide for laying out a Territorial Road from the mouth of Crow river to Henderson.

No. 245, H. of R., an act to authorize the Commissioners of Scott county to borrow money for the purpose of erecting county buildings.

No. 220, H. of R., an act to amend an act entitled an act to incorporate the city of St. Anthony.

No. 181, H. of R., an act to incorporate the town of Manhattan.

No. 196, H. of R., an act to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company.

No. 221, H. of R., an act to provide for laying out certain Territorial Roads, and for other purposes.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

The Joint Committee on Enrolled Bills beg leave to report that they have examined the following Joint Resolution relative to the printing of the Laws and Journals of the seventh session as correctly enrolled.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

A message from the Council being announced Mr. Colville appeared and delivered the following message:

Mr. Speaker—The President has signed,

A Joint Resolution relative to the printing of the Laws and Journals of the seventh session.

W. COLVILLE, Jr., Secretary.

The Speaker signed the following bills:

An act to amend an act entitled an act to incorporate the city of St. Anthony.

An act relative to Free Schools in the city of St. Paul.

An act to authorize the Commissioners of Scott county to borrow money for the purpose of erecting county buildings.

An act to provide for laying out a Territorial Road from the mouth of Crow River to Henderson.

An act to incorporate the Lake Pepin, Henderson and Glencoe Railroad Company.

An act to provide for laying out certain Territorial Roads in the Territory of Minnesota, and for other purposes.

An act to incorporate the town of Manhattan.

Also, Joint Resolution relative to the printing of the Laws and Journals of the seventh session.

Mr. Lott moved that the bill entitled "An act to establish the counties of Itasca and Mille Lac," be taken up, the rules suspended, and bill put upon its third reading.

Which was agreed to.

Pending the reading of the bill a third time, Mr. Bradley moved that the bill be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 22, and nays 7, as follows :

Those who voted in the affirmative were,

Messrs. Bradley, Burdick, Cleaveland, Farnham, Galbraith, Gibbs, Haus, Holland, Jackman, Johnson, Knauff, Murphy, Nobles, Norris, Pierce, Taylor, Thorndike, Van Vorhes, Wilkinson, Wilson, and Mr. Speaker—32.

Those who voted in the negative were,

Messrs. DeLaVergue, Dunbar, Grant, Harteubower, Hubbell, Hull, Hunt.—7.

So the motion to postpone indefinitely was decided in the affirmative.

Mr. Nobles moved a reconsideration of the vote by which the House refused to pass the foregoing bill.

Which was decided in the negative.

A message from the Council being announced, Mr. Colville, Secretary, appeared and delivered the following message :

MR. SPEAKER: The Council has passed

No. 191, H. of R., a bill to legalize and confirm the election and qualification of officers in the County of Rice.

W. COLVILLE, Jr., Secretary.

And then withdrew.

A message from the Governor being announced, Mr. Smith delivered the following message in writing :

EXECUTIVE DEPARTMENT, M. T., }
St. Paul, March, 1., 1856. }

I have this day approved and signed an act entitled "An act granting an extension of time to the Minnesota and North Western Railroad Company and for other purposes."

This bill is satisfactory so far as the resulting interest is concerned, yet there is not such guards as in my judgment should be thrown around so important an interest as is involved in this Company's Charter.

I have from the beginning of this Railroad question, earnestly sought the permanent welfare of Minnesota, and in conjunction with many faithful and upright men in public and private life finally succeeded in procuring 2 per cent upon the gross proceeds, receipts, and income of said Road:

This per centage if the road is ever built is to be applied to the governmental expenses of our future state, and must yield ample means in a few years to relieve our fellow citizens from all state taxes for state purposes, and must be admitted by all is an important event to the tax payers of our country.

If, on the other hand said Company, shall not construct the road nor get the land, nothing can be lost to the people. I have yielded other objections, because three several Legislatures have passed favorably upon this Company's charter and amendments, and I feel that each favorable amendment should not be lost, because others are desirable

Strong professions of ample capacity to build this road have been made; we shall now see how far they are to be realized; I confess that my confidence in these professions is still feeble.

The means used to accomplish ends by this Company has never met my approval, and I trust never will, but if they shall fairly and legally get possession of the lands granted by Congress to aid in constructing said road I trust we shall have no cause to regret having urged the demands of the people for the interest and guards we have succeeded in throwing around their corporate powers. Trusting to the calm and considerate judgment of my fellow-citizens and especially to the members of the Legislature, I leave the future to develop its results.

W. A. GORMAN.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

MR. SPEAKER: The President has signed the following House Bills:

No. 245, 236½, 183, 136, 196, 194 and 221.

The Council has passed the Joint Resolution relative to Mower county.

W. COLVILLE, Jr., Secretary.

Mr. Hunt moved that the message from the Governor be printed in the Journal, Which was decided in the affirmative.

Mr. Gere from the Committee on enrolled bills made the following report:

The Joint Committee on Enrolled Bills report that they have presented to his Excellency, the Governor for his signature, the following bills.

Nos. 183, 245, 236½, 131, 196, 194 and 221, H. of R.

The Joint Committee on Enrolled Bills report that they have examined and found correctly enrolled the following bill:

No. 191, H. of R.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. of R., }

A message from the Governor being announced Mr. Smith appeared and delivered the following message:

EXECUTIVE DEPARTMENT, M. T., }
St. Paul, March 1, 1856. }

To the Speaker of the House of Representatives:

SIR: I am directed by his Excellency to inform the House of Representatives that he has this day approved and signed an act to incorporate the City of Greenwood, and for other purposes.

A message from the Council being announced Mr. Mix, Assistant Secretary, appeared and delivered the following message:

MR. SPEAKER: The President has signed a bill to legalize and confirm the election and qualification of officers in the county of Rice.

W. COLVILLE, Jr., Secretary.

Mr. Gere, from the committee on Enrolled Bills, offered the following report:

That he had examined and found correctly enrolled the following bills:

A bill to incorporate the Town of Mille Lac.

An act to increase the salaries of certain Territorial Officers.

The committee on Enrolled Bills, have presented to his Excellency the Governor, the following bills:

No. 200, H. of R.

No. 116, H. of R.

J. ROLETTE, Council, } Committee.
WM. B. GERE, H. R., }

A message from the Council being announced; Mr. Colville appeared and delivered the following message:

Mr. SPEAKER:—The President has signed,
The bill increasing the salaries of certain Territorial Officers.

W. COLVILLE, Secretary.

The Joint Committee on Enrolled Bills report that they have examined and found correctly enrolled the following bills:

An act to incorporate the Town of Mille Lac.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. R., }

A message from the Governor being announced; Mr. Smith, Private Secretary, appeared and delivered the following message:

EXECUTIVE DEPARTMENT,
St. Paul, March 1, 1856.

To the Speaker of the House of Reps:

Sir: I am directed by his Excellency to inform the House of Representatives, that he has this day approved and signed,

An act to incorporate the Shakopee Mutual Friends Association, of Shakopee City, Minnesota Territory.

An act to incorporate the Shakopee City and Chaska Plank Road Company.

An act to incorporate the St. Cloud Bridge Company.

An act to authorize Clerks of Courts of Record and Justices of the Peace, in this Territory, to issue subpoenas to witnesses to appear before the Register and Receiver of the Land Office.

An act to provide for laying out a Territorial Road from the mouth of Crow River to Henderson.

An act to authorize the Commissioners of Scott County to borrow money for the purpose of erecting County Buildings.

The committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor for his signature, the following bill:

A bill to legalize and confirm the election and qualification of officers in the county of Rice.

JOS. ROLETTE, Council, } Committee.
WM. B. GERE, H. R., }

Mr. Wilkinen moved,

That the House now resolve itself into Committee of the Whole for the consideration of Council Files not yet acted upon.

Which motion was carried.

The House then resolved itself into Committee of the Whole, Mr. Hunt in the chair, for the consideration of

No. 50, C. F., Joint Resolution in reference to the western boundary of Minnesota.

No. 105, C. F., a bill to locate a Territorial Road from Cannon Falls to St. Paul.

No. 130, C. F., an act to incorporate the town of Wilton.

No. 20, C. F., a memorial to Congress for an appropriation of one hundred townships of unsurveyed lands, &c., to construct a Canal at or near the Falls of St. Anthony.

No. 121, C. F., an act to divide Dakota county into Representative Districts.

After some time spent therein, the committee rose, and by their chairman reported back the bills and memorial, and recommended that they be indefinitely postponed.

The report was accepted.

No. 20, C. F., a memorial to Congress for an appropriation of one hundred townships of unsurveyed lands for the construction of a Canal, &c.,

Was indefinitely postponed.

Mr. Gibbs moved,

That No. 121, O. F., an act to divide Dakota county into Representative Districts, Be indefinitely postponed.

And the yeas and nays being called for and ordered, there were yeas 14 and nays 8, as follows:

Those who voted in the affirmative were,

Messrs. Bradley, Farahan, Galbraith, Gibbs, Holland, Ide, Jackman, Knaaft, Murphy, Norris, Pierce, Taylor, Thorndike, and Van Vorhes—14.

Those who voted in the negative were,

Messrs. Burdick, DeLaVergne, Haus, Hall, Hunt, Lott, Wilkinson and Mr. Speaker—8.

So the motion was carried.

Mr. Gibbs moved,

To reconsider the vote by which the House postponed the bill.

Which was decided in the negative.

No. 120, O. F., a bill for an act to incorporate the town of Franklin and Glencoe.

No. 20, O. F., Joint Resolution in reference to the western boundary of Minnesota.

No. 20, O. F., a memorial.

No. 130, O. F., an act to incorporate the town of Wilton.

No. 105, O. F., a bill to locate a Territorial Road from Cannon Falls to St. Paul.

Were all considered in Committee of the Whole, reported back to the House, and on motion, were indefinitely postponed.

Mr. Gere, from the Joint Committee on Enrolled Bills, made the following report:

The Joint Committee on Enrolled bills have presented to the Governor for his signature,

An act to increase the salaries of certain Territorial officers.

No. 224, H. of R., an act to incorporate the town of Mills Lac.

No. 229, H. of R., and 118, H. of R.

JOS. ROLETT, Council, }
WM. B. GERE, H. of R., } Committee.

Mr. Gibbs offered the following resolution:

Resolved, That the thanks of this House are hereby tendered to Mr. Gere of the Committee on Enrolled Bills, for the unremitting attention which he has devoted to the duties of his office.

Which, upon motion, was adopted.

Mr. Gere, from the Committee on Enrolled Bills, submitted the following report from J. P. Wilson, Esq., Enrolling Clerk, H. of R.

To the Joint Committee on Enrolled Bills:

Gentlemen:—In accordance with the Joint Resolution of the House of Representatives and Council hereunto annexed, I have performed the duty required of me in the Joint Resolution.

JOSEPH P. WILSON,

Enrolling Clerk of the House of Representatives.

JOINT RESOLUTION.

Resolved by the House of Representatives, (the Council concurring) that the Enrolling Clerk of the House be required to insert at the end of section 24 of the Enrolled Bill entitled an Act to incorporate the Lake Superior and Northern Pacific Railroad Company, the following proviso, to-wit:

Provided, That if any land shall be appropriated for said road by Congress, or by any act of the Legislature, provision shall be made by law for a suitable resulting interest to the Territory or future State, in proportion to the quantity of land granted, and the length of the road in the Territory or State.

Upon motion the resolution was adopted.

A message from the Council being announced, Mr. Colville appeared and delivered the following message:

Mr. Speaker—The Council has appointed Mr. Flanders a committee of one to confer with a similar committee from the House in regard to adjournment.

The Speaker then appointed Mr. Van Vorhes a committee of one to confer with the Council committee relative to adjournment.

Soon after, Mr. Van Vorhes appeared and delivered the following report :

Mr. Speaker—The committee appointed to confer with the Council committee on the subject of adjournment, report that the committee believe that an adjournment at the present time would materially interfere with certain important bills in the hands of His Excellency for his signature, therefore deem it inexpedient to adjourn at present.

A message from the Governor being announced, Mr. Smith, Private Secretary, appeared and delivered the following message:

EXECUTIVE DEPARTMENT,

St. Paul, March 1, 1856.

To the Speaker of the House of Reps:

Sir:—I am directed by his Excellency to inform the House of Representatives that he has approved and signed,

An act to amend an act entitled an act to incorporate the city of St. Anthony.

An act to incorporate the Town of Clarksville and for other purposes.

A bill to legalize and confirm the election and qualification of officers in the county of Rice.

An act authorizing the collector of taxes to assess Real Estate and other property in certain cases.

An act to incorporate the Owatonia Institute at Owatonia.

An act to incorporate the Carimona Academy.

An act relative to Free Schools in the city of St. Paul.

An act to provide for laying out certain Territorial Roads in the Territory of Minnesota, and for other purposes.

An act providing for two Terms of the District Court, in Winona, Olmsted and Goodhue counties.

An act to incorporate the Little Falls Manufacturing Company.

An act to increase the salaries of certain Territorial officers.

Mr. Van Vorhes, from the committee appointed to wait upon his Excellency the Governor, to ascertain if he had any further communication to make to the House, delivered the following message:

EXECUTIVE DEPARTMENT,

St. Paul, March, 1, 1856.

In reply to your committee, I would inform the House of Representatives that I have no further communication to make at your present session.

Respectfully,

W. A. GORMAN.

Mr. Gere, from the committee appointed to inform the Council that the House had no further communication to make to that body, reported:

That the Council had appointed Messrs. Freeborn and Lowry, as a committee to wait upon the House.

Soon after, Mr. Freeborn, from the committee, appeared and informed the House that the Council had no further communications to make to the House.

Upon motion of Mr. Holland the House then adjourned *sine die*.

Attest:

H. L. EDWARDS,

Chief Clerk.

CHARLES GARDNER,

Speaker.

HOUSE APPENDIX.

SEVENTH SESSION

OF THE

MINNESOTA LEGISLATURE.

MESSAGE.

EXECUTIVE DEPARTMENT, MINNESOTA TERRITORY.

Gentlemen of the Council and House of Representatives:

You have appeared at this Capitol as the people's representatives for the seventh session of the Legislature of Minnesota. At no former period has there been so much cause to be thankful to the Giver of all Good, for all his blessings. On every side we see the signs of increased prosperity in every branch of business. The soil has yielded abundant crops, commerce and the mechanic arts have flourished, and morality and education have kept pace with the other elements of greatness and success. Every section of this Territory has increased in population, general improvement and wealth, to such an extent as to give us the fullest confidence that our country is rapidly becoming the attractive point for the heavy body of emigration from nearly all the older States of the Union, and for the industrious and enterprising portion of the foreign born citizens.

The salubrity of the climate of Minnesota is now being understood and appreciated almost everywhere. No epidemics have ever prevailed here to an extent causing the least check to business, or alarm to the citizens. Every section of the Territory has enjoyed comparative uninterrupted good health.

I am aware that it is more usual in annual messages of this kind, to speak of the prosperity of the country, and to place it in a more conspicuous light, than to record events less agreeable to the people. Yet this is not the light in which truth and justice demand it shall be viewed in this communication. When it shall be written, that the people of this Territory are blessed with good health, and the physical man invigorated and braced up to a wonderful capacity of endurance, the citizens of other parts of the country are to understand it as a fact demonstrated by the experience of our whole population. In my last annual communication to the Legislature, it gave me great pleasure to record the rapid growth of every part of our favored Northwest. Then our hopes and expectations of the future were seemingly wrought up to a very extravagant degree, but the

most sanguine among us did not anticipate more than half that the truth has realized. It was then stated that the population was about thirty-five thousand. One year has passed since that estimate, based upon statistics then in my possession, and our population during that period, has more than doubled. We know from a census taken the past season, in pursuance of law, and from statistics gathered from other reliable sources, that Minnesota this day contains fully seventy-five thousand souls—an increase in 1855 of forty thousand, being more than one hundred and fourteen per cent. Should this ratio of increase continue for two years longer, the population of the Territory or State will be over three hundred and forty-three thousand; and should such a result continue for three years, our population would reach the astounding number of seven hundred and thirty-five thousand souls. Such an increase would astonish the whole country as much as it would you and myself, and therefore we are incredulous of what our past experience warrants us in expecting for the future. And yet this result is not to be rejected without calculating the circumstances which are combining each year to stimulate immigration to new homes in the West. When we reflect that the organization of the new States and Territories is attracting the attention of the whole American mind, each political contest relating thereto serving as an advertisement of our Western empire to the citizens of each State, and bringing before the rising generation a new world of enterprise and tempting opportunities to wealth and healthy speculation, we must not be too hasty in fixing the same standard for the future, which has governed us in the past. It must be borne in mind that the soil of the old thirteen Colonies or States has been, in most part, under cultivation for nearly three quarters of a century, and the excess of their population, within the last ten years, has been moving westward, each year making greater and more stringent the necessity for their seeking new avenues to support comfort and wealth.

The vast amount of rich soil not yet occupied in our Territory; the unsurpassed water power for propelling machinery of every kind; the extensive pineries for supplying lumber; the inexhaustible copper mines of Lake Superior; the invaluable commerce of the Mississippi, Minnesota and St. Croix rivers; all combine in an eminent degree to invite population, capital and wealth, and it requires no excess of credulity to anticipate the most wonderful progress in the next five years. I trust I shall be pardoned, if, in this connection, I suggest the propriety and public policy of our remaining a Territory for a few years, without manifesting too much eagerness to assume the mantle of State sovereignty. Our progress is rapid, but healthy and permanent, and we can afford to be called political infants, while we are enlarging and developing the bone and muscle which are to give us energy, vigor, and power, when we arrive at manhood.

It is a source of satisfaction to be able to say, that, while the Indian tribes of many of our neighboring Territories are showing signs of hostility, and in several instances, of actual and open war upon the white population, we are secure from such dangers. The three tribes within our borders are now, and ever have been, peaceful and quiet. The location of one tribe does not seem to be satisfactory to a highly respectable portion of our people. Yet the Government at Washington, after having fully considered a written communication in the nature of a remonstrance from myself against the location of the Winnebago Indians on the Blue Earth river, have instructed me that no change can be made, that the policy of pushing these children of nature further west will have to be

APPENDIX

3

abandoned ; that the people should be advised to reconcile themselves to the existing state of things, and encourage the Indians to settle down to such industrial pursuits as will best comport with a speedy civilization of their race. I have endeavored faithfully to encourage the whole of the tribes within this superintendency to abandon their warfare against each other ; to impress upon them the manifest necessity of their adopting the habits of civilized citizens ; and it has been my constant effort, with the active and full co-operation of the Agents, to restrain them from annoying the white settlers with their presence and petty depredations. If we have not been entirely successful, it certainly is not chargeable to a want of disposition or effort. The contact of the savage with civilized man always produces a state of things, which, in its effects and tendencies is most trying and difficult to manage to the satisfaction of the public. Yet, I am glad to say, all thus far has resulted in maintaining peace and friendship, without the least interruption since the beginning of the Territorial administration. It is believed that, by a tender regard for the welfare of these Indians, and maintaining a steady and firm policy in protecting them from the wrongs they sometimes suffer, we shall be able to secure the continuance of a permanent peace, until they and their whole race shall melt away before that "manifest destiny" which surely awaits them.

