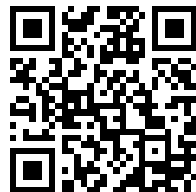


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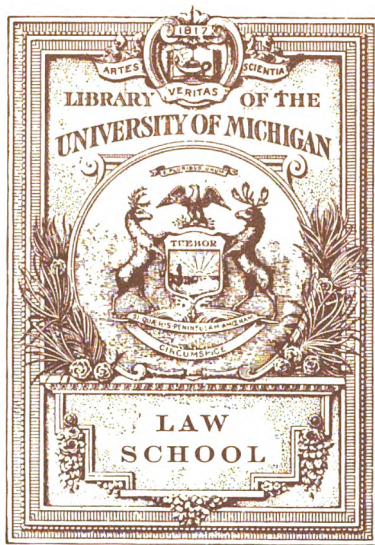
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*Minnesota (Terr.) Council*  
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JOURNAL  
OF THE  
COUNCIL,

DURING THE FIRST SESSION OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF MINNESOTA,

BEGUN AND HELD AT SAINT PAUL, ON MONDAY, SEPTEMBER THIRD,  
ONE THOUSAND EIGHT HUNDRED AND FORTY-NINE.

Published by Authority of the Legislative Assembly.

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1850.

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# JOURNAL

## OF THE COUNCIL OF MINNESOTA.

COUNCIL, *Monday, September 3, 1849.*

Monday, the third day of September, in the year of our Lord one thousand eight hundred and forty-nine, being the day appointed by a proclamation of his Excellency, Alexander Ramsey, Governor of Minnesota Territory, for the meeting of the first session of the Legislative Assembly of said Territory, in pursuance to the provisions of an Act of the Congress of the United States, entitled "An Act to organize the Territory of Minnesota," approved March 3d, 1849, at three o'clock in the afternoon of said day, the Council was called to order by the Hon. C. K. Smith, Secretary of the Territory, and the Rev. Mr. Hobart having addressed the Throne of Grace, the Secretary of the Territory proceeded to call the roll of the members elect, when the following gentlemen answered to their names, viz:

From the first district,	James S. Norris.
" second "	Samuel Burkleo.
" third "	Wm. Henry Forbes and James Mc. Boal.
" fourth "	David B. Loomis.
" fifth "	John Rollins.
" sixth "	David Olmsted and Wm. R. Sturgis.
" seventh "	Martin McLeod.

The members were then severally sworn by the Hon. D. Cooper, one of the Territorial Judges, and took their seats, when

On motion of Mr. Olmsted, Samuel Burkleo was appointed President *pro tem.* of the Council, and took the Chair accordingly.

On motion of Mr. Norris, Joseph R. Brown was appointed Secretary *pro tem.* of the Council.

On motion of Mr. Forbes, Henry A. Lambert was appointed Assistant Secretary *pro tem.* of the Council.

On motion of Mr. McLeod, Benjamin L. Sellors was appointed Sergeant-at-Arms *pro tem.* of the Council.

On motion of Mr. Forbes, Henry A. Gliddon was appointed Messenger *pro tem.* of the Council.

The said officers *pro tem.* of the Council were then sworn in by the Hon. D. Cooper, Associate Judge of the Territory.

Mr. Norris moved that the rules for the government of the Council of Wisconsin Territory, at its Session in 1847, be adopted for the government of this Council, until other rules shall be adopted;

Which motion was carried unanimously.

Mr. Olmsted asked and obtained leave to introduce a resolution, which was read as follows :

" *Resolved*, That a committee of three be appointed by the Chair to prepare rules for the permanent government of the Council, and that they be instructed to report at the earliest day practicable;"

Which resolution was adopted, and Messrs. Olmsted, Loomis and Forbes were appointed said committee.

A committee from the House of Representatives being then announced, Messrs. Brunson and Dewey delivered the following message, viz :

" MR. PRESIDENT :—We have been instructed by the House of Representatives to inform the Council that the House has organized *pro tempore*, and are now ready to proceed to business;"

And then the committee withdrew.