Your attention is called to the urgent necessity of increasing the salaries of the Auditor, Treasurer, and Superintendent of Common Schools. It has been with the utmost difficulty that competent persons have been induced to accept and hold these offices.— Heretofore I have refrained from pressing this matter on your attention, owing to our supposed inability to meet any increased demand upon the treasury. But now no such apology can be urged, as we have ample population and wealth to pay five or six times the present meagre compensation of these officers, without placing heavier burdens upon the tax payers than at the time of the passage of the law regulating the salaries. The sum paid to each at present is as follows :

Treasurer per annum,	\$100 00
Auditor " "	100 00
Superintendent of Common Schools,	100 00
Making the whole amount to be paid by the people of the Territory	
for these officers	\$300 00

When these salaries were fixed by law, the taxable property of the Territory amounted to a little over one and a half million dollars ; while in 1856 it is estimated at more than fifteen millions.

The duties of the Auditor, Treasurer, and Superintendent of Common Schools continue to increase with the increase of population. The absolute necessity of increasing their salaries to at least five hundred dollars each, cannot therefore be too strongly urged upon your consideration. It is my conviction that no competent persons can be prevailed upon to hold these positions, so important to the interest of the Territory, for a less sum, unless they are expected to disregard the requirements of the law, and give them no attention except incidentally. It is also necessary that the law regulating the payment of Territorial taxes into the Treasury be amended.

And it is hoped you will consider this subject at an early day. And it will be seen that your present laws in many particulars are radically defective and inefficient. You

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will find also, that there exists a stern necessity for requiring more promptness and fidelity in the discharge of the duties of the several county officers, and you will materially subserve the interest of the people by providing for Auditors in each county.

Since the last session of the Legislature, it has been deemed necessary under the Territorial laws, and under the provisions of the Organic Act, to appoint certain officers in the several unorganized counties. The Congress of the United States has given us an Organic Act, and we, as a Territory, have accepted it, and proceeded to the discharge of governmental duties under its provisions. It is therefore our Constitution. The 7th section reads as follows:

"That all township, district and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Minnesota. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for; and in the first instance, the Governor alone may appoint all said officers, who shall hold their offices until the end of the next session of the Legislative Assembly."

Under this section, officers have been appointed in the counties of Dodge, Steel, Olmsted, Rice, Carver, Superior, Wright and Stearns. The power to do so has been supposed to be given by the terms of the foregoing section. It is clear that the Legislature may provide for the election of all township, district and county officers. But if it should fail to do so, after constituting the counties metes by and bounds, and after giving them a name, where does the power to give the instruments to execute the laws, reside? If they are counties, they must be supposed to be inhabited; for if they were not, no Legislature would be likely to lay off unoccupied Territory by metes and bounds and call them Counties? In some instances, the law required the Governor to appoint; in others, it did not, but left it in doubt, nor did it attach the unorganized to any organized county for judicial purposes, whereby under existing laws, they could be protected in their civil right, or properly exercise any political privileges. Thus, the question was presented to me, How are these people to secure their rights as legal voters and citizens of the Territory? It surely was not the design of the law making power that the citizens of eight or nine counties should be disfranchised. The 7th section of the Organic Act provides that "in the first instance the Governor alone may appoint all such officers." What officers are here meant, was decided by the Supreme Court of the Territory in 1849, (see Journal House of Representatives, 1849, page 225,) to be Township, District and County officers.

Then the power to appoint, turns upon the words, "in the first instance." Is it, then, when the Territory was first organized, or when the Counties were first erected? It is confidently believed that the power is in the Governor to appoint county officers "in the first instance," should the law make no provisions on the subject. These words, "in the first instance," in my judgment, refer to the creation of a County, and the power remains with the Governor, if neglected by the Legislature, as each new county is laid off by law. It has been assumed that these words in the Organic Act, "in the first instance the Governor may appoint, &c," are to be construed to mean, that the Governor may appoint &c., first after and upon the organization of the Territory. If this construction obtain, then the Legislature has only to neglect to provide for the election of officers;

do., and five or ten thousand citizens may (by creating districts in which they reside into counties) be disfranchised and left without protection of the law, for nearly one year; or until the meeting of the next Legislature. In my opinion, Congress intended, that upon the organization of new counties, the Legislature should provide by law for the election of such county, township and district officers. And if they failed to do so, the Governor, who is a constituent part of the law making power, should step forward and "in the first instance" appoint them until the meeting of the next Legislature, or until such time as the law authorized the people to elect them.

It should be borne in mind, that under our laws, *unorganized* counties can only be attached to organized counties for judicial purposes, as an organized county has its own jurisdiction, which is inconsistent with any other jurisdiction unless special provision is made in the act itself. In one instance the Legislature declared the county of Carver an organized county, and attached it to Hennepin county for judicial purposes. The same Act prescribed the time and manner of electing all county and township officers, thus depriving the people of Carver county an organization for more than eight months; and upon the petition of a large number of the citizens of that county, I ("in the first instance") appointed their officers, to serve until the time prescribed by law for electing them by the people. In view of all these circumstances, it was deemed proper to appoint officers to execute the laws, during the period for which the Legislature had left many of their privileges as citizens in obedience, thinking then, as I do now, that it was never intended to disfranchise any part of our fellow-citizens, or leave them without the means to preserve the public peace and execute the laws. If, however, this county had not been declared an organized county, the county of Hennepin might lawfully have extended her jurisdiction to all matters connected with the civil rights of the citizens, the collection of taxes and establishment of election precincts, &c.

Seeing them, then, in this peculiar position of doubt and uncertainty, I exercised the power of appointment; which was conceived to be given under the Organic Act. It is therefore proper that you should direct your attention to this matter, and amend the laws on the subject of unorganized counties, in such manner as to exclude all doubt.

I regret to say that no report has been made to me of the condition of our Common Schools, or their progress in our Territory, owing to the resignation, several months since, of the Superintendent, who was unable to devote the requisite time and attention to the duties of his office, for the meagre salary of one hundred dollars per year; and as yet, I have not been able to find any person willing to accept it, for the same reason. The late incumbent, Mr. M. C. Baker, was well qualified, and did most faithfully discharge the duties while he continued to hold the office.

Notwithstanding I have had no report from the Superintendent, yet I have been able to learn that nearly every village in the Territory has a school for the education of small children, all of which have been well attended. The Hamline University at Red Wing has completed a large brick building, designed for the preparatory department of that institution, which is now in operation under the charge of accomplished professors. The colleges and seminaries of learning in St. Paul are in a flourishing condition, and compare favorably with like institutions in the older States. The Territorial University, located at St. Anthony, has not progressed since last year, for want of funds. You are aware that two entire townships of land were granted for the exclusive use of this insti-

tution. The Secretary of the Interior having authorized the selection of the lands to be made, the Regents have appointed Hon. B. B. Meeker and Hon. John Rollins, to discharge that duty, each of whom has been industriously engaged in making the selections during the past season. I am informed that twenty-four thousand acres, partly agricultural, and partly mine lands, have already been chosen. I am fully satisfied, from reliable information, that these lands, when the patents are issued, will be available at from five to fifteen dollars per acre, as they are no doubt of the best quality, owing to the early period of their selection, by gentlemen eminently fitted for the duty, from long residence and intimate acquaintance with every part of the Territory. When the whole is selected, amounting to forty-six thousand and eighty acres, it is not too high an estimate to say, they will bear an average value of ten dollars per acre in less than five years, and at least five dollars per acre the day the patents are issued by the Government. At ten dollars per acre it gives this institution an endowment of four hundred and sixty thousand eight hundred dollars. It therefore becomes a matter for your consideration whether something should not be done to place a part of this fund in some available shape for the purpose of erecting the necessary buildings and engaging the services of suitable professors. It is no ordinary work to found an institution endowed like this with such a munificent grant. If you should devise a plan to accomplish even the beginning of this great work on a permanent basis, it will connect the name of each member of the seventh Legislature with the history of his country, in a form of which he may well be proud.

For the last eighteen months much solicitude has been felt on the subject of connecting this city, St. Anthony and Stillwater, by railroad with Dubuque, in Iowa, and Lake Superior. A charter was granted to a company styled the Minnesota and Northwestern Railroad Company, as believed then and now, with powers most extraordinary and dangerous to the future welfare and security of the people. At the last session, this charter was re-enacted and amended. Among other things the amendments required the deposit in stocks or money, of one hundred and fifty thousand dollars, with certain gentlemen of the Territory, who were required to give security for its safe keeping, &c. This deposit was designed as security for the faithful performance of the requirements of their charter. The fifth section of said act provides, that if said "company do not accept of this act and the act to which this is a supplement within six months from the passage hereof, then all lands before mentioned, together with the property and franchises of said company, shall be forfeited to the Territory.

It becomes my duty to inform you that no such deposit of one hundred and fifty thousand dollars, as required, has been made, nor has the said company, so far as I am informed, accepted said amendments. By the annual report of the said company it appears they have "not as yet expended any sum whatever in the construction of the Road contemplated in, and by its charter, or in the machinery therefor, or the appurtenances belonging thereto." Nor has any sum been received by the company during the past year. But they have expended, during the past year, seven thousand nine hundred and five dollars and twenty-six cents—for what particular object is not stated, nor have I been advised that any authorized recognizance, survey, or location of said contemplated road has been commenced, nor any thing done in constructing the telegraph between Dubuque and St. Paul, as required by their charter.

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It remains now with you to take such action as may seem proper and just in the premises.

It is not in my power, as at present advised, to inform you what will be the probable result of the suit now pending between the United States and this company touching the question of title to the lands heretofore granted by the Congress of the United States to this Territory to aid in constructing said road, and afterwards repealed. If the company should fail in the said suit, then it will be for our Territory to adopt measures to procure the aid of Congress to assist us in constructing a road, on the line heretofore proposed, at least from this city to the Iowa line. It is further my opinion that if the old charter to the M. & N. W. R. R. Co., was out of the way, the present Congress could be prevailed upon to repeal their repealing act and restore the land to the Territory. In the next place, should this fail us, I would suggest the propriety of memorializing Congress to permit our Territory to enter at one dollar and twenty-five cents per acre, on five years credit, alternate sections, in like manner and to like amount as before, for the line of road originally proposed. This will secure the completion of the road quite as speedily as the first grant, as I am advised and believe. In my opinion this latter plan will be favorably considered and promptly acted upon by Congress, and if active measures are taken, it will in all probability succeed.

If the suit now pending, involving the title to the late grant of lands, should be decided against the present organized company, we need not expect them to build the road as contemplated. I feel it my duty also to say that if the late amendments to the charter of this company are in force and of any binding validity, the old charter and all its grants, powers and privileges are forfeited to the Territory, unless you should restore them by a new charter. Or if the amendments of the last session are inoperative, then the old charter is forfeited for the non-fulfillment of its requirements: that is to say, if the first amendment passed last session is to stand without reference to the second amendment, the franchises of said company are yet in force. If the second amendment is a nullity, or not binding on the company, it still leaves the franchises of the company in force. But if the second amendment is to be held valid and binding on the company, then all their franchises are forfeited to the Territory. But if both amendments are in force, then their franchise is forfeited; or if both amendments are invalid, then their franchises are forfeited under the old charter, unless you should again amend it so as to restore to them what they have lost by their own default. I trust, therefore, that you will take definite action for some new plan to obtain aid from Congress, to assist in opening a speedy communication by railroad from this place to the Iowa line, or to such other more convenient point as you may deem best. If you should deem it best to stand still and wait for the M. & N. W. R. R. Co. to build the road, and until the pending suit involving the title to these lands is settled, be it so; but it is feared the result will prove a severe tax on our credulity. I should be glad to see an outlet by railroad from our winter prison home to the nearest point of uninterrupted communication with the East and South at any sacrifice of individual opinion as to policy, and indeed at any other reasonable sacrifice save the honor of the Territory and the enthrallment of those who are to take our places.

There are several projects in contemplation to reach this Territory by Railroads. One from Green Bay was spoken of by my predecessor. Another, from Manitowoc, on Lake

Michigan, to this point. A third, from Milwaukee to La Crosse, about one hundred and twenty miles by land, and one hundred and fifty-five by water, below this city. A fourth approaching the Mississippi River at Prairie du Chien, distant from this place by water about two hundred and ninety miles. A fifth, from the Iowa line, by way of St. Paul, to Lake Superior. The lines of road which reach the Mississippi River at La Crosse and Prairie du Chien, will no doubt be completed at an early day, as they are, to some extent, under contract and partly finished. It is essential to the future prosperity of Minnesota that we should avail ourselves of the route which promises to let us out during the winter season in the shortest possible period. It is evident then, to my mind, that if we can command any means, through the action of Congress or otherwise, we should seize the opportunity to join hands with that route pointing to Minnesota most likely to reach us first.

The difficulty with which we have to contend in waiting for any line proposed from Lake Michigan to this point, is, that St. Paul is but eighteen miles distant from the Wisconsin line in that direction, and could command but little assistance from a grant of and by Congress to aid us. On the other hand, if we desire to meet the road coming from the interior of Wisconsin to La Crosse, by running the road from opposite St. Paul, on the west side of the Mississippi to a point opposite La Crosse, we have the distance of one hundred and twenty miles in our Territory passing through a beautiful country eminently adapted for a Railroad, and where the government has large tracts of vacant land which may be made available for our assistance. In this project, we secure the wealth, prosperity and growth of our own Territory from one end of the line to the other.

It has seemed to be the object of much former legislation in this Territory on the subject of Railroads, to provide for reaching Lake Superior, before we reach the lines of communication East or South. It appears incomprehensible to me how this sort of legislation will get us out from the valley of the Mississippi in *winter*. Such a connection has incalculable advantages for summer travel and transportation, but it brings us no nearer New York or Chicago in the *winter* than we are now. Thus it is evident, we must look either South or East of Lake Superior for a winter road. From the Lake to Green Bay is farther than from St. Paul to Green Bay, and much farther than St. Paul is from Manitowoc, Milwaukee, Madison or Chicago.

A speedy connection with Lake Superior is highly desirable, and its importance fully appreciated. Our people, however, want a winter communication South-east with the older States *first*, or I have misapprehended the true interest of a large portion of the people of Minnesota. It is worthy of observation that a line of Railroad from St. Paul, by way La Crosse, to Madison and Chicago, is the most direct route by which we can reach the great Railroad City of the North-west. But at the same time, we must keep steadily in view the importance of a speedy connection with Dubuque by a road west of the Mississippi river.

The Chicago and Rock Island Railroad Company are pushing forward their road into the interior of Iowa, with much rapidity; and, I am informed by some of their officers, that they design at an early period to tap the agricultural valley of the Minnesota, at or near its great bend. It behooves, then, the citizens of the valley of the Upper Mississippi ~~to so guard their interests as to be able to command the trade of the Upper Minnesota,~~ **it will be snatched from them by some point on the Mississippi, at or below Dubuque.**

This can only be done to some extent for a few years, by procuring an additional appropriation for the Mendota and Big Sioux Government Road, now being rapidly constructed under the charge of a highly competent and efficient officer, Capt. J. H. Simpson, of the corps of Topographical Engineers, by which means permanent bridges can be built over the streams; and also, by taking measures to have substantial improvements made in the navigation of the Minnesota river. To accomplish the latter object, a plan can be adopted which will place the matter beyond any reasonable doubt.

While I am bringing to your attention some of the improvements necessary to the development of our resources, I would further suggest the necessity of a Government Road from Lake Superior to the Mississippi river at some point above the Falls of St. Anthony. This would not only be a great convenience to the National Government as a means of reaching her military stations at Fort Ripley and Pembina, but would also connect the agricultural valley of the Upper Mississippi river with the Lake, where mining and manufacturing must soon spring up, demanding for the subsistence of the laboring classes, the products of that agricultural region. The present is an appropriate occasion for the suggestion that a military road is necessary to reach Fort Ridgley, the Sioux Agency, and the new Fort at Pembina, from some point below Lake Pepin. Its utility and paramount public importance are made clearly manifest by a glance at the map of our Territory. It is hoped that some action will be taken for its construction by the Government.

Under the act of Congress granting certain swamp and overflowed lands to the States in which they respectfully lie, it has been held by the Commissioner of the General Land Office, that Territories, upon becoming States, are entitled to share in the benefits of the grant. It is believed, therefore that some action may and should be taken to secure to our future State the benefits accruing under said act. What is deemed necessary to be done by you, will be for your consideration, and it is hoped it will not be overlooked.

The Commissioner of Immigration, Eugene Burnand, Esq., appointed under the act of the last Legislature, proceeded to New York as soon after his appointment as funds could be procured from the Territorial Treasury to defray the incidental expenses of his mission. I am happy to say, that he has most faithfully devoted himself to the objects intended to be accomplished by the creation of the office. He has opened an office at No. 1 Battery Place, opposite Castle Garden, New York, and has also entered into a correspondence with the prominent and leading newspapers published in Germany, and caused advertisements to be inserted in the principal journals of New York, some of which are sent to Europe to be put on board every vessel carrying emigrants to the United States, by which means they are read during the voyage. His reports are made to the Executive quarterly, from which it will be seen, that no great effect can be produced until the spring of 1856. It is also stated that up to September, 1854, there arrived in New York 215,452 emigrants. To the same date in 1855, 95,945, showing a decrease from the previous year of 119,507. This diminution is attributed partly (and as I conceive very justly) to the political excitement in this country, created by the unjust and intolerant spirit of Know Nothingism towards foreigners and Catholics; but the unconstitutional and anti-republican measures proposed by this secret order will soon be overwhelmed by the good sense and "sober second thought" of our people, and the confidence of the foreigner in the permanency and liberality of our Government restored.—

Our great and growing West is deeply interested in the speedy consummation of this desirable end. It is believed that the ensuing Spring will bring to our Territory a much larger population than any previous season.

The financial condition of the Territory will fully appear by reference to the Report of the Auditor and Treasurer, to which you are respectfully referred.

By the Auditor's Report it will be seen that the taxable property of fourteen counties, (being all that have made returns to that office,) amounts to nine millions, twenty-five thousand, one hundred and fifty-seven dollars, while the estimate for the past year, including all the counties, only amounted to seven millions dollars; yet the returns from fourteen counties alone show an increase over the estimate for the whole, of two million twenty-five thousand, one hundred and fifty-seven dollars; and the estimate for 1856 is fifteen million dollars. Thus you will perceive, that not only has our population doubled in 1855, but the taxable property has increased in a like ratio.

Therefore it will be seen that no returns have been received from the counties of Winona, Olmsted, Mower, Dodge, Steele, Faribault, Brown, Pierce, Davis, Scott, Carver, Wright, Todd, Wabashaw, Rice, Itasca, Doty, Superior, Freeborn, Renville and Pembina; and as they were not all attached to other counties for judicial purposes, most probably have paid no taxes, or at least with but a few exceptions; yet they are represented in this Legislature. From this I conclude that twenty millions dollars would not be too large an estimate for the taxable property of the Territory for 1856.

It appears from the report of the Treasurer, that

Ramsey County owes the Territory a balance yet unpaid of	-	-	466 98
Sibley " " " " " " " "	-	-	42 82
Scott " " " " " " " "	-	-	164 37
Stearns " " " " " " " "	-	-	102 54
Benton " " " " " " " "	-	-	786 45
Blue Earth " " " " " " " "	-	-	71 21
Chisago " " " " " " " "	-	-	466 98
Dakota " " " " " " " "	-	-	505 88
Fillmore " " " " " " " "	-	-	355 88
Goodhue " " " " " " " "	-	-	199 82
Hennepin " " " " " " " "	-	-	505 78
Houston " " " " " " " "	-	-	412 40
LeSeur " " " " " " " "	-	-	56 68
Nicolett " " " " " " " "	-	-	198 14
Making in all " " " "	-	-	\$13,171 95

Such a state of things evidently needs a remedy, and it is presented for your consideration, with the hope that such provisions may be made by law as will equalize the taxes, and enforce their collection, and not allow the counties which have faithful and competent officers to pay more than their just share of the public burdens.

As yet there has been no general organization of the militia of the Territory, but from the most reliable information it has been possible to obtain, the number of persons

over eighteen and under forty-five years of age, and capable of bearing arms, is about twelve thousand.

During the past year, I have corresponded with the Chief of the Ordinance Department at Washington City, and find that there is due this Territory about nineteen hundred stand of arms. Upon my requisition lately forwarded to that office, we are to receive one thousand muskets and the necessary accoutrements, by the first boats in the spring.

During the past year a sale of the public lands has taken place at the several Land Offices in the Territory, and in most instances they have been purchased by actual settlers, yet in some cases large quantities have gone into the hands of men of heavy means to be held for purposes of speculation. It is very desirable, in my judgment, to have the lands offered for sale in small quantities, and not until the actual settler has had ample opportunity to pre-empt his home. If your honorable body should concur in this view, you may no doubt be able to prepare such a memorial to the President of the United States as will induce him to have the sales conform to the wishes of the people of the Territory. You are presumed to know their wants and interests, and should not fail to express your views on this subject.

It is a source of much satisfaction to observe the laudable efforts being made by our people in the cause of literature and science, and particularly in the reorganization of the Minnesota Historical Society, under circumstances that give the fullest assurance that no effort will be spared to place it upon a basis of the most honorable distinction. It will be a matter of much interest to the coming generation to have perpetuated the monuments of our early history, not only in this Territory, but for the whole North West; and no institution at present promises to accomplish so much as this Society. It is recommended that a small appropriation be made for the purpose of aiding in the advancement of these objects.

One of the most important means to prevent fraud and imposition upon the law-making power, and indeed upon the country, is, to have but one subject matter in each bill, and that clearly indicated in the title; otherwise many very objectionable laws may be enacted, entirely escaping the attention of the most watchful members. It is earnestly hoped that this matter will receive your attention. In many instances your body may fully concur in every section of the bill, although matters are therein contained, utterly dissimilar in every respect, and the Executive disposed to concur in part most cheerfully, yet be opposed to others. It is therefore forcing that officer to approve what to him may be objectionable, or defeat a part of a bill highly important to the country. This notice would not have been taken of the matter had not previous legislation abounded in such evils. In some of the States, this subject has been deemed of sufficient importance to have a place in their Constitution, to the effect that no bill shall contain more than one subject matter, and that clearly expressed in the title.

The policy of procuring an act of Congress granting a homestead to settlers in this Territory, of one hundred and sixty acres of land upon condition of actual settlement and cultivation for a limited period, and without cost, has been heretofore brought to the attention of the Legislature, and the reason and necessity of such a law is yet of paramount importance to the speedy settlement of the North-western country. Nearly all

the organized Territories have received large donations to settlers, and it is believed that no satisfactory reasons exist why Minnesota should be made an exception. The increase of facilities for procuring free homes to settlers, rises above every other consideration to Minnesota. There is not a member of the present Legislature but could induce from ten to twenty families from the States to make this their permanent home, if they could write, or tell them, that here they could have one hundred and sixty acres of land free of cost, upon the condition alone of settlement and cultivation; and a vigorous population of producers from Europe would crowd here in such numbers, as never before has been known. Nothing so eminently contributes to the commerce of the world as the products of Agriculture, and nothing could be done by you to expedite the building of Railroads, or opening and improving the various channels of communication, so much as your success in procuring free homes for the people. Nor can you ever expect to confer a more permanent blessing than this upon our citizens.

But it is sometimes said we cannot succeed in getting a homestead. This is certainly true, if you despond before you try. Such a prize is worthy of your most vigorous efforts. Others occasionally say, if we get the homestead for settlers, we cannot get a grant for railroads. To this I would say, *homes for the people first*, and railroads afterwards.

The people of Minnesota must, at no very distant day, expect to be admitted into the Union as a State; and it behooves us, as sentinels on the watch-tower of National patriotism, to cling to those cherished principles of the equality and rights of the States under the Constitution.

No portion of the habitable globe has ever before formed a Government where so much power has been left to the people, nor where so much freedom has been secured to the citizens; none where mankind has enjoyed so eminently civil and religious liberty; none that has ever inspired so much patriotism; and none, perhaps, that requires the exercise of so much toleration and forbearance toward our fellow men.

The excitement on the subject of slavery, is perhaps the most dangerous of all others.—Its tendency to array political parties by geographical lines was seen, felt and feared by Washington and Jefferson in the earlier days of the Republic, and is yet exercising the minds of our wisest and best men.

The annexation of new territory to the United States has given rise to new sources of agitation and alarm. The act of Congress passed the 6th of March, 1820, fixing the parallel of 36 deg. 30 min. North latitude as a boundary line to govern this vexed question, was regarded by the most eminent statesman of his age, Mr. Jefferson, as "a barrel thrown out to the whale by the federal party," to ultimate in the dissolution of our Union, and it would seem that this language, uttered somewhat in the spirit of prophecy, is to become the truth of history, unless the prudent and conservative counsels of statesmen of enlarged and national views shall soon prevail.

If the experiment of man's capacity to govern himself, as inaugurated by Jefferson, shall be permitted to succeed, all limits of latitude restricting the people to a fixed line on any particular subject, must be abolished and never again established, until the world acknowledges the experiment in America as a failure. The organization of Territorial governments in Kansas and Nebraska was a fit and appropriate occasion to remove all

obstacles in the way of the people governing themselves in their own manner. If the American people are capable of forming their own domestic institutions South of 36 deg. 30 min. North latitude, it is to me incomprehensible why they are not equally capable of doing so North of that line. And to deny this position pre-supposes less mental, moral or physical capacity North of 36 deg. 30 min. North latitude, than there is South of it. It has therefore been wisely ordered by Congress that this question of Slavery shall forever hereafter be left to the people of the States and Territories, to dispose of as they may decide best, and although any privilege of the citizens, either civil or religious, may be abused, yet this is very far from proving that it should be entirely taken from them on one side of a geographical line, and permitted on the other. It is to be hoped that our experience of the past, and the threatening dangers of the present, will moderate the fanatical spirit of the times, and leave the question of Slavery to the people, to whom it properly belongs, if man is capable of self-government.

It is a source of satisfaction to witness the steady progress of all the elements necessary to develop the numerous resources of our Territory, and elevate our moral, social and political condition. While most of our neighboring Territories are being convulsed with Indian wars and internal political strife, almost verging upon civil war, we are calmly moving forward to the accomplishment of a high destiny, by faithfully observing the laws of our country, and resting our hopes upon the virtue and moderation of the people, with a firm reliance upon their capacity for self-government.

As citizens of a common country, we have observed with deep interest the strict adherence of our National Administration to the principles of the Constitution of the United States, and their maintenance of a strict neutrality toward the present belligerent powers of Europe. Not only have they maintained peace at home, and with all the civilized world, but they have infused into the Administration of the various departments of the government the highest regard for integrity and fidelity.

It will be gratifying to me to concur and co-operate with you in all measures which you may devise for promoting the prosperity of our Territory.

I trust your deliberations may be characterized by moderation; that each may look upon mere difference of opinion in political questions with a liberal spirit, and that each of your legislative acts may be a triumph of principle, and right and justice, over passion and prejudice.

W. A. GORMAN.

NOTE.—At the bottom of an act entitled "an Act for a line of Telegraph from Saint Paul to St. Anthony and Minneapolis," I find that the name of the County of Superior was changed to "St. Louis," which Act passed on the night of the third of March, 1855, and the laws not being printed until within the last few days, it was not before discovered, and therefore the County of Superior was recognized by me as such, until the morning of the 4th inst.

REGENTS' REPORT.

TO THE HONORABLE THE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE TERRITORY OF MINNESOTA.

In accordance with the provisions of Statute, I present to your Honorable bodies, the 5th annual Report of the Board of Regents of the University of Minnesota.

The attention of the Board during the past year, has been principally occupied in selecting and locating the lands donated by Congress for the use of the University. The Board have been somewhat divided in opinion, as to whether farming or pine lands would prove most advantageous to the interests of the institution. A majority of the Board, however, have deemed it advisable to select about equal quantities of each. In accordance with this decision, Judge MEKKER was in July last appointed agent for the Board to select and locate farming lands for the use of the University. He has been engaged during a considerable portion of the past season in the discharge of this duty, and has selected and located in the Districts of lands subject to entry at Sauk Rapids, Winona and Red Wing, (mostly in the two last named Districts,) seven thousand five hundred acres. The locations it is believed embrace some of the most valuable lands in the Territory, having been made with reference to comprising the general number of advantages possible for farming purposes. He has been authorized to select seven thousand acres more of the same description.

In addition to the above, the Hon. JOHN ROLLINS, has made some further locations of pine lands, making with those heretofore selected by him, about nine thousand acres of pine timber, located for the use of the University. It will thus be seen that over half of the whole amount donated by Congress to the University, has been located. It is deemed advisable by the Board to locate the remainder at as early a day as practicable, and measures will probably be taken to complete the selections before the next session of the Legislature.

In consequence of the low water on Rum river and its branches during the past season, none of the lumber cut on the University lands has been run out, and the University has, therefore, as yet, been deprived of the receipts anticipated from this source. It has not, in consequence, been able to undertake the erection of any buildings for the purposes of the University or the improvement and adornment of its grounds. Both these objects in the opinion of the Board, are most desirable to be accomplished at as early a

day as practicable, and nothing but a want of means would have prevented the commencement of these enterprises during the past season.

Owing to the change of site for the University grounds of which mention was made in my last annual report, and the anticipated erection of other buildings at an early day, on the last selected grounds, the primary Department last season was discontinued. The interruption thus occasioned to the course of instruction which had been commenced, it is confidently hoped, may be removed during the coming season. It is now the unanimous opinion of the Board, that the time has arrived, not only for the organization of an Academical department of a high order, but also for commencing that of the University proper. The wants of the Territory now demand the full enjoyment of the advantages of such an institution as that chartered by the wisdom of our legislature, and so munificently endowed by the liberality of Congress. In so large a population as is now embraced within the limits of the Territory, there must necessarily be a considerable number prepared for, and desirous of pursuing those higher branches of study usually taught in Colleges and Universities. Unless the means of acquiring a thorough education are afforded at home, they will be sought abroad; and the Territory thus neglect not only an important duty, but lose an essential advantage. So manifest must be the importance of this subject and considerations relating thereto, that enlargement is unnecessary. The Board will feel itself called upon to use its exertions to render available, as early as practicable, the important trust committed to its charge for the benefit of the citizens of the Territory. Through the exertions of the Hon. H. M. Rice, about forty volumes of valuable Congressional works have been added during the past season to the library of the institution. Other gentlemen have also made donations, making the aggregate number of volumes received nearly fifty. I would suggest, in this connection, the propriety of passing an Act requiring the Secretary to annually furnish for the library of the University, copies of the laws, and legislative documents, which it is important should belong to the institution. All which is respectfully submitted.

I. ATWATER, Secretary of the Board of Regents.

REPORT OF THE TERRITORIAL TREASURER,

FOR THE YEAR ENDING 1855.

The amount for Benton, Chisago, Dakota, Hennepin, Le Sueur, Nicollet and Washington Counties are as follows :

BENTON COUNTY.					
Date.	Rec'ts.	When drawn.	To whom payable.		
May 19th.		April 17, 1855	E. Burnand salary.		25 00
Rec'd from Treas'r of Benton County in Auditors war'ts.	\$50 00	" "	do do		25 00
Rec'd in cash as per above.	70				
			Cash balance on hand		\$00 70
CHISAGO COUNTY.					
June 4th.		April 17, 1855.	E. Burnand salary.		25 00
Rec'd from Treas'r of Chisago county in Auditors warrants.	200 00	" "	do do		25 00
		" "	do do		25 00
		" "	do do		25 00
Rec'd in cash as per above.	7 78	" "	do do		25 00
		" "	do do		25 00
			Cash balance on hand		\$7 78
DAKOTA COUNTY.					
Sept. 1855.		Feb. 24, 1854.	L. A. Babcock ex. serv's.		100 00
Rec'd from Treas'r of Dakota county in Auditor's warrants.	100 00				
June 11th.					
Rec'd as per above in cash.	11 00				
			Cash balance on hand		\$11 00

H. A. — 4.

APPENDIX.

HENNEPIN COUNTY.

Date.	Rec'ts.	When Drawn.	To whom payable.
May 6th. Rec'd from Treas'r of Hennepin county in cash.	92 38		
			Cash balance on hand \$92 38
LE SUEUR COUNTY.			
May 29th. Rec'd from Treas'r. of Le Sueur county in cash.	19 85		
			Cash balance on hand \$19 85
NICOLETT COUNTY.			
June 11th. Rec'd from Treas'r. of Nicollet county in cash.	78 41		
			Cash balance on hand \$78 41

WASHINGTON COUNTY.

Rec'd from Treas'r. of Washington co. in Auditor's warrants.	681 00	Dec. 22, 1854.	F. R. Delano's salary.	\$50 00
		" "	do do	50 00
		" "	do do	50 00
		Nov. 20 "	do do	25 00
		" "	do do	25 00
		" "	do do	25 00
		" "	do do	25 00
		" "	do do	50 00
		" "	do do	50 00
		" "	do do	100 00
		" "	do do	50 00
		" "	do do	100 00
		Dec. 20, 1853.	do do	50 00
		" 23 "	do do	25 00
Rec'd as per above in cash.	22 48	Nov. 7, 1855	Jacob Mosier.	6 00
			Cash balance on hand	\$22 48

By act of Legislature said county was ordered to be credited with the further sum of \$83 96.

AUDITOR'S WARRANTS COUNTERSIGNED, AND TO WHOM.

L. Emmett—Extra services.	\$25.00
" " "	12.50
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	6.57
" " "	148.00
" " "	\$78.85

APPENDIX

Mt. O. Baker, Salary,	\$50.00
O T. Stearns	48.00
F. S. Richardson furnishing on road,	92.43
Thomas Smith, services on road,	105.00
J. Brown, services attending Supreme Court,	14.80
Eugene Burnaud, salary,	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
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" " "	25.00
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" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
" " "	25.00
C. A. Tuttle, salary,	50.00
" " "	10.00
" " "	10.00
" " "	10.00
" " "	10.00
" " "	10.00
L. Emmet, Salary,	25.00
" extra services,	25.00
" " "	25.00
" salary,	20.00
" " "	20.00
" " "	20.00
" " "	20.00
" " "	20.00
" " "	20.00
" extra services,	20.00
" " "	20.00
Eugene Burnand, salary,	50.00
" " "	50.00
" " "	50.00
" " "	50.00
" " "	50.00
" " "	50.00

APPENDIX

Eugene Burnand, salary,	50,00
" "	50,00
" "	50,00
" "	50,00
I. Van Etten, salary,	75,00
" "	75,00
" "	75,00
F. R. Delano, salary,	50,00
" "	50,00
" "	50,00
" "	59,00
" "	50,00
" "	50,00
" "	50,00
" "	50,00
" "	50,00
E. Case, salary,	20,00
" "	25,00
L. Emmett, extra services,	17,00
" "	25,00
" "	25,00
" "	25,00
" salary,	25,00
" "	20,00
" "	20,00
" "	20,00
" "	20,00
" extra services,	20,00
" "	20,00
" "	20,00
" "	20,00
" "	20,00
" "	20,00
" "	20,00
" "	20,00
C. E. Leonard, salary,	25,00
" "	25,00
" "	25,00
Eugene Burnand, salary,	25,00
" "	25,00

\$2664,60

Whole amount of Auditor's Warrants, received for the year 1855, and cancelled as per account stated, \$1031,00

Whole amount of cash received, as per account, 232,60

Balance on hand beginning of present year, 92,98

Cash paid on Auditor's Warrant in favor of C. A. Tuttle, 10,00

Cash paid on Auditor's Warrant in favor of E. Burnand, 75,00

Cash paid on Auditor's Warrant in favor of J. Georgii, 75,00

Cash Balance on hand, 165,58

The Territorial Treasurer submits the above Report of the Auditor of the Finances of the Territory, for the year ending 31st December 1855.

CHAS. E. LEONARD,
Territorial Treasurer.

REPORT.

The committee to whom was referred the petition of William W. Kingsbury, claiming a seat in the House of Representatives of the Legislative Assembly of this Territory, as a Representative from the First Council District, which seat is now occupied by the Hon. Nathan C. D. Taylor, respectfully report :

That your committee have heard, and examined all of the testimony produced before them on the part of the petitioner and Nathan C. D. Taylor, and have also considered the evidence reported to the Council on the 23d day of January inst., in the matter of the application of Marcus W. McCracken for a seat in that body, which, by consent of both parties, it was agreed, should be regarded as in evidence before your committee in this matter.