On motion of Mr. Norris, the Council adjourned until ten o'clock to-morrow morning.

COUNCIL, Tuesday, September 4, 1849.

Prayer by the Rev. Mr. Parsons.

Mr. Forbes moved a call of the Council, and the roll being called, the Seargant-at-Arms was sent for the absentees, who, after a short time, he reported in their seats.

The Journal of yesterday was then read and corrected.

Mr. Norris, by leave, offered the following resolution, which was read as follows, viz :

" *Resolved*, That a committee of two be appointed by the Chair to inform the House of Representatives that the Council is now organized temporarily, and ready to proceed to business;"

Which resolution was adopted, and Messrs. Olmsted and Rollins were appointed said committee.

Mr. Norris moved that the Council do now proceed to ballot for a President of the Council;

Which was decided in the affirmative.

Mr. Rollins moved that two Tellers be appointed by the Chair, which motion prevailed, and Messrs. Forbes and Loomis were appointed Tellers.

A committee from the House of Representatives being announced, Messrs. Brunson and Johnson delivered the following message, viz :

" MR. PRESIDENT :—We have been instructed by the House of Representatives to inform the Council that a committee of two, consisting of Messrs. Babcock and Bailly, have been appointed by the House of Representatives to act in conjunction with a similar committee to be appointed by the Council, to wait upon his Excellency, the Governor of the Territory, and inform him that the two Houses are now organized *pro tempore*, and ready to receive any communication he may have to make;"

And then the committee withdrew.

The Council then proceeded to ballot for a President, and the first balloting resulted as follows, viz :

Mr. Olmsted	had five votes,
" Forbes	" three "
" Norris	" one "

Mr. Olmsted having received a majority of all the votes cast, was declared to be duly elected President of the Council during its present session.

Mr. Norris moved that a committee of two be appointed by the Chair to conduct the President elect to the Chair, which motion prevailed, and Messrs. Norris and McLeod were appointed said committee.

The President being conducted to the Chair, previous to taking his seat, addressed the Council as follows, viz :

"GENTLEMEN :—In accepting the station which your partiality has called me to occupy, my first emotions are to thank you heartily for the honor which you have thus unexpectedly conferred upon me. At the same time, however, I beg leave candidly to assure you, that I had hoped your choice would have fallen upon some one of your number, whose talents and experience I know, render them better qualified than myself to preside over the deliberations of this Council.

"Possessing but little experience in legislation, and but a limited knowledge of parliamentary practice, it is but natural that I should have felt some hesitation in accepting a post where the responsibilities are so great, and the duties so embarrassing; and were it not for the reliance which I place upon your generous assistance and forbearance, I should certainly feel it my duty to decline the honor which you have so magnanimously proffered me.

"In view of the high responsibilities devolving upon the Chair, it will not, I trust, be expected that I shall, on all occasions, be able to discharge my duties entirely satisfactory to you all; and should errors occur, as they undoubtedly will, I claim the right to throw myself upon your indulgence, fully assured that you will each be ready to assist, and if necessary, to forgive.

"Believing that an honor of this character should neither be sought nor avoided, I feel myself at liberty to accept this appointment; and in conclusion, will again tender you my thanks for this flattering demonstration of your kindness."

The President having taken his seat,

Mr. McLeod moved that the Council do now proceed to the election of a Secretary to the Council, which motion was decided in the affirmative.

Mr. McLeod moved that two Tellers be appointed, which motion prevailed, and Messrs. McLeod and Norris were appointed accordingly.

The following was the result of the first ballot, viz :

Joseph R. Brown	had seven votes,
B. W. Lott	" one "
H. A. Lambert	" one "

Whereupon Joseph R. Brown having received a majority of all the votes cast, was declared to be duly elected Secretary of the Council for the present session.

Mr. Forbes moved that the Council do now proceed to the election of an Assistant Secretary of the Council, and that two Tellers be appointed by the Chair, which motion prevailed, and Messrs. Boal and Burkleo were appointed Tellers.