Your committee find the facts to be as follows, without reviewing the evidence herewith submitted in detail :

Prior to the canvass of the votes in the First Council District (which was composed of Superior, Doty, Itasca, Chisago, and part of Washington counties, as provided by section 2, of the act of the Legislative Assembly, approved March 1st, 1851, and section 8, of the Act of March 2d, 1855,) and within the time prescribed by section 31, on page 50, of the Revised Statutes of this Territory, the following returns of elections, held in the First Council District on the 9th day of October last, for Representative in the Legislative Assembly, were made to, and received by Mr. Thomas Lacy, the Clerk of the Board of county Commissioners of the county of Chisago :

Twin Lake precinct, Itasca county, William W. Kingsbury had votes 65 ; Minnesota Point precinct, Superior county, William W. Kingsbury had votes 96 ; Grand Marie precinct, Doty county, William W. Kingsbury had votes 53 ; Fon du Lac precinct, Superior county, William W. Kingsbury had votes 23 ; French River precinct, Superior county, William W. Kingsbury had votes 159 ; Lower precinct of Doty county, (Grand Portage,) William W. Kingsbury had votes 56 ; Making the total vote in favor of William W. Kingsbury, at said election, for Representative in the Legislative Assembly, according to the said returns, 452.

By the same returns, Nathan C. D. Taylor received votes for Representative in the Legislative Assembly, as follows :

Taylor's Falls precinct, Chisago county, Nathan C. D. Taylor had votes 68 ; Marine Mills precinct, Washington county, Nathan C. D. Taylor had votes 28 ; Chisago Lake precinct, Chisago county, Nathan C. D. Taylor had votes 5 ; Sunrise precinct, Chisago

county, Nathan C. D. Taylor had votes 24 ; making the total vote in favor of Nathan C. D. Taylor, at said election, for Representative in the Legislative Assembly, according to the said returns, 125. Leaving a majority in favor of William W. Kingsbury of votes 327.

The Clerk of the Board of county Commissioners of Chisago county rejected, and refused to canvass, the votes so returned to him as given, except those which were returned as given at the precincts of Taylor's Falls, Marine Mills, Chisago Lake, and Sunrise. He also refused to return the votes of any of the precincts to the Clerk of the Board of county Commissioners of the county of Washington, with whom, necessarily, his duty was to canvass the votes of that Representative district, Washington county, being in part, within it, and he gave the usual certificate of election to Nathan C. D. Taylor, notwithstanding the said returns.

Evidence, satisfactory to your committee, was also produced in behalf of the petitioner that the Governor of the Territory appointed a Register of Deeds of Superior county on the 7th of April, 1855, and that he appointed Commissioners of that county on the 11th day of May, 1855.

From the above specified facts established affirmatively by the petitioner, your committee have arrived at the following conclusions :

Section 23, on page 61 of the Revised Statutes, made it the duty of the Commissioners of Superior county, thus appointed, to establish election precincts, and in fact, as appears by the oath of the Register of Deeds of that county, made in the case of Mr. McCracken in the Council, the said Commissioners did establish the precincts of French River and Minnesota Point.

Elections in this Territory had before been held at Fon du Lac, and were unquestioned, and the Register of Superior also made oath in the same case, that he issued notices of election to Fon du Lac, Minnesota Point, French River, Grand Marie and Grand Portage, and that the returns from all these precincts were made to him sealed. Whether or not the Executive of the Territory had the legal right to appoint the Register of Deeds and Commissioners of Superior county, is a question, in reference to which there has been, and may properly be, some doubt. But your committee are of the opinion that the people there should not be disfranchised, and deprived of their chosen representative, in consequence of a mistake on the part of the Executive, even conceding that he made a mistake, and had not the power of appointment exercised by him. Moreover, the Governor of the Territory had, by the act of the Legislative Assembly, of March 1, 1852, (chap. 17 ; Laws of 1853, page 37,) the power to establish election precincts in unorganized counties.

Your committee therefore have decided, that as the returns were regularly and properly made to the Clerk of the Board of Commissioners of Chisago county, in the form prescribed by section 30, on page 49 of the Revised Statutes, it was his duty to include these returns in his estimates of votes, pursuant to sec. 43 on page 52, of the Revised Statutes, and that his obligation to do so is not, in any respect, impaired by sec. 42, on page 53, of the Revised Statutes. On the contrary, your committee submit that the obligation of the Clerk is made more imperative thereby. He could not legally reject the returns because the precincts were not established precincts. He could not know, officially, whether they were established or not, as they might have been established without the intervention of the Board of which he was Clerk. If the election had been limited to the county of which he was an officer, and of the records of which he had, (so far as the elections were concerned,) the control, there might have been some excuse for his action. But there were three other counties, and part of a fourth county, in that Council District, and the Clerk of the Board of County Commissioners of Chisago county, could not officially know, and could not therefore legally or properly determine what precincts were established within them. They might have been established by the Governor of the Territory, or by the Commissioners of Superior county by him appointed, and the Clerk of the Board of Commissioners of Chisago county might not have known of their establishment officially.

Your committee, in view of the facts and references to law, as above specified, submit to the House, as their views of the case:

1. That the judges of election in the various precincts, and the clerks of such election, must, pursuant to sec. 30, R. S., page 49, state the result of the election from the ballots and poll list.

2. That the statement thus made must, pursuant to sec. 31, R. S. page 50, be enclosed, sealed and directed to the Clerk of the Board of County Commissioners of the county, or of the senior county, as the case may be.

3. That the statements and returns, when so made, and received by the Clerk in the form and within the time prescribed by the statute, are *prima facie* evidence that there were such precincts as are therein specified—that elections were held at the times and places, and with the results as are therein specified, and that the Clerk of the Board of County Commissioners must be governed by such statement and returns, in making out his certificate and abstracts, in conformity with sec. 33, R. S., page 50.

4. That, it appearing that returns and statements of judges and clerks of elections in the first Council District, were made in conformity with the statutes above referred to, and that such returns and statements, and the abstracts therefrom returned to the Secretary of the Territory, shew the majority in favor of the petitioner stated in his petition, he, the petitioner, is entitled to his seat, and that the certificate to Mr. Taylor was improvidently and illegally given.

5. That such being the opinion of your Committee, if Mr. Taylor alleges that the elections, as stated in the returns, were not held as stated, or that being held, they were in any respect illegal, the burthen of proof is upon him, and he must establish such allegations affirmatively.

Evidence in support of the affirmative of the above last mentioned proposition, has been submitted to your committee in behalf of Mr. Taylor, but your committee cannot regard such testimony as justifying them in declaring the elections in the precincts of Twin Lake, Minnesota Point, Grand Marie, Fond du Lac, French River and Grand Portage, (lower precinct of Doty county,) illegal and fraudulent, and therefore null and void.

That there have been informalities in the establishment of these precincts, is probable; nay, certain, but your committee regard the intention of the voters in polling their votes, as in good faith, and therefore deem that justice requires that technicalities should be overlooked by your committee, representing as they, and most of their associates in the House of Representatives do, a frontier constituency, to whom our very new laws are necessarily but little known, and consequently by them but imperfectly observed.

It has been urged before your committee, that the letter of R. H. Barrett, in evidence; the body of the returns from Twin Lake precinct, and the name "Dubay" thereon and the superscription on the envelopes in evidence, are all in the same hand-writing.

It is not alleged that Mr. Barrett's letter is a forgery, nor that it was not written at his request, or with his knowledge. If, even it was a forgery, it forms no part of the returns. Mr. Barrett may have employed some person at Superior to write the letter for him, and also to endorse the envelopes. This is quite probable—Superior being the only place where a Post Office is established in that region. It was quite natural that Mr. Barrett should resort there for the purpose of sending these returns to Chisago county, and it was equally natural that he should request some friend to endorse them, and to write the letter which was to accompany them. It is within the knowledge of a member or your committee signing this report, that "Joseph Dube" cannot write his name, and the same fact has been proven by one of the witnesses. There is not, in the opinion of your committee, any thing strange, or in the least degree indicative of fraud that "Dube" and Mr. Barrett should have employed the same amanuensis.

The theory of the case, as presented on behalf of Mr. Taylor, would seem to be that all of the returns, favorable to the petitioner, are false and fraudulent.

Your committee cannot better respond to this assumption than by using the language

of Hon. O. E. Flandrau, member of the Council, in his report upon the case of Mr. M'Cracken, before referred to, which is strictly applicable, to at least one of your committee.

"It is the opinion of your committee that had so many votes been cast by persons not entitled to the right of suffrage in the precincts above referred to, the fact could have been easily shown, and your committee cannot think that the persons who have made the affidavits that have been used in evidence in this case, all tending to the same conclusion, and the gentlemen who have appeared before the committee as witnesses, have sworn to facts that did not exist, because many of these persons are well known to your committee as men of high respectability and undoubted veracity."

It will be remembered that the evidence in the case of Mr. M'Cracken is also, by agreement, in evidence in this case, so far as relevant.

Allegations have been made before your committee that the names of the counties of Superior and Doty were, by the last Legislative Assembly, changed to "Newton" and "St. Louis," and therefore it is urged that the counties of Doty and Superior had no existence when the returns from those counties referred to were made.

Your committee again refer to the language of Mr. Flandrau, in the report above referred to, as expressive of their views of those allegations.

"The counties of Superior and Doty were, before the election, changed to the counties of Newton and St. Louis, but the change was made by the last Legislature in a manner which satisfies your committee that such change was unknown to the citizens who resided therein, and to any one, until recently. The said counties having been recognized by their former names, and appointments having been made for them under those names, and your committee being unable to see that any injury will result from overlooking change in the name, have decided that the same is immaterial, and in no manner effects the investigation of this question."

There is another assumption made on the part of Mr. Taylor, and that is, that the voters named were not there.

Your committee refer to the testimony of Orrin W. Rice, Alfred Allen, Edmund Rice, and of the witnesses who testified in the case of Mr. M'Cracken, (which latter testimony has been printed and is before the House,) from which it must be apparent that the persons named were there.

Twin Lakes precinct seems to be that which is especially attacked in this investigation. It is conceded by Mr. Kingsbury that there were no settlements there at the time of election, except one house. It was, however, proved, and the fact is within the knowledge of a member of your committee, that over one hundred men were at work there on the government road from St. Paul to Superior, and your committee regard the presence there, at that time, of such a number of men so engaged as justifying a vote of sixty-five for Mr. Kingsbury, at least until the contrary has been proven.

The sitting member urged, through his counsel, before the committee, that there was no population on the north shore of Lake Superior, in Minnesota, sufficient, in numbers, to justify the votes specified in the returns.

Your committee again adopt the language of the report of Mr. Flandrau, before quoted, as expressive of their views upon this point:

"In further appears in evidence that the whole country about Lake Superior and these precincts in Doty and Superior counties is heavy timbered and mountainous, which renders it impossible to form any correct estimate of the population from journeying on the Lake coast. It also appears that the country containing mineral is generally back from the coast and that the principle part of the immigration to that country has been persons in pursuit of mineral claims who would go back into the country. Several witnesses state that the greatest body of the settlement is back from the lake. Mr. Orrin Rice says he has kept a store in Superior, and has furnished outfits to many emigrants destined for the Minnesota mines. He thinks the population will fully justify the vote returned. Mr. Alfred Allen, who has resided at Superior for more than a year, estimates the actual

population in Minnesota in these counties at 600 or 700 men, not including women and children. Many of the affidavits produced and referred to above as going to prove the residence of Mr. McCracken in Minnesota, are made by persons who were present at some of the precincts, and they swear that the elections were conducted in every respect with propriety and according to law, and that the persons voting thereat were legal voters of the Territory."

It was again insisted, before your committee, that the votes specified in the returns were *illegal*. Your committee cannot avoid a reference to the fact, that such an allegation is somewhat inconsistent with that which asserts that the voters were not there! They cannot appreciate the force of an argument which first avers that the voters did not exist, and then contends that they had no right to vote! But, to the testimony.

Mr. Kingsbury's majority, according to the returns, over Mr. Taylor, was 327.

Giving to the testimony its full scope, putting down as illegal voters the negro half-breed Bonga, every person bearing an Indian name, and every person whom the witnesses swore to be residents of Wisconsin, and they number only votes 39. Leaving a majority still, in favor of Mr. Kingsbury, of votes 288.

Your committee cannot but regard the rule as well settled, that in all contested elections, he who claims the office on the ground that illegal votes were cast, must *prove* the illegality of enough votes to have changed the result. The reason for the rule is entirely obvious. Legal voters should not be disfranchised, merely because men who are not entitled to the right of suffrage with them voted at the same election.

The illegal votes should be discarded, but the legal votes should be counted. All votes given, and returned according to law, must be presumed to have been legal until the contrary is shown. Therefore, striking out the 39 votes referred to, and even striking out the entire vote of Twin Lake precinct, and yet Mr. Kingsbury has a large majority over Mr. Taylor.

But 39 illegal votes have not been proved. It is no objection to a voter, in this Territory, that he bears either the half or the whole of an Indian name. If such voter is of mixed white and Indian blood, and has adopted the customs and habits of civilization, (sec. 1, R. S., page 45,) he is a legal voter, no matter whether he bears an Indian name in whole or in part. Edmund F. Ely proved but two illegal Indian votes, Baptiste Wah-bah-no, and the half-breed Indian and Negro Bonga.

It is enough, again to use the language of Mr. Flandrau, to say, in reference to Bonga: "One man who voted appears to have been of mixed *negro* and Indian blood, who had been born in the country, was a *voyageur*, and passed as a half-breed; technically this man was not a voter, but your committee are not of the opinion that being so well known as the evidence shows him to have been, and passing as a half breed, the reception of his vote casts no imputation of bad faith upon the election where it was cast."

It was proven that very few of those persons who voted, and who were named on the poll list returned, were, at the time when they voted, residents of Wisconsin. But it was also shown that Messrs. Newton, Culver, and others, although engaged in business at Superior Wisconsin, permanently, or temporarily; had always claimed to be residents of Minnesota, and had claims on the north shore of Lake Superior in Minnesota.

Your committee deem it harsh that a man should be branded as an illegal voter, and that suspicion should be thrown upon an election, merely because the voters preferred voting where their claims were, to voting where they did business to make a living whilst their claims were being made.

Your committee have regarded as important another view of this matter—viz:

It has not been proven that one of the illegal votes alleged to have been cast, was given to Mr. Kingsbury. If not cast for him, why should he be here prejudiced by the casting of them to others? Your committee regard it as incumbent upon Mr. Taylor to prove enough of illegal votes in favor of Mr. Kingsbury, to have changed the result of the election, in favor of himself, and as he has not done so, your committee report the following resolution:

Resolved, That William W. Kingsbury is entitled to a seat in the House of Representatives of the Legislative Assembly, of the Territory of Minnesota, from the First Council District, which seat is now occupied by the Hon. Nathan C. D. Taylor.

WM. STURGIS.
J. F. BRADLEY.

The committee to whom was referred the petition of Wm. W. Kingsbury, claiming to be entitled, and asking to be admitted to the seat in the House of Representatives, now held by Nathan C. D. Taylor, as a representative from the *First Council District*, submitted the following report :

That upon a full and careful examination of all the proofs submitted, both oral and written, as well by the petitioner, Mr. Kingsbury, as by the sitting member, Mr. Taylor, the following are the principal and material facts elicited :

The claims of the petitioner, to a seat in this House, are based upon what purport to be election returns from the following precincts, viz :

Twin Lake precinct, Itasca County.—Here the petitioner claims to have received for House of Representatives, 56 votes.

Minnesota Point precinct, Superior County.—Here the petitioner claims to have received, for the House of Representatives, 96 votes

Grande Marie precinct, Doty County.—Here petitioner claims to have received, for House of Representatives, 53 votes.

Fon du Lac Precinct, Superior County.—Here petitioner claims to have received, for House of Representatives, 23 votes.

French River precinct, Superior County.—Here petitioner received, *per return*, for member of Territorial Legislature, 159 votes.

Lower or Grand Portage Precinct, Doty County,—Here petitioner claims to have received, for House of Representatives, 56 votes.

Of these pretended precincts, but one of the six, is in the county where they purport to be, viz., the precinct of Twin Lakes in Itasca County.

In the first place there are no such counties as Doty and Superior, and have not been since the 3rd. of March, 1855 ; but even did those counties still exist as they were originally erected, on the 20th February, 1855, thirteen days only prior to their extinction ; neither of those five remaining precincts, would be in the territory embraced within the boundaries of the county in which, from the returns given in evidence, they purport to be.

Minnesota Point precinct, instead of being in the county of Superior, would have been in the county of Doty, and was and is in the county of Newton.

Grand Marie precinct, instead of being in the county of Doty, is and was in the county Itasca.

Fon du Lac precinct, instead of being in the county of Superior, would have been in the county of Doty, but is and was in the county of Newton.

French River precinct, instead of being in the county of Superior, would have been in the county of Doty, and is and was in the county of Newton.

Grand Portage or lower precinct, instead of being in the county of Doty, is and was in the county of Itasca.

Thus but one of the precincts, "Twin Lakes," would be in the county where they purport to be, even if there were such counties as Doty and Superior.

The counties of Doty and Superior were erected by the act of February 20th 1855, and by the act March 3d., 1855, changed into the counties of Newton and St. Louis. And, while your committee should have attached but little importance to a mere change of names of those counties, had the pretended precincts, been in the territory composing the counties, as they *did exist*, from which they purport to come ; yet, they can not so far disregard the laws of the Territory as to receive returns purporting to come from one county when if they exist at all, are within the limits of an entirely different

county, not embracing the same territory. And this is the first ground of objection to these returns and to counting the votes they contain.

By the act of March 2nd, 1855, (see Laws of 1855, page 36, Sec. 8.) the counties of Doty and Superior are attached to the First Council District. This is the day preceding the one upon which these counties ceased to exist.

The county of Itasca, before the erection of the counties of Doty and Superior, or Newton and St. Louis, as they now are, was attached for judicial purposes, to the county of Chisago; and the counties of Newton and St. Louis or Doty and Superior being composed out of portions of the county of Itasca, remain for judicial purposes with the original county of Chisago.

Thus then the counties of Itasca, Doty and Superior, or Newton and St. Louis properly, are unorganized counties, attached for judicial, and consequently political purposes, to the county of Chisago.

By the act of March 1, 1855, (see Laws and Reports, page 37, Sec. 1) the Governor had the right, upon the application of a certain number of citizens to establish precincts in unorganized counties, but that right was taken from him by the act of March 5, 1853, (see Laws and Reports, page 36, Sec. 17) and vested in the Commissioners of the organized counties to which the unorganized counties were, or should be, attached for judicial purposes, and there it still remains.

By this act, the Commissioners of organized counties are the only persons who have the power to establish precincts and appoint officers of election for the unorganized counties; and this they are compelled to do, whenever application is properly made to them for that purpose, under the provisions of the act of Feb. 23, 1854, which supersedes sec. 23, page 61, of Revised Statutes.

This comprises the law of the Territory for the establishment of precincts in unorganized counties, and the whole law. Neither the Governor, nor any other person, except the Commissioners of the organized counties, possess the power to establish a precinct or appoint an election officer. The fact here, in proof, by the Register of Deeds and Clerk of the Board of County Commissioners of Chisago county, Mr. Lacy, is, that no precinct whatever has ever been established by the Commissioners of Chisago county, at either of the places at which the elections purport to have been held, by virtue of which Mr. Kingsbury claims to have received a majority of votes in that Representative District, and to be entitled to a seat in this House.

This forms the basis of the second objection to the receipt of these returns and to counting the votes purported to have been cast at those pretended precincts. To show that the canvassers of the returns from this Council District were right in refusing to receive these returns and count these votes, it is only necessary to refer to sec. 49, p. 53, of Revised Statutes, which makes it a misdemeanor, and punishable as such, to count votes polled at any but established precincts; and your committee are of opinion, that though they are members of the law making power of this Territory, yet, that they are like other citizens to be governed by the laws of the Territory; and if the law is objectionable, it may be a reason for repealing it, but certainly not for disregarding its provisions.

It is pretended that Commissioners for the county of Superior were appointed by the Governor. The Governor has no such power, and never had any such power under the laws of this Territory. But let us look at the facts:—On the 11th day of May, A. D. 1855, the Governor says he appointed H. Robinson, H. S. Burke and W. W. Mayo, Commissioners of Superior county.

It is in evidence that H. Robinson is a citizen of Wisconsin, and refused to act under the Governor's appointment. Mr. Mayo himself testifies that he is a citizen of St. Paul, Ramsey county; that he has claimed this as his residence ever since he came to the Territory; that his family resided here ever since; and that he has never resided or claimed to reside in any other part of the Territory; and this is his residence now. But even if these men did pretend to act under this appointment, there were no precincts established by them in the county of Superior, or St. Louis; and your committee deem the position

simply ridiculous that these men, even if legally appointed, had the power to establish precincts in other counties, to which they were not appointed—the county of Superior or St. Louis itself, being an *unorganized* county. But even had these precincts been legally established by the proper Commissioners of the proper county, and for existing counties, there is another insuperable objection to receiving these returns and counting these votes.

No election officers were ever appointed for any such precincts by the only proper authority—the County Commissioners of Chisago, as proved by Mr. Lacy, Register of Deeds, and Clerk of Board of Commissioners of said county.

This being the fact, there is but one other method known to the law, by which they may be selected or chosen, and that is, under sections 8, 9 and 10, on pages 46 and 47 Revised Statutes. When the judges are elected by the qualified voters present, the oath administered to them under sec. 9, shall, by the provisions of sec. 10, *be subscribed by the person administering the same, and prefixed to the poll books. Nothing of the kind has been done in either of these six returns*; and in the absence of this, was all else regular, these returns could not be received, nor the votes purported to be cast at them, counted; and this forms a third and most essential ground of objection to these returns, and to counting these votes.

By sec. 31, page 50, of Revised Statutes, the manner in which the returns of elections shall be made to the Clerk of the Board of County Commissioners, is definitely prescribed. This section provides that the returns shall be conveyed by one of the judges or clerks of the election, or by some other duly appointed person, and delivered to the Clerk of the Board of County Commissioners, to which such county may be attached for judicial purposes; and it is made a *penal offence* by sec. 32, on same page, otherwise to transmit them.

In this case it is certain that these returns were not transmitted according to the provisions of the statute. They, by some means, found their way to the State of Wisconsin, and were there placed in the post office. It would have seemed from the letter accompanying them, that they were enclosed and deposited in the Superior post office by R. H. Barrett; but that inference is rebutted by facts, to which your committee desire to call the special attention of this House.

Mr. Lacy, the Clerk of the Board of Commissioners of Chisago county, proves the fact that these returns were received by him out of the post office at Taylor's Falls. The manner in which these returns were transmitted forms a fourth ground of objection to their being received. And in this connection your committee beg leave to state, that the principal object and purpose of our laws regulating elections, is the purity of the ballot box, and to preserve the sanctity of the elective franchise; and that while the framers of these laws were anxious to extend a right so inestimable to a citizen of a Republican Government, to every legal voter, they were at the same time, no less solicitous in preserving from stain and unhallowed use, the ballot box and its records; and for these reasons throw around them these statutory shields, in order that all those ends might be legitimately attained. By the provisions of this same statute, at the close of the polls, and after the votes have been canvassed, the judges of election shall then *enclose and seal* the poll books, and direct them to the Clerk of the Board of County Commissioners of the proper county; and the packet, *thus sealed*, shall be conveyed by one of the judges, clerk, or other duly appointed person, and by him delivered to the Clerk of the Board of County Commissioners of the proper county.

Thus we see the anxious solicitude felt by those who enacted this law, in striving to shield the returns of election from all chance of being tampered with.

The facts here are, that the whole of these returns, *unsealed*, were in the hands of some one or more individuals, after they had left the point at which they purport from their face to have been made, and before they were deposited in the Superior Post Office, and these facts are no less evident from the returns themselves, than from the testimony of the witnesses of both petitioner and sitting member.

The envelopes enclosing these returns are all of precisely the same kind, and evidently

came from the same bunch or package ; they are all sealed in precisely the same way and with wax of the same tint ; five of them are superscribed in toto in the same hand writing, and the whole of them in part ; the letter accompanying them is in the same hand writing with the superscription upon the envelope and passports to have been written by R. H. Barrett ; the body of the returns, judges and clerks names, of Twin Lake precinct are in the same hand writing ; and Mr. Orrin W. Rice and Mr. R. F. Slaughter, both testify that this is not the hand writing of R. H. Barrett ; and these and other of these returns, which from a comparison of hand writing are not free from suspicion.

Had it been, that this letter and these superscriptions upon the envelopes had been in the hand writing of R. H. Barrett, who it seems, though residing in Newton, was by the Governor appointed Register of Deeds of Superior county, the circumstances attending these returns would have been less suspicious ; but when it is in proof by men of the respectability of Messrs. Rice and Slaughter, that this is not the hand writing of Mr. Barrett, the whole matter is flooded by such a sea of suspicion, that your committee cannot, with these things unexplained, so far forget its duty to the law, to this House and to itself, as, by receiving these returns, to become participants in, what can be denominated at least, a most unauthorized and outrageous transaction ; and when viewed in connection with the following circumstances, an unpardonable and wilful fraud.

Dr. Mayo, of St. Paul, testifies that in the month of August, 1855, he knew every settlement between Minnesota Point and some two miles below Grand Portage, that at that time he was down the shore to that point. From Minnesota Point to Knife river, there did not exceed thirty men—this is a distance from the Point of twenty-five miles. Immediately below Knife river there lived three young men. The next point where there is any settlement is 10 or 15 miles further down the Lake ; here was one man. At Encampment Island, there was a cabin belonging to Ward Follick of Superior, Wis., but no one living in it. The next was Encampment river, where there was a cabin—an old trading post—held by Mr. Elliott, but unoccupied. The next point is Grand Marie, about thirty miles below Encampment river ; there was an old trading point and several old cabins gone to ruin, but there were two recently built shanty's, one of which was occupied by Frank Demor ; the other by two young men, taken there by Rich'd Godfrey ; three Canadians were also taken there by Godfrey, who put up three cabins, but never occupied them—these were back about a mile from the shore. The next point below Grand Marie, is Grand Portage on the Indian Reservation ; there are about twenty cabins here, and about the same number of half-breeds—who call themselves civilized Indians. Then again at Beaver Bay there were three other white men, Robert McLean was one, and the other two were Swedes or Germans.

Here it will be perceived that in August last, there were but sixty men residing on the North shore of Lake Superior, from Minnesota Point to a mile or two below Grand Portage, including the twenty civilized Indians on the Indian Reservation. This is the testimony of a man familiar with the country, and whose business it was to inquire out, and visit every settlement he could discover for the purpose of making mineralogical examination ; and this is a very important fact, when it is conceded that the whole of the settlements made upon the North shore, are made with an eye to mineral's alone. The country is unfit for agriculture, and is sought only for its mineral wealth.

Mr. Edmund Rice testifies that he was up the North shore from twenty to thirty miles, in September, 1855, and remarked the extent of settlement and population. In this distance he counted twelve cabins ; he saw three families at Laundry's ; up French river about a mile, he found one family ; on the opposite side of French river, from Laundry's, there was another settlement, with one house. At Talmadge there were two cabins, and between that and Minnesota Point, there were two other cabins ; at another point, he saw another house, this was called "Nettletons." These were the only habitable places he saw from Minnesota Point to Sucker river, a distance of about thirty miles. Mr. Rice thinks he saw, below the "Point" from sixteen to twenty grown up men, a portion of whom were on the Lake in boats. He met a party coming down from Pigeon river,

six in number, and these he says are to be included in the sixteen or twenty of whom he spoke.

He further says, that he should think there were twenty males in the village of Fon du lac. This is the sum of the testimony of Mr. Rice, and from Fon du lac to Ely's where he saw two other buildings, and from there to Sucker river, a distance of 30 miles below the point, he saw in all during a four days trip, including seasons both on the Lake and the shore—six of whom, were from Pigeon river, and others from places unknown, at his highest estimate forty persons.

This testimony is strongly in corroboration of the testimony of Mayo, and gives it great force in the opinion of your committee. The next witness to whose testimony your committee desire to refer, in this connection, is Alfred Allen.

Mr. Allen says he resides in Superior, Wisconsin, and has been residing there for over a year. He has been to Fon du Lac three times, and once twelve miles down the Lake shore, during the summer of 1855. In the summer of 1854 he did not travel much. He is asked by the petitioners counsel what the population of the country is from Old Fon du Lac to the farthest point he has been down the Lake, viz: twelve miles, and answered, from 300 to 350, and that there were within this distance, at the time he alludes to, from 275 to 300 houses. To testimony of this kind, differing so essentially from that of such men as Mr. Edmund Rice, a gentleman well known throughout the Territory, Dr. Mayo, Rev. Mr. Ely, and Mr. Slaughter, your committee could pay no regard, and even was it not positively contradicted, the fact that he testifies with equal certainty to the population of the whole Lake shore, over but twelve miles of which he has ever been, would induce your committee under any circumstances to receive such testimony with the greatest degree of caution.

As another fact of importance in this connection, it is in proof by the Rev. Mr. Ely, and admitted by the counsel of Mr. Kingsbury, that there is no settlement at Twin Lakes, or between that and Fon du Lac, except the one house at the Lakes.

Taking all this testimony into consideration, and viewing it in the most liberal light, in favor of the petitioner, your committee cannot persuade itself to believe that there is one-fourth of the number of qualified voters in the whole district of country embraced by the six precincts, which the returns from those precincts would show to have voted at them.

This is another reason why your committee has been led to believe that these returns have been unfairly and illegitimately dealt with; and while thus tainted, they should not be received as the votes counted.

There is still another. At, at least two of the precincts, "Minnesota Point and Grand Marie," the officers of election were not all citizens of Minnesota. At Minnesota Point, J. B. Culver acted as one of the judges, and at Grand Marie, Richard Godfrey acted as one of the judges of election there. Now the testimony in regard to Richard Godfrey, is uncontradicted, that he is a citizen of the State of Michigan, residing about twenty miles from Detroit.

With regard to J. B. Culver, he and his family have *actually resided* in Superior, Wisconsin, for the last eighteen months—during the whole of which period he has been engaged in business there as a warehouse-man and merchant. The *intention* of Mr. Culver cannot alter this *fact*; as his intention is to be gathered from his acts and not from his own oath or that of any other person.

As a fact in corroboration of the testimony of Messrs. Rice, Mayo, Ely, Slaughter and others, as to the number of population on the shore, it is in evidence that a large number of the citizens of Wisconsin—known to be so, voted at different precincts, and this is the only way your committee can account for the incredible vote purported to have been cast by those returns; unless we determine that the returns from other precincts were dealt with in like manner to those purporting to come from Twin Lakes.

It would be going too greatly into detail to go over each precinct, and point out the individual names of those who are shown to have been illegal voters. They embraced

citizens of the States, Indians, and persons whose residence had not yet entitled them to the right of suffrage here; and in one instance, a negro.

At the precinct of Fon du Lac, a boat load of people arrived from Wisconsin, on the day of election. They were asked to vote and refused, declaring that they were citizens of Wisconsin. At a later hour in the day, Mr. Slaughter witnessed five of those persons vote at that poll.

There are numerous instances of this or a similar character of illegal voting, but all these facts cannot be embodied in this report without extending it to an unreasonable and unwarrantable length. Therefore, in conclusion, the committee desire that the whole of the evidence, with the original returns, envelopes and accompanying letter, purporting to come from R. H. Barrett, may be submitted to the House, and examined by it, as it was impossible to embrace much that is very important in any report of a committee.

It is unnecessary to give the number of votes cast for the sitting member in the different precincts in the counties of Chisago, and part of Washington, forming the first Representative District, in the first Council District, as it is admitted by Mr. Kingsbury that he received a majority of all the votes cast in the different precincts in those counties for member of the House of Representatives.

Your committee would therefore submit, in brief, as the basis of this report, the subjoined:

1st. That none of the six precincts, except that of Twin Lakes, are in the counties where they purport to be, even supposing such counties as Doty and Superior to exist, as originally established.

2nd. That there never were any precincts established at the points, where these elections purport, from the returns, to have been held.

3d. That the County Commissioners of the organized county, to which unorganized counties are attached for judicial purposes, are the only persons vested, under our laws, with the power to appoint officers of election and establish precincts.

4th. That the unorganized counties embraced within the first council district, are, for judicial purposes, attached to Chisago county, and consequently no precincts could be established in those counties, except by the commissioners of Chisago county.

5th. There were no precincts established in those counties by the Commissioners of Chisago county, nor were there any precinct officers appointed by them.

6th. It is a misdemeanor, punishable as such, to receive and count votes polled at any but established precincts.

7th. The Governor had no power to appoint commissioners, or any other county officers, for the unorganized counties of Newton and St. Louis, or Doty and Superior.

8th. The acts of those whom he pretended to appoint, were merely void, and they were bound to know the laws under which they pretended to act.

9th. That those whom he did pretend to appoint, never were or pretended to be, citizens and electors of the county for which they were appointed—one of the commissioners being a citizen of St. Paul, and another a citizen of the State of Wisconsin, the third a citizen of Newton county.

10th. There never were any Commissioners for the counties of Itasca and Doty, except those of the county of Chisago.

11th. That the officers of election, in several instances, were not citizens of Minnesota, which single fact, casts a suspicion on the whole vote cast at such precincts.

12th. The manner of transmitting the returns of the whole of those six precincts was fraudulent, and is, in itself, a penal offence under the Statute.

13th. That in every case where the record of the appointment of precinct officers, for conducting elections, is not found in the office of the Clerk of the Board of county Commissioners of the proper county, the manner of their appointment, and a certificate of the oath administered, must be prefixed to, and accompany the poll books and returns.

14th. Neither the manner of appointment, nor the oath of office, appears here, in case of either return.

15th. That at French River precinct, the votes were not cast for the petitioner for the House of Representatives, but as a member of the Territorial Legislature.

16th. That the poll list from Twin Lakes is not subscribed, even if the whole did not appear to be a fraud.

17th. That there is not a single legal requisite contained in either of these pretended returns; either in the establishment of the precinct, the appointment of officers, their qualification, or in the performance of any one single act of their duty as officers.

18th. That the whole of the envelopes enclosing these returns are identical—the seals upon them identical—the wax and manner of sealing identical—the superscriptions upon them identical—the hand writing of the Twin Lakes return identical with the superscriptions of the envelopes, and the hand writing of the letter purporting to be from R. H. Barrett, identical with that of the Twin Lake returns and the superscriptions on the envelopes.

19th. That it is proof and uncontradicted and uncontroverted, that neither the letter, the superscriptions, nor the returns are in the hand writing of Mr. Barrett; therefore, the whole, until explained, exhibits a *prima facie* fraud.

20th. That in a district of country, which in the month of August, contained a male population not exceeding one hundred; on the 9th day of Oct. polled according to these returns, about four hundred votes, shows conclusively to your committee, that at least three fourths of those votes must be illegitimate.

21st. The votes canvassed for the sitting member, in the opinion of your committee, constitute a majority of all the legal votes in that Representative District, and your committee further say, that the certificate of election was properly and legally granted to Nathan C. D. Taylor by the Board of Canvassers.

Wherefore the following resolution is proposed by your committee and recommended that it be adopted by this House:

Resolved: That Nathan C. D. Taylor, is entitled to the seat he now holds in this House as a Representative from the first Council District of this Territory.

THOMAS B. HUNT,
Chairman Committee.

February 1st, 1856.

To the Honorable the House of Representatives of the Legislative Assembly of the Territory of Minnesota:—

The petition of William W. Kingsbury, of the county of Superior, in said Territory, respectfully represents:

That at the last general election held in the said Territory, on the 9th day of October, 1855, your petitioner was a candidate for the office of member of the House of Representatives of the Legislative Assembly, for the first Council District of said Territory.

That the following is a correct list of the precincts at which elections were held in the said Council District, viz:—

	Precinct,	Itasca	county.
Twin Lakes	"	Superior	"
Minnesota Point	"	Doty	"
Grand Marie	"	Superior	"
Fond du Lac	"	"	"
French River	"	Doty	"
Lower Grand Portage	"	Chisago	"
Taylor's Falls	"	Washington	"
Marine Mills	"	Chisago	"
Chisago Lake	"	Chisago	"
Sunrise	"	Chisago	"

That the votes polled at the said precincts respectively at said election for candidate for the office of member of the House of Representatives of the Legislative Assembly were as follows, there being four candidates, to wit:

Nathan C. D. Taylor, Francis Register, L. M. Register, and your petitioner, without reference to the scattering votes.

Nathan C. D. Taylor received in Taylor's Falls, 68 votes; Marine Mills, 28; Chisago Lake, 5; Sunrise, 24; total, 125.

Francis Register received, in Taylor's Falls, 23 votes; Marine Mills, 63; Chisago Lake, 25; total, 111.

L. M. Register received in Taylor's Falls, 2 votes; Chisago Lake, 34; Sunrise, 3; total, 39.

William W. Kingsbury received at Minnesota Point, 96 votes; Grand Marie, 58; Fond du Lac, 23; French River, 159; Lower Precinct, Doty county, 56; Twin Lakes, 65; total, 452.

That the contest of said election being between the said Nathan C. D. Taylor and your petitioner, and your petitioner having received a majority of one hundred and seventy-five more votes than all other candidates together, and three hundred and twenty-eight more votes than were received by the said Nathan C. D. Taylor, is entitled to a seat as member of the House of Representatives of the Legislative Assembly, of the 1st Council District.

That, nevertheless, the Register of Deeds of the county of Chisago, disregarding the said votes, has given a certificate of election to the said Nathan C. D. Taylor, as your petitioner is informed and believes.

Therefore, your petitioner prays that your honorable body will, notwithstanding the said certificate of election, allow your petitioner to take the seat in your honorable body as the member of the House of Representatives from the 1st Council district, to which he is entitled by a majority of three hundred and twenty-eight of the votes over the said Nathan C. D. Taylor, as above specified.

Your petitioner also respectfully prays that a committee may be appointed to examine and determine the rights of your petitioner and the said Nathan C. D. Taylor, respectively, in the premises. And your petitioner will ever pray, &c.

Your petitioner annexes hereto copies of the returns of said election, as the same appear in the office of the Register of Deeds of Chisago county aforesaid, and in the office of the Secretary of the Territory.

Territory of Minnesota,
County of Ramsey.

William W. Kingsbury, being duly sworn, says that he is the petitioner named in the foregoing petition, and that the facts therein stated, upon his own knowledge, are true, and that the facts stated upon information and belief he verily believes to be true.

W. W. KINGSBURY.

Sworn and subscribed before me, the fourth day of January. A.D. 1856.

F. M'CORMICK,
Notary Public.

MINNESOTA POINT, October 18th, 1 55.

To the Register of Deeds for Chisago County.

Sir:—The enclosed returns of the Election in the different precincts of Superior, Doty and Itasca Counties, have been returned to me as Register of Deeds for Superior County.

I am of the opinion that they should be returned to you, as these counties are all attached to Chisago for judicial purposes, and neither of the above counties are fully organized. I have therefore put them under seal to your address. Will you please see that the official is forwarded to St. Paul immediately.

Very truly yours,

R. H. BARRETT.

The foregoing was addressed to the Register of Deeds of Chisago county.

APPENDIX

Certificate of the Election at the precinct of Twin Lakes in the county of Itasca and Territory of Minnesota.

At an election held at the house of Samuel Cochran, in the Twin Lake precinct, in the county of Itasca, and Territory of Minnesota, on the ninth day of October, A.D. 1855, the following named persons received the number of votes annexed to their respective names, for the following described offices, to-wit:

Henry M. Rice had sixty-five (65) votes for Delegate to Congress.

Levi W. Folsom had sixty-two (62) votes for member of the Legislative Council.

Wm. W. Kingsbury had sixty-five (65) votes for member of the House of Representatives.

Certified by us,

THOMAS LENTON,

THOMAS FENNEL,

JOSEPH DOHERTY,

Judges of Election.

Attest:

ROSENEY HOGAN,

JOSEPH BUCHMAN,

Clerks of Election.

Certificate of election, Minnesota Point precinct.

At an election held at the house of G. E. Nettleton, at Minnesota Point, in the county of Superior, Territory of Minnesota, on the ninth day of October, A.D. 1855, the following named persons received the number of votes annexed to their names, for the following described offices, to wit:

Delegate to Congress—Henry M. Rice received ninety-five (95) votes; Wm. R. Marshall had five (5) votes; David Olmsted had (0) votes.

John D. Ludden had two (2) votes for Council; M. W. McCracken had twenty-two (22) votes for Council; Levi W. Folsom had fifty-five (55) votes for Council.

Wm. W. Kingsbury had ninety-six (96) votes for the House of Representatives.

Nicholas Gunny had three (3) votes for Council.

Leonard C. Howard had one (1) vote for Council.

J. B. CULVER,

ROBERT JOHNSON,

ROBERT H. McQUAID,

Judges of Election.

Attest:

WM. NEWBURY,

P. A. VAN BLARCUM,

Clerks of Election.

At an election held at the house of Richard Godfrey, in the precinct of Grand Marie, in the county of Doty, Territory of Minnesota, on the 9th day of October, A.D. 1855, the following named persons received the number of votes annexed to their respective names for the following described offices, to wit:

Henry M. Rice had (61) sixty-one votes for Delegate to Congress.

Wm. W. Kingsbury had (53) fifty-three votes for Representative.

Marcus W. McCracken had (51) fifty-one votes for member of Council.

Philip W. Godfrey had (61) sixty-one votes for sheriff of Doty county.

Richard Godfrey had (61) sixty-one votes for commissioner of Doty county.

Moses Dufra had (61) sixty-one votes for commissioner of Doty county.

Robert McLane had (50) fifty votes for commissioner of Doty county.

RICHARD GODFREY,

MOSES DUFRA,

JAMES MAUD,

Judges of Election.

Attest:

PHILIP W. GODFREY,

JOHN WHIPPLE,

Clerks of Election.

**Precinct of Fon du Lac,
Superior County.**

At an election held at the house of Francis Rouson, the precinct of Fon du Lac in the county of Superior, Minnesota Territory, on the (9) ninth day of October, A.D. 1855, the following named persons received the number of votes annexed to their respective names for the following offices:

Henry M. Rice had twenty-three votes for Delegate to Congress.

William R. Marshall had one vote for Delegate to Congress.

William W. Kingsbury had twenty-three votes for Representative.

Marcus McCracken had eighteen votes for Council.

Poll list as follows:—Michael Shingoop, David McCormick, J. B. A. St. John, V. Strong, J. Landry, James Dennison, E. Devan, Fernando Cooley, John B. La Gond, R. B. Carlton, Joseph Y. Day, William W. West, David La Wart, E. N. Hall, John B. Gaudon, Francis Benson, John Marshman, Charles Lord, F. P. Shingoop, Terry Landry, Isador Duan, W. M. Carlton, Peter Wells, John Martin.

We certify that the above Poll list is correct.

R. B. CERLTON,

WILLIAM H. WEST,

FRANCIS ROUSSEAU,

Judges of Election.

Attest:

CHARLES LORD,

W. M. CARLTON,

Clerks of Election.

October 9th, 1855.

**Precinct of French River,
Superior county.**

At an election held at the house of Henry Smith in the precinct of French River in the county of Superior, and Territory of Minnesota on the (9) ninth day of October, A.D. 1855, the following named persons received the number of votes annexed to their respective names, for the following described offices, to wit:

Henry M. Rice had (159) one hundred and fifty-nine votes for Delegate to Congress,

Marcus W. McCracken had (102) one hundred and two votes for member of Council.

Wm. W. Kingsbury had (159) one hundred and fifty nine votes for member of Territorial Legislature.

JOHN PARRY,

HENRY SMITH,

JOHN SMITH,

Certified by us as Judges of election.

Attest:

JOSIAH TALLMAGE,

CHARLES SWEET,

Clerks of Election.

At an election held at the house of H. H. McCullough in the lower precinct of the county

APPENDIX.

of Doty, in the Territory of Minnesota, on the ninth day of October, A.D., 1855, the following named persons received the number of votes annexed to their respective names for the following described offices, to wit:

Henry M. Rice had (56) fifty-six votes for Delegate to Congress.

Marcus W. McCracken had (56) fifty-six votes for member of the Legislative Council.

William W. Kingsbury had (56) fifty-six votes for member of the House of Representatives.

Certified by

MICHAEL COLLINS,
JOHN LARGE,

Judges of election.

Attest:

LEWIS CHATTEN,
LEWIS PAUL,

Clerks of Election

At an election held in the several precincts of Chisago county, Minnesota Territory, on the ninth day of October, A.D., 1855, the following named persons received the number of votes annexed to their respective names:

For member of the Legislative Council and Legislative Assembly.

For Legislative Council: John D. Ludden received at Taylor's Falls precinct, 65 votes; at Chisago Lake precinct, 41 votes; at Sunrise precinct, 29 votes. Levi W. Folsom received at Taylor's Falls precinct, 26 votes; at Chisago Lake precinct, 21 votes; at Sunrise precinct, — votes. Jesse Marks received at Taylor's Falls precinct, 1 vote; at Chisago Lake precinct, — votes; at Sunrise precinct, — votes. N. D. Taylor received at Taylor's Falls precinct, — votes; at Chisago Lake precinct, 2 votes; at Sunrise precinct, — votes.

For Legislative Assembly: Nathan C. D. Taylor received at Taylor's Falls precincts 68 votes; at Chisago Lake precinct, 5 votes; at Sunrise precinct, 24 votes. Francis Register received at Taylor's Falls precinct, 23 votes; at Chisago Lake precinct, 25 votes; at Sunrise precinct, — votes. Harris Washburn received at Taylor's Falls 1 vote; at Chisago Lake precinct, — votes; at Sunrise precinct, — votes. L. M. Register received at Taylor's Falls precinct, 2 votes; at Chisago Lake precinct, 34 votes; at Sunrise precinct, 3 votes. Levi W. Folsom received at Taylor's Falls precinct, — votes; at Chisago Lake precinct, — votes; at Sunrise precinct, 2 votes.

Certified to by us this 27th day of October, A.D., 1855.

THOMAS LACY, Register of Deeds.

JOHN REID,

L. J. STARK,

Justices of the Peace.

I certify the above to be a true copy the abstract of votes made by the Board of Canvassers the day and year above written.

THOMAS LACY,

Register Deeds Chisago county.

And now comes N. C. D. Taylor, respondent to the petition of W. W. Kingsbury, and in answer to the petition of the said petitioner, denies,

That on the 9th October 1855, the said petitioner received 96, or any other number of legal votes for member of the House of Representatives, at an election regularly and lawfully held at Minnesota Point precinct, in Superior county, and further denies that there is or was on the said 9th day of October, any such precinct. And denies,

That the said petitioner received 53, or any other number of legal votes, for member of the House of Representatives, at any election regularly and lawfully held at Grand Marie precinct, Doty county, on the said 9th day of October, 1855; and further denies that there is or was on said 9th October, any such precinct.

And denies that the said petitioner received 23, or any other number of legal votes for member of the House of Representatives, at any election regularly and lawfully held at Fon du Lac precinct, Superior county, on the 9th October, 1855, and further denies that there is or was on said 9th October, any such precinct.

And denies that the said petitioner received 159, or any other number of legal votes for member of the House of Representatives, at any election legally and regularly held at French River precinct, Superior county, on the 9th day of October, 1855, and further denies that there is or was any such precinct at the time said election purports to have been held.

And denies that the said petitioner received 56, or any other number of legal votes for member of the House of Representatives, at any election regularly and legally held at Lower Grand Portage precinct, Doty county, on the 9th day of October, 1855; and further denies that there is or was on the said 9th day of October, any such precinct.

And denies that the said petitioner received 65, or any other number of legal votes for member of the House of Representatives, at any election regularly and lawfully held at Twin Lake precinct, Itasca county; and also denies that there was on the said 9th day of October, any such precinct.

And the said respondent, N. C. D. Taylor, further answering says,

That at the general election held on the 9th day of October, A.D. 1855, at Taylor's Falls precinct, Chisago county, Minnesota Territory, he received for member of the House of Representatives, of the Legislative Assembly of said Territory, 68 votes.

That at Marine Mills precinct, Washington county, he received 28 votes for member of the House of Representatives, of the Legislative Assembly.

That at Chisago Lake precinct, Chisago county, he received 5 votes for member of the House of Representatives of the Legislative Assembly.

That at Sunrise precinct, Chisago county, he received 24 votes for member of the House of Representatives of the Legislative Assembly, making in all 125 votes received for said office, cast for your respondent at said election.

And he further says, that he has the regular and proper certificate of election to said office of member of the said House of Representatives, and is now occupying a seat therein as a member of said House regularly qualified.

And said respondent further answering, denies that there is belonging to the First Council District of this Territory, either Doty or Superior county.

And further denies that the said petitioner did receive in the said First Council District a majority of the legal votes thereof, at any regular and lawfully conducted election held therein on the said 9th day of October, A.D. 1855.

N. C. D. TAYLOR.

Sworn to and subscribed before me this 14th day of January, 1856.

PHILIP DE ROCHERBRUN,
Notary Public.

Testimony of Orrin W. Rice taken provisionally, he being about to go to Lake Superior.

Orrin W. Rice, Sir:

I reside at Superior, Wisconsin; I have resided there since February, 1854. I know where Twin Lakes are on the road from Superior to St. Paul; they are about twenty-two miles from Superior; I am the contractor upon the northern section of the government road, from Superior to St. Paul; I had in the neighborhood of one hundred men employed on that road in the vicinity of Twin Lakes, on and immediately prior to the 9th of October 1855, they would average that, some days they would be under that, some days over. It is thirteen and a half miles from the Bay of Superior to the State line by the government road; it is eight and a half miles from the State line to the house at Twin Lakes. The men were at work on and immediately prior to the 9th of October last from about three or four miles from Superior to Twin Lakes. The men

H. AP.—5

who were at work on this road, a good many of them, voted at Twin Lakes; I was told so by my partner and by others who had gone out there.

This last testimony objected to by the counsel for Mr. Taylor.

I know that during the fore part of the summer many of those men came across the trail from Taylor's Falls to Superior; I know that they came through the woods; I know that after I had got back there on the Saturday before the election, a good many of them come in and got provisions, and told me they had claims on the north shore; I know that I have seen some of them on the north shore of superior in Minnesota; perhaps not more than three or four.

Questioned.—State what reason you have if any, that more of them than you have mentioned, had claims or resided upon the north shore of Lake superior in Minnesota?

Objected to by the counsel for Mr. Taylor.

Objection overruled.

Answer.—Many of them, quite a number, can't say how many, came in and got provisions of me, and told me that they were going on to their claims, on the north shore, that they were afraid to leave their claims so long. I was anxious to have them stay on the road, and they said they must attend to their claims; that they were afraid to leave them.

I know William H. Newton. All I know about his place of residence is that he signs Deeds describing him as late of Ramsey County, Minnesota, and that he refused to vote at the election in Wisconsin on the 6th Nov. 1855. I do not know of his ever having voted, or exercised citizenship in Wisconsin since I have been there. I only know where he has uniformly claimed his residence to be, from conversation with him.

Question.—Have such conversations been held with him by you once or frequently and within what time?

Objected to.

Objection sustained by Chairman.

Objection overruled.

Answer.—Some three or four, or half a dozen times since last spring.

Question.—Is Mr. Wm. H. Newton regarded at Superior, by the people there as a citizen of Minnesota or a citizen of Wisconsin.

Objected to.

Objection sustained.

I know J. B. Culver. He lives in Wisconsin. He voted at the last election in Minnesota. He was called to serve upon a jury in Wisconsin last August. He refused to act, and made oath before Judge Fuller that he was a citizen of Minnesota. I know that he has a claim on the north shore of Lake Superior in Minnesota.

I know M. W. McCracken. I know that in February last he left Superior for Minnesota on the north side of the Bay, as near as I could know without going with him. I know that Mr. McCracken has refused to claim citizenship in Wisconsin since I have been there.

He refused in the election, and at all political meetings. He has never taken any part and has refused to do so. I have never been on his claim on the north shore, I have had it pointed out to me and have been by it, close to it, in a boat.

I know John J. Post. He has lived in Wisconsin for about eighteen months, done business there, but he has a claim on the north shore of Lake Superior, in Minnesota. He made the claim some time last winter, or late a year ago last Fall. I know that he has never taken a part in any political meeting in Superior, Wisconsin; otherwise I know nothing. His family were in Superior when I left; I have seen his claim, but have never been on it; it is on the Lake shore, just below the head of Minnesota Point; we call it below there.

I know S. K. Reed. I cannot say whether he has a claim on the north shore. I do not know where his residence is. I know Saxton Lyon; I have never seen his claim; I do not know where he claims his residence. I know J. P. W. Neill; I do not know

where his claim is, and where he claims his residence, but from what I have heard him say.

I know Robert and Samuel McQuaid ; they claim and have residence in Minnesota. They claimed and had residence in Minnesota, on the 9th of October, 1855.

I am familiar with the north shore of Lake Superior from old Fond du Lac, to and on, five or six miles below Minnesota Point. I should think that from old Fond du Lac to the head of Minnesota Point there were from fifty-seven to seventy-five voters, as near as I could tell. Outside of the village of Fond du Lac, I should think there were over fifty. I should suppose there were more voters in the village of Fond du Lac last Fall, than voted there ; I got my information as to the number who voted there from newspapers, and from one of the judges of election ; I think it was twenty-four or twenty-five.

Cross-Examined.—I was present at a caucus on what is called Rice's Point, I think in July—at any rate it was before the Territorial Convention—and there were upwards of seventy-five men there, and nearly all of them were residents of Minnesota. I could not say when they went to Minnesota ; I can't name any who came after the middle of April. I know that there were people went there after the middle of April, but I cannot recollect the names of any who were there at the convention, or caucus, I have spoken of ; I know that nearly all that were on the north shore within the limits I have spoken of, went there before the first of April, 1855, otherwise they would have had to have waited until the opening of navigation.

I don't know that any of the persons who had worked for me on the road, and who who had claims on the north shore, and to whom I had furnished provisions, voted at Twin Lakes. I never saw the poll lists.

William H. Newton came to Superior a year ago last July, (1855.) He left there on the 11th day of November, 1854. He came back again in the Spring of 1855. He has been there since, except when he has been on the north shore—he has been there some—not a great deal—he does not pretend to live on the north shore.

John B. Culver is engaged in warehousing and merchandizing, at Superior Wis. He commenced some time in the first part of the summer last (1855.) He lives in one of two rooms over the store of Nettleton & Culver. I have not known him to reside elsewhere since last spring. J. P. W. Neill, lives at Superior. He did when I lived there. He is a druggist. I know that there are a great many people passing between Superior and Minnesota Point—some fishing and some for claims, I mean by Minnesota Point, the north shore.

I know Saxton Lyon. I have only known him in Superior. I have known him to be absent from there a great deal. Robert McQuaid lives, I should say, on the north shore, although I have seen him at work in Superior. He went there some time during the winter 1854-5, and has claimed his residence there since, but has been a good deal of his time since in Superior, working at his trade (carpenter), the nature of the country being such that he was obliged to be there. I say the same of Samuel McQuaid that I have said of Robert. They both work together. Since the 1st May last, the McQuaids have spent most of their time in Superior, but they have been often absent on the north shore ; they keep a boat for the purpose of going to their claims,

By Committee.—I know Joseph Dubay. He can't write. I know R. H. Barrett. I think I can recognize his hand-writing.

[Letter of R. H. Barrett, and the signature of Joseph Dubay here shown to witness.]

Ques.—Do you see any similarity of hand-writing ?

Ans.—"Dubay" looks something like it, but "Joseph," I think, does not.

Ques.—Is that the signature of Mr. Barrett ?

Ans.—I should think not.

[The two small envelopes in evidence here shown to witness.]

Ques.—Can you see any similarity between the endorsements upon them and the signature of Joseph Dubay, and the letter of R. H. Barrett ?

Ans.—I do between the endorsements upon the envelopes and the letter, and the "Dubay" in the signature.

Ques.—Look at the poll list from Twin Lake precinct, and see if you can discern the names of the men who worked for you, and specify them?

Ans.—I will state that I know but few of the men. They were hired by Mr. Hanley, my partner in the road, but I do discover some of the names, more than I supposed I knew. They are : John Maher, Louis LaChants, Joseph Collyer, Michael Case, Frank Morasett, Louis Montrey, Christopher McIntosh, John Collyer, W. H. Lyon, John Peterson, Antonio Case, John Johnson, Patrick O'Brien, Joseph Dubay, Timothy Sullivan, Thos. Shortreed. That is all that I can name that I know.

By Counsel for Mr. Taylor.—There are two John Petersons in this county. I think they are not both citizens of Wisconsin. I think one of them has a claim on the north shore. I do not know whether or not John Johnson is a citizen of Wisconsin. I don't know any of the names I have mentioned to be those of citizens of Wisconsin. I do not know that I ever saw Mr. Barrett (R. H. Barrett) write his name. I have seen his signature which he acknowledged to be his, and which I knew to be his. I have received letters from him. That letter (referring to the letter of R. H. Barrett, in evidence) does not seem to be his hand-writing.

By Committee.—I can call over the names of some on the poll lists who have come from the Mississippi to the north shore of Superior in this Territory. They are :—Wm. H. Newton, Benjamin Gates, L. B. Coffee, F. A. Buckingham, J. B. Culver, Joseph Posey, Z. J. Brown, R. P. Miller, A. Crozier. Those, I believe, are the only ones I knew.

Re-examined.—All that I know about my men voting at Twin Lakes is from hearsay. I see some names of persons on the poll lists, to whom I furnished provisions. I know Joseph Dubay came from Minnesota. I know that Thomas Shortreed came from Minnesota, by hearsay. The witness says that he does not mean that the persons named came to the north shore of Lake Superior, but that they came from the Mississippi.

ORRIN W. RICE.

Sworn to and subscribed before me, January 22, 1856.

THOS. B. HUNT,
Chairman.

TESTIMONY OF EDMUND RICE.

Edmond Rice, Sworn.—I first visited the north shore of Lake Superior in Minnesota, on the 5th of July last; I was up there 4 days; I went up as far as Sucker river; I suppose that was from 20 to 30 miles up the shore; Knife river is beyond there, as I was informed; I mean I was gone four days; I went up Sucker river, fishing, I should think two miles; I remarked the extent of settlement and population; I counted twelve cabins; I saw at Landray's three families; I think his name is Joseph Landray; I went up French river about a mile and there was a settlement of one family at least, they had quite a clearing, I don't know whether there were any more or not; on the opposite side of French Creek near Landry's there was another settlement; I don't remember of there being but one house there; at Talmadges, another place on the Lake shore, there were two, I went to these houses; I think I saw too cabins more between there and the head of Minnesota Point on the shore, I will not be positive, I saw from the shore, some distance from the Lake; quite an improvement I should suppose; quite a settlement; I don't know how many houses were there; I don't know that there was more than one; I saw one; It is called "Nettletons." Those were about all the habitable places that I saw from the head of the point to Sucker river; I didn't see any children except at Landray's; there were three heads of families there, women and children; all the rest that I saw were grown up males; I should suppose over the age of 21 years; I didn't go to all the cabins. I should suppose that I saw, on the Lake and along the shore below the point, somewhere from 16 to 20 grown up men, a portion of whom were on the Lake in boats; that is the only means of communication I knew any thing about; I met a party coming down from Pigeon river; they should be included in

the 16 or 20; there were 6 of them, I believe; they claimed to be citizens of Minnesota; I was at old Fond du Lac village; I did not go ashore any where else above the point, but could see the settlements; it was nearly dark when we took the batteau and we went down in the night; I did not see any improvements until the next day when we got to Ely's place; there were two or three buildings there; there may have been more; I did not take particular notice; at Fond du Lac there is quite a village; there were I should suppose, a dozen houses there; I went to Mr. Carlton's, and from there to a half-breed's, and was there introduced to a Catholic Priest; there were about a dozen half-breed men there beside women and children; I think we got 6 or 8 men to row us down besides our own voyageurs, four of them that we took through, some we hired, and some went on their own account as passengers; I should think there were at least 20 males in the village of Fond du Lac; I may be mistaken; I did not pay much attention. I know William H. Newton; I have known him 3 years; I think intimately; Mr. Newton had his residence here, in Ramsey county, until he went to Superior and has resided there since I suppose; I don't remember when he went to Superior; I think a year ago last spring; I don't know of his having a residence in Ramsey county now.

Cross-examined.—I didn't see the people who were inhabiting the places below the point; I didn't visit the cabins on Sucker river except two or three of them; I saw the smoke from the cabins.

By Committee.—Carp river (Sucker river) is this side of Knife river.

Witness Explains.—As we were going down St. Louis river we stopped at Fond du Lac; there is where we took the batteau. Ely's is down at the mouth of the river on the Bay; that I didn't see until the next day, when we went out on to the Bay in a boat.

Sworn to and subscribed before me, Jan. 23, 1856.

EDMUND RICE.

THOMAS B. HUNT,

Chairman.

Alfred Allen's testimony taken provisionally, he being a resident of St. Anthony.

Alfred Allen sworn.—I reside at Superior, Wisconsin. I have resided there since about the 1st of April, 1855. I have been on the north shore of Lake Superior, from old Fond du Lac to twelve miles below the Point. (Minnesota Point.) I was first on the north shore in 1854, in the month of April—about the middle.

In the year 1854, I didn't travel much. I had been along the bay of St. Louis, 4 or 5 miles, and back into the county 4 or 5 miles.

During the summer of 1855, I was three times at Fond du Lac, and once down the lake shore, twelve miles.

I should judge the population, from old Fond du Lac down to where I have been, men, women and children, to be from 300 to 350. I was there last sometime in the month of October, 1855. The population there is composed of young men—single men, almost entirely. As a general thing they have log houses. Some spend their time entirely on their claims, and some spend their time working in Wisconsin. The settlements about the bay, and above three to four miles below, and two or three miles above, extend from three to four miles back from the lake shore. I mean that those who work in Wisconsin are mechanics, and such as work at days work to support themselves.

Those who work in Wisconsin have, as a general thing, their houses on the north shore.

I was in that country during last August. I remember the payment to the Chippewas at La Pointe. As a general thing, the old settlers, the traders, and half-breeds, and some of the white people, attended the payment.

La Pointe is somewhere between 80 and 100 miles from the Bay of St. Louis.

I know J. B. Culver. I have known him since the fall of 1854. When I first knew him, he resided in St. Paul. He has lived during the past summer, most of the time, I think, in Superior, Wisconsin. I have known him to be in Minnesota some. I have known him to leave Superior, sometimes, and be gone two or three days, and, perhaps,

four or five days at a time. I suppose he went to the north shore,—he started for there.

The last testimony objected to by the Counsel for Mr. Taylor.

I never knew of his acting as a citizen of Wisconsin since he has been there, either upon juries, at elections, at public meetings, or otherwise. I have known of his refusing so to act. He was summoned to act as a grand jurymen before the District Court, before Judge Fuller, and swore that he was a citizen of Minnesota, and refused to act on those grounds. I am acquainted with most of the citizens of old Fond du Lac. I was there at the last election. I think there was between 28 and 30 voters on the spot at the time—I don't recollect the exact number. On that day I thought all the voters who lived there were not present at the election—I thought they were able to poll a larger vote there than they did. I know Robert and Samuel McQuaid. I have known them since late in the fall of 1854. Their residence since that time has been in Minnesota. I have been to their house in Minnesota. I was there February 1, 1855. Their house was between two and three miles below Minnesota Point, on the north shore.

Cross-Examined.—R. B. Carlton, Charles Lord, Webster Carlton, seven or eight Frenchmen and half-breeds there. I don't recollect their names. I know the men. — Buckman,—I don't know his first name—he resides a short distance from there. Joseph Laundry, John Laundry. I don't recollect the names now of any others particularly—are citizens of old Fond du Lac. I couldn't say positively whether Joseph Laundry is a citizen of Minnesota or not. I think Joseph Laundry has not a claim near Superior. I know of none.

I should judge that Robert and Sam'l McQuaid had spent one-fourth of their time on their claim in Minnesota since the first of May last, judging from the time they were gone on the North shore. I have, of my own knowledge, known them to have spent one week in Minnesota since the first of May last. I think it was in the month of July last, the latter part.

The greater portion of persons I have mentioned were on the North shore on the first of May last. The land was considered the most valuable, and was claimed the fall before, and in the winter and spring. I should judge that two hundred and seventy-five or three hundred were then there—I mean there were that many claims made—the most of them were residing on their claims. I shouldn't judge that there were two hundred and seventy-five or three hundred houses; some of them had not built their houses, the weather was so cold and the snow was so deep, that some of them did not build their houses until spring. I don't know that there have been a great many claims made by citizens of Wisconsin in the county which I have named, who have never left their residences in Wisconsin; I know of one or two, but they never had residences in Wisconsin as I know of, one of them died a short time since; I know of two and that is all.

By Committee.—I know where Grand Marie is only by hearsay; I know John Parry, I suppose he resides on the North shore, he has spent his time there for the last six, seven, or eight months; I think the most of his time he has spent down the Lake quite a piece, the distance I can't state; French river is somewhere near, the distance I can't say, except from hearsay; I think Mr. Parry lives somewhere near the river; I have never been there; I do not know anything in relation to the extent of population at French river.

(List of votes polled at Fond du Lac presented to witness.)

I see but one here, and I don't know that he is a resident of Wisconsin, (Peter Wells) he has been at work part of the summer in Wisconsin, and I have known him to be a part of the time on the North shore in Minnesota; whether he is a resident of Minnesota or not is more than I know; I spent but a very few minutes at the polls: Mr. Carlton and Mr. Lord were two clerks I think.

Re-Examined.—The people there regarded the country on the North shore which I have referred to, as in Superior county.

Sworn and subscribed before me, January 28, 1856.

ALFRED ALLEN.

THOMAS B. HUNT, Chairman.

TESTIMONY OF LEVI W. FOLSOM.

Levi W. Folsom sworn:—I reside at Taylor's Falls, the county seat of Chisago; I don't know for a certainty when the election returns of Doty, Superior and Itasca counties were received by the Clerk of the Board of County Commissioners of Chisago county.

Objected to because the office of the Register of Deeds will show that fact.

Objection overruled.

Mr. Lacy the Register of Deeds of Chisago county told me "I know I found the returns in the office of the Register of Deeds with the letter attached." I went home from Stillwater with Mr. Lacy, he had been to Stillwater to compare the votes with the Register of Deeds of Washington county immediately after the canvass and I returned with him from Stillwater home; I saw the votes the next morning after returning; I could not fix the date for a certainty, I should judge about the 30th of October, 1855.

Question.—What did Mr. Lacy, the Register of Deeds of Chisago county, say to you at that time, in reference to having received those returns?

Objected to.

Objection sustained.

Objection withdrawn.

Answer.—Mr. Lacy stated that he received the returns by mail, opened them and laid them before the canvassers at the time the other votes were canvassed; by other votes, I mean the votes of Chisago and the votes of Washington county belonging to that district.

Cross-Examined.—I asked Mr. Lacy why these votes from Superior, Itasca, and Doty counties were thrown out? His answer was because he knew of no such precincts, and didn't consider that he had received the votes in a legal manner; he did not say anything else that I think of; I have no recollection of his saying anything about receiving those votes being a misdemeanor. He did not, I think, say that to receive those votes would have been a misdemeanor in office; no words of that kind used; that is all then was said; he stated his reasons, as I have already said, why the votes were not canvassed; I have no recollection of his using the word misdemeanor; he did not to my knowledge use any other word conveying the same meaning any more than I have already testified to.

I don't know that I have at present a case in the Council in which these same questions may arise, I can't say what I may have; in part I rely to sustain my case upon these returns.

I may be mistaken with regard to the time the votes were canvassed at Taylor's Falls. I left home the morning after the election—Wednesday morning—on a journey to Davenport and Rock Island. On my return, I found Mr. Lacy at Stillwater about three o'clock in the afternoon. He stated to me that he had just been comparing the votes as canvassed in Chisago county, with the Register of Washington county. I inferred from conversation with him that the votes had just before been canvassed at Taylor's Falls; that is as near as I know the precise time of the canvass. The votes canvassed at Taylor's Falls were the votes of part of Washington county, Chisago county, and there should have been the votes of Itasca, Doty and Superior counties. The Justices, Reed, and Newbury, and Mr. Lacy I suppose were the canvassers at Taylor's Falls. I do not know, and never asked the question; I do not know that there was no canvass at Taylor's Falls. The Register, as I said before, told me there was a canvass, and I can state further with regard to Washington county if necessary.

LEVI W. FOLSOM.

Sworn to and subscribed before me January 15, 1856.

THOS. B. HUNT, Chairman.

TERRITORY OF MINNESOTA:—RAMSEY COUNTY. SS.

William M. Mayo Sworn:—I am at present staying in St. Paul: I was appointed by

A. C. Smith, Sheriff of Chisago County, to take the Census in Superior and Doty Counties: I am familiar with Minnesota Point: I know where French River is: I know where Grand Marie is: I know where Grand Portage is: I am familiar with the lower part of the Lake at Grand Portage Bay: I passed Twin Lakes, last May: at the time I was at Twin Lakes there was no settlement there: the nearest settlement, to this point, at that time, was Fond du Lac: Fond du Lac is about 18 miles up the St. Louis River from its mouth: I passed, from Minnesota Point, around the North Shore, to a mile or so below Grand Portage,—this is about seven miles from the mouth of Pigeon River. The first time I went down the Lake was in the early part of July last, or the last of June: I was down again the last of July and returned about the twenty-third of August. From Minnesota Point to Knife River is twenty-five miles: there could not be over thirty men between those two points: in this distance there were several claims made, cabins built, and in several of the cabins persons resided: these were all over twenty-one years of age: there are ten cabins, on the other side of Knife River, three cabins occupied by three young men: the next point along the Lake is ten or fifteen miles from Knife River: there was one cabin occupied, when I was there, by one man; the next point below was Encampment Island—there was a cabin, but it was not occupied, it was owned by Ward Follick, of Superior, Douglass County, Wisconsin: the next is at Encampment River, there was one cabin—an old trading post—still held by a Mr. Elliott—there was no one in at any time I passed there: the next is about thirty miles below that at Grand Marie—there is an old trading post and several old cabins, now gone to ruins—these were built by Elliott: there are two other cabins put up recently—one was occupied by Frank Demour during the winter of 1854-5.—There were two young men taken there by Richard Godfrey; also three Canadians, who came from Superior—they put up three cabins, back about a mile, but never occupied them: the next point below that is Grand Portage, on the Indian Reservation; there were two white men—Mr. Elliott and his brother-in-law,—there were at this point twenty claims, occupied by half-breeds, who called themselves civilized Indians; about twenty of those. I forgot one point, on the coast of Beaver Bay, about fifty miles; at that point, there was one cabin and three men living; the only one whose name I remember was Robert McLean; the other two were Germans or Swedes.—Perhaps one half a mile back from this point, there was an unfinished cabin, no one living in it. I was back in the country as far as it was usual to go back there,—my business was exploring for mineral: I was back as far as the settlements extend, and made it my business to visit these places, to see their specimens of Copper, and see where they had taken them from. Between Knife River and Grand Portage there are none others than those I have named: Frank Demour lives below Grand Portage. In regard to the census, I will state that, after I arrived there, I determined to return without taking it, or without acting as County Commissioner, to which I had been appointed; and, at the earnest solicitation of parties there, I determined to do it as well as I could, by employing other agents to go to points where I was unable to go myself.—In the Fond du Lac District I employed R. B. Carlton; he gave me a list of some fifteen heads of families.

There was a Company called the North West Exploring, Richard B. Godfrey was agent for the Company, and he employed me, on some business up the Lake. The business extended from Carp River to Grand Marie: there were four or five men, at different points, located by him, and paid to remain on those places.—I went and examined the places, to see specimens, and to give my opinion of the locations.—By this I examined all the points there were on the Lake; I visited all the places which he had men living upon, as well as those occupied by another Company. These men are placed in this country to secure these claims for mineral purposes—there is no other business done there—no farming: I made it my business to inquire of every person where there were settlements; there is Knife River: I mentioned the settlement there, and Grand Marie: Encampment Island, Gooseberry River: Beaver Bay: Encampment Island River: Grand Portage: Grand Marie: there are two cabins at Gooseberry Mills, but nobody there

when I passed: at Beaver Bay there was one cabin and three men—this is the point I referred to as being the place where there were two Germans, or Swedes, and one American.

I know no others—nor did I hear of any; to the best of my knowledge and belief, I have enumerated all.

Cross Examined.—The means of going there was a Mackinaw boat; I started from Superior,—the first time I went only to Knife River; William Herbert: Richard Godfrey, there were also three Canadians managing the vessel.—They all lived at Superior, except Richard Godfrey, he resided in Detroit, or near there. The second time, N. Herbert, the three Frenchmen and another: we landed the first time half way between Knife River and the point: I went back up the River, perhaps two miles, staid there awhile. The next point was Carp River—stopped there perhaps between two and three hours, and went back not so far as at the other place, as the settlement did not extend back so far, there being a show for minerals near the shore: The next point of landing was Knife River,—we went back three or four miles,—staid over night there—the next morning we went over Knife River, towards Carp River, and back almost the same distance from the shore.

From here we went straight back. On the second trip we stopped three or four miles to French River, we took dinner there, remained about two hours; did not go into the country, it was a part of the coast upon which there were no habitations; we went two and a half miles further, that night, and camped about one half mile from Knife River and left the place where we had been, early next morning. We went from there to to Knife River and took breakfast on the beach; from that point I don't know that I can recollect where we next stopped.

We were three days going up, or down rather, to Grand Marie; yes, almost five days. The boat was sometimes rowed and sometimes sailed. I did not return for two weeks—my principal stopping place was Grand Marie.

As we went down again, we left on Sunday afternoon, and got back to Superior by the following Saturday. The farthest back was at Knife River, four miles: I went back much farther at Carp River, we were gone about four or five hours, it is a very rough country.

I do not know Mr Kingsbury: when I was on the Lake shore Mr. Kingsbury lived about a mile from the point: do not know Robert Johnson,—I do not know where he lives—there were several unoccupied. J. S. C. McQuaid lived in the vicinity of Mr. Kingsbury: Mr. Whitesides lived in Superior, when I was there, in the summer, and boarded at the same house where I did.

Robert McQuaid boarded at Reed's, in Superior, at the same time I did; he has a claim on this side.

I cannot call John McFarland to mind, and can't tell where he lived. Benj. Armstrong lived on the North Shore. I know something about the people between Minnesota Point and old Fond du Lac; at the Point there lived a man named Durey—this was on the main land; on the Point were Reuben Barrett and another: another cabin on the same claim with Durey: Robinson had a claim there, but lived in Superior, and for that reason refused to qualify as County Commissioner: Buckingham: another, whose name I don't know: Brown, Coffey, Burk, Conner, and a Frenchman living on Rice Point. Conner's son, a half-breed, and a Frenchman joining him, contesting the same claim; next to him was Rodgers: next point, Bacon, Hall, Keen, Knox, and a man and his wife—name unknown, Mr. Collins, Kingsbury, and that is as far toward old Fond du Lac as I have any knowledge.

I know when the payment was made at La Pointe; it was in August it should have taken place, but did not take place till September: there was not one went from between Grand Portage and Knife River to the payment. I cannot say who went to the payment from other points.

I do not know any one living on this side who worked in Superior, at the time I spoke of. I never walked from Minnesota Point to Knife River,

H. Ar.—6

Committee.—The distance from French River to Superior is about fifteen miles.

The distance from Minnesota Point to Pigeon River is one hundred and fifty miles and eighteen miles from the Point to Fond du Lac.

Re-Examined.—The christian name of Whiteside is William. I do not know what business the McQuaigs, or either of them is engaged in, in Superior: H. S. Burk resides about a mile up the main shore on the north shore. H. S. is I believe the initials of Robinson; he resides in the contested portion of Superior or Superior City.—He said he would not qualify as Commissioner, because he did not consider himself a citizen of Minnesota.

This is my point of residence. I came to St. Paul, last July, twelve months ago—my family reside here, I make this my residence.

Re-Cross-examined.—I am the same gentleman who made an affidavit, in regard to the Superior Election, which was published in the Minnesotian. I was accompanied in one of my trips by Richard Godfrey; he resides now, and did then, near Detroit; there was no one of that name, living on the Lakeshore, to my knowledge.

As far as I am acquainted with Mr. Godfrey, I do not know anything to say against him.

WILLIAM W. MAYO.

Sworn and Subscribed to before me, this 13th day of January, A.D. 1856.

THOMAS B. HUNT, Chairman.

In the matter of the election contest of W. W. Kingsbury vs N. C. D. Taylor, the sitting member in the House of Representatives.

Thomas Lacy sworn on the part of Taylor:—

I reside at Taylor's Falls, Chisago county. I was Register of Deeds of that county at the last October election. I qualified for that office on the 2nd day of July 1855. I continued in that office up to the 8th of January 1856. Itasca is attached to Chisago for judicial purposes. There are not any precincts established by the County Commissioners of Chisago county in the county of Itasca. I remember a conversation with Levi W. Folsom about certain election returns from certain purported precincts in the first Council District. The conversation was not so much between him and me, as it was with some others who were in company with me. The conversation was in regard to the legal establishment of those Precincts; I think Precincts in Itasca, Superior and Doty Counties. There were some remarks that those Precincts were not legally established. Mr. Folsom remarked, they would find out, or something to that effect. This conversation occurred in a wagon, going from Stillwater to Taylor's Falls. I don't think I said anything special to him in regard to the canvass any way; but some of the others did—there were four or five in the wagon. We canvassed at Taylor's Falls, the Chisago Lake Precinct, Sunrise Precinct, and Taylor's Falls Precinct. The object of that canvass was to see how many votes were polled for Delegate to Congress, members of the Territorial Legislature, County and Precinct officers. The votes for Council and House of Representatives of that District was canvassed in my office. That is, that Representative District. The whole District includes a part of Washington County. We canvassed a part of that Representative District in Chisago, and, I presume, a part in Washington.—I could not say. Myself and the Register of Deeds of Washington County canvassed the whole, but in the first place it was canvassed in both places.

Look at the envelopes and returns in evidence and state if those are the same envelopes and returns received by you as Register of Deeds of Chisago County.

Look at the character of the hand writing of the letter from Mr. Barrett, the envelopes, and the returns from Twin Lakes Precinct, and then say whether they are all in the same hand writing.

Those, I think, are the same papers.

I should think that they were all in the same hand writing. I think the hand that made the endorsement on the small envelopes, first handed in, made the D in the name of Joseph Dubay, one of the judges to the Twin Lakes Return. I think all the envel-

opes but one are endorsed by the same person. The endorsement, "Election Returns," on the excepted envelope, is also, I should say, by the same person. They all came sealed up in these separate papers, and all enclosed in another envelope. The whole of these returns. They came by mail. I took them from the Post Office. There were seven documents in all, including the letter from Mr. Barrett. They are all here.

Cross Examination. I do not recollect the day I received those envelopes. It was before the canvass.

CORRECTION.—I cannot say whether all the names on the Twins Lake return were written by the same hand. The words, "Clerk, of Election," "Judges of Election," and "Dubay," are in the same hand writing of the envelopes and letter. The whole body of the return is in the same hand writing with the letter of Barrett and the envelopes.

THOS. LACY.

Sworn to and subscribed before me, January 18, 1856.

JAMES F. BRADLEY

Edmund F. Ely, sworn.—Minnesota Point is marked "1" on the map marked "A"; Lower Portage is marked "2," Fon du Lac "3," French River "4." I reside in Superior City, in Wisconsin. It is not quite two years since I went there; it will be two years in March next. I know the country some about Twin Lakes, Itasca county. I have passed there on the old Indian trail. I was there last about the last of August or 1st Sept. last. I saw no one there then; there was one house. I had occasion to stop at it, and there was no resident in it. I passed on the old Indian trail and a part of the way on the Government road. I passed on the trail. I could not say there was not a settlement within a mile from the house to the right or left of the trail. There was none on the trail for eighteen miles. From Fon du Lac to Twin Lakes is about half that distance, and this was the only building within the eighteen miles. I am acquainted with the country about Minnesota Point, but do not know all the people.

Look at the returns from "Minnesota Point," and then state which, if any of the persons whose names appear upon that return, are citizens of Wisconsin.

J. B. Culver, one of the Judges of Election, Robert McQuaid, Judge of Election, I have seen from time to time, engaged in Superior at his business in connection with his brother as carpenter.

W. H. Newton, S. C. McQuaid, for the same reason that I gave for Robert McQuaid, John J. Post, S. K. Reed, Saxon Lyon, J. P. W. Neill.

Ques.—Are there any Indian or negro names in the same return? No.

Look at Grand Marie and answer the same question as before put, respecting residents of Wisconsin.

I do not see any names here that I know to be residents of Wisconsin. There are Indian names here. Paul Man-na-con wash, Ke-non-gib-wa, A-te-kuns, Joseph Man-na-con-wash, Nan-na-bo-sha, We-jo-bish.

Fon du Lac precinct—first as to residents of Wisconsin. J. Laundry—if it is Joseph Laundry, he is a resident of Wisconsin. I know no other J. Laundry than Joseph. There are two Indian names—Michael Shingoop and F. P. Shingoop.

French River—first as to citizens of Wisconsin. I see none that I know to be residents of Wisconsin.

Indians Joseph Amick, Charles Ne-gigg, Henry Wa-ba-Sish, Charles O-shc-ga, Stephen Muck-a-da-be-na-se, Antoine Wa-nin-ne, Joseph Wa-be-sah, John Babbiste Que-we-sash, Orin A-na-mas-sing, Ba-ta-ke-wis-e, Ken-da-ca-bas-gum, John Babbiste Wa-ba-no.

Twin Lakes, same questions.

I see none that I know to be residents of Wisconsin.

Grand Portage—same questions.

M. W. McCracken, is the only name I see that I know to be a resident of Wisconsin. The Indian names are,

Elie A-de-kon, Clement A-de-kon, William A-de-kon, Louis Me-nas-kan-as, Joseph

Me-nas-kan-as, Paul Me-nas-kan-as, John 'Baptiste Ka-we task, Augustine Ka-te-wish, Francis A-de-kon, Alex. A-de-kon.

John Bungo is a Negro-Indian half-breed, at French River; I presume I know the individual but could not swear his name is John; I have never seen any roads from Twin Lakes, except the Government road—cut out road; when I was there the Government road had not reached that place. The country is generally level about Twin Lakes, densely timbered, and it would have been impossible to get a team through there at the time I passed; there had been a little cutting, as I judge, to locate the road, but it did not come up to the house I speak of; but there was nothing of that kind west of Twin Lakes. I have only been over this trail by Twin Lakes at the time I speak of within the last eight or nine months.

Look at the letter of Governor Gorman, in evidence, and state if you know the persons therein named. W. W. Mayo, I know; Burke, I have a slight acquaintance with; I do not know that I know Robinson, there are two of that name, but I do not know which of them it is resides there. I think the name of the one residing in Superior is William—can't say certainly.

Cross-examination.—I do not know how many men have been at work on the Government road near Twin Lakes.

Question.—Do you know whether the following persons bearing Indian names, mentioned by you, are of whole or mixed blood or whether they have assumed the dress or habits of white men or not? If so state as I call them.

I only recognize one individual of those I have named bearing Indian names; that is John Baptiste Wabano; he is a full blood Indian; I knew his parents and himself from a boy.

J. B. Culver lives in Superior; I speak that from actual knowledge of the fact. W. H. Newton and John J. Post are actually residents of Superior; also, S. K. Reed; also, Saxon Lyon; also, J. P. W. Neill; these persons some of them have resided out of Wisconsin within the past 12 months; some of them have resided in Minnesota within that period; I speak of their present residence when I say they resided in Superior.

I could not answer where all those persons lived on the 9th October, and 6 months prior thereto.

J. B. Culver has resided for some ten or eleven months in Superior, with his family; W. H. Newton is agent of the Superior Company, and has lived and transacted business for that Company, for more than six months prior to the 9th October last in Superior; John J. Post has been engaged for more than a year in merchandise in Superior and for most of that time his family were with him there; where they were the rest of time I can not tell.

S. K. Reed resides in Superior and did reside there on the 9th of October.

Saxon Lyon did reside in Superior for a year and a half past and now holds the office of Justice of the Peace in Douglas county, at least he was elected.

J. P. W. Neill resided in Superior on the 9th of October, he is a druggist in that city.

J. B. Culver resided in Superior on the 9th of October last.

The distance from the place of election at Minnesota Point to Superior is something like six miles; it is this distance by water.

Superior Chronicle, September 25th, 1855, received in evidence.

E. F. ELY.

Sworn to and subscribed before me this 19th day of January, 1855.

THOMAS B. HUNT,

Chairman.

In the matter of the contested election to the House of Representatives of Minnesota Territory, between N. C. D. Taylor and W. M. Kingsbury:

Robert F. Slaughter, sworn on the part of Mr. Taylor, says:

I now reside in St. Paul. I am acquainted somewhat in that portion of Minnesota about Lake Superior. I am acquainted with a portion of the people about Superior,

Wisconsin. I lived just above what is now Superior, Wis., perhaps three-fourths of a mile. I left there October last, one year ago. I resided there for some three or four months with my family. I was there myself from December, 1853, until October, 1854.

I was there last in October, 1855. I think I was there some eight or ten days, from the latter part of September to the 12th of October. I was there at the time of the election in Minnesota. I was at old Fon du Lac, some sixteen or eighteen miles up the St. Louis river, on the day of the election in Minnesota. I saw a portion of the voters at the polls on that day at Fon du Lac.

I saw Indians there. I saw what I called Indians voting. I would say Indian, rather, instead of Indians. I would say I saw an Indian vote there on that day. They called the Indian John Martin. I have seen such a person in that country as Shingoop. There is a family of Shingoops in the vicinity of Lake Superior. We call them Indians. One of the Shingoops—the old man—is the head or chief of the Fon du Lac band of Chipewewa Indians. I know of no other family of Shingoops about Fon du Lac than the family I have spoken of. I have known Joseph Laundry. He resides in Wisconsin, immediately opposite the old village of Fon du Lac in Minnesota. He resided at the same point on and prior to the 9th day of October last. I saw him at Fon du Lac on the day of the election. There is no other Joseph Laundry that I know of residing in or about Fon du Lac. I did not see him vote on that day. I was about the polls from 12 o'clock till night.

Ques.—Take the poll list of Fon du Lac and state which, if any, of those named there are citizens of Wisconsin.

Ans.—There is none that I could state to be citizens of Wisconsin on the day of the election but Joseph Laundry.

I can't say that there is any here who was not voters from my own personal knowledge.

When I went to Fon du Lac, as I was going up in the morning, I passed a boat containing eight persons coming out of Pokegamo river in Wisconsin, and we got into Fon du Lac sometime ahead of them; the question was asked them, when they came in, whether they were going to vote—they said they "were not; they were not voters."

(What was said here by the persons referred to, is objected to by counsel for Mr. Kingsbury.)

They stated they did not intend to vote; that they had come up after pay. I afterwards saw five of those men vote. I know R. H. Barrett, of Minnesota Point, I have seen him write.

Look at the letter signed R. H. Barrett, and then, do you believe that to be his handwriting from seeing him write?

Ans.—I should say it was not his handwriting.

Look at the returns from Twin Lake Precinct, the letter signed R. H. Barrett, the superscription in fine, of the envelopes, and the words "Election Returns," on the other two envelopes, and then say, whether, in your opinion, they are in the same handwriting?

Ans.—I should think a portion of them was in the same handwriting.

Quest.—Look at the returns from Minnesota Point, and then say, who, if any, of the persons whose names appear on said return, either as officers or voters, were citizens of Wisconsin, on the ninth day of October last, or at any time within six months prior thereto?

Ans.—I was not about the Lake for six months prior to the election; but can state where men resided on that day.

S. C. McQuaid was residing in Wisconsin on the day of the election; he was residing in Wisconsin on the day before and immediately after the election; I did not see him there on the day of the election.

John J. Post, Robert McQuaid, S. K. Reed, William Whiteside, D. A. Currier, J. B. Culver—that is all that I am positive of—they were residing in Wisconsin, prior to, and subsequent to the election—a day or two prior to the election, and after it.

Cross Examined.—I went to the Lake last the latter part of September; it had been nearly a year since I had been there before. I was at St. Paul most of the time; I be-

lieve, in the mean time, I was at the Lake the last time I was there, for ten days; I did not go along any portion of the shore, except from the head of Minnesota Point to Fon du Lac. I should take John Martin to be a full blooded Indian from all the indications I saw and from appearance. I judge only by his appearance; I know nothing about his nativity. I could not give the names of the family of Shingoops to whom I referred; I do not know that they have any first name. I could not give the names of the persons whom I saw coming out of Pokegamo River, except one, his name is Allen; I could not give his first name; he is the one who is about here; a brother of Alviron Allen of St. Anthony; I know nothing about those not being voters, except what they said there; I could not give the names of those five whom I saw vote.

S. C. McQuaid told me he had been residing in Superior, during the whole summer working, building homes there during the whole summer and spring.

Mr. Currie was keeping a hotel in Superior city, Wisconsin; he told me he had leased the hotel and intended residing in Superior city, making it his home.

Mr. Culver was residing there with his family, as he told me, and was doing business there.

Mr. Reed and Mr. Post were also doing business there, and had resided there. Mr. Reed had resided there for eighteen months or two years; I mean that Robert Reed had resided there for the two years; but S. K. Reed was doing business there. Whiteside kept a grocery there. All I know about these gentlemen residing there was, that they were doing business there and what they told me.

Committee.—I am well acquainted about Minnesota Point.

Ques.—What is the extent of the male population at and around Minnesota Point, over the age of 21 years?

Ans.—What would you call round Minnesota Point?

Ques.—For three or four miles each way.

Ans.—I should say there were twenty-five or thirty persons.

Ques.—From Fon du Lac to five miles below Minnesota Point, what is the number of male population over the age of 21 years, embracing Fon du Lac and Minnesota Point?

Ans.—I should think it would add about ten more; making forty persons, perhaps.

Ques.—Do you know where Grand Marie is?

Ans.—Yes sir, I do. It is on the north shore of Lake Superior, in Minnesota Territory, about seventy-five or eighty miles from Minnesota Point, I should think.

Cross-examined by Mr. Kingsbury's counsel.

In my estimate of the population of the country I have spoken of, I was guided by what I saw last fall. I was not down Minnesota Point more than three or four miles last fall. I was back in the country about three miles, but not that far back below the Point. I can't say that I was down as far as Mr. Kingsbury's shanty—I might have seen Mr. Kingsbury's shanty, but not to know it.

R. F. SLAUGHTER.

Sworn to and subscribed before me, this 23d January, 1856.

THOS. B. HUNT,

Chairman.

EXECUTIVE DEPARTMENT, St. Paul, January 16, 1856.

WM. W. KINGSBURY, Esq.

Sir:—In reply to your enquiry, on the county of Superior, I have to inform you that on the 15th day of May, 1855, I appointed H. Robinson, H. S. Burke, and W. W. Mayo, such Commissioners.

Also, I appointed R. Barrett, Register of Deeds, for said county, on the 7th of April, 1855.

Respectfully your ob't. servant.

W. A. GORMAN.

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U of Chicago

* REQUEST *

Patron Name

GOOGLE 1

Transaction Number

3028797

Patron Number

Item Number

096220575

Title

UNIVERSITY OF CHICAGO



096 220 575