The following was the result of the first ballot, viz :

Henry A. Lambert	had eight votes,
P. P. Bishop	" one "

Whereupon Henry A. Lambert having received a majority of all the votes cast, was declared to be duly elected Assistant Secretary of the Council for the present session.

Mr. Rollins moved that the Council do now proceed to the election of a Sergeant-at-Arms, and that two Tellers be appointed by the Chair, which motion prevailed, and Messrs. Forbes and Loomis were appointed Tellers.

The following was the result of the first ballot, viz :

Benjamin L. Sellors	had eight votes,
C. B. Harrington	" one "

Whereupon Benjamin L. Sellors having received a majority of all the votes cast, was declared to be duly elected Sergeant-at-Arms of the Council for the present session.

Mr. Norris moved that the Council do now proceed to the election of one Messenger, and one Fireman of the Council, and that two Tellers be appointed by the Chair, which motion prevailed, and Messrs. Sturgis and Rollins were appointed Tellers.

The following was the result of the first ballot, viz :

Robert Cummins	had six votes for Messenger,
H. A. Gliddon	" one " do.
D. D. Williams	" six " Fireman,
Mr. McGeorge	" one " do.

Whereupon Robert Cummins having received a majority of all the votes cast, was

declared to be duly elected Messenger of the Council during the present session; and D. D. Williams having received a majority of all the votes cast, was declared to be duly elected Fireman of the Council during the present session.

The following message was received from the House of Representatives by W. D. Phillips, Esq., Chief Clerk thereof, viz :

"MR. PRESIDENT:—The House of Representatives have appointed Messrs. Babcock and Brunson a committee to unite with a similar committee to be appointed by the Council, to prepare joint rules for the government of the two Houses, and the Council is requested to appoint a similar committee;"

And then he withdrew.

Mr. McLeod asked and obtained leave to introduce the following resolution :

"Resolved, That a committee of two be appointed by the Chair, to act with a similar committee of the House of Representatives, of whose appointment the Council has been informed, to wait upon his Excellency, the Governor, and inform him that the two Houses are now prepared to receive any communication he may have to make;"

Which resolution, after being read, was adopted; and Messrs. McLeod and Sturgis were appointed said committee.

Mr. Forbes, by leave, introduced the following resolution, viz :

"Resolved, That a committee of two be appointed to inform the House of Representatives that the Council has organized permanently by the election of Mr. David Olmsted, President; Joseph R. Brown, Secretary; Henry A. Lambert, Assistant Secretary; Benjamin L. Sellors, Sergeant-at-Arms; Robert Cummins, Messenger; and D. D. Williams, Fireman."

The resolution was read and adopted by the Council, and the Chair appointed Messrs. Forbes and Sturgis said committee.

Mr. Norris asked and obtained leave to introduce a resolution, which was read as follows, viz :

"Resolved, That a committee of two be appointed by the Chair, to act in conjunction with the committee appointed by the House of Representatives to prepare joint rules for the government of the two Houses."

The resolution was adopted by the Council, and Messrs. Norris and Loomis were appointed said committee.

On motion of Mr. Forbes;

The Council adjourned until one o'clock, P. M.

*One o'clock, P. M.*

Mr. Sturgis asked and obtained leave to introduce a resolution, which was read as follows, viz :

"Resolved, That the Secretary of the Council be directed to furnish each member of the Council with thirty copies weekly of such newspaper or papers published in this place, as they direct;"

Which resolution was adopted by the Council.

Mr. Forbes moved that Mr. Olmsted be excused from serving on the committee appointed to prepare rules for the permanent government of the Council, and that the chair appoint another member on said committee;

Which motion prevailed, and Mr. Norris was appointed to fill the vacancy.

Mr. Forbes, from the committee appointed to inform the House of Representatives that the Council had permanently organized, reported that the duties assigned the committee had been performed.

Mr. Sturgis, by leave, introduced the following resolution, which was read, viz :

"Resolved, That the Secretary of the Council be directed to make arrangements with the postmaster of St. Paul, for the payment of all postage on letters and papers sent to and from the members of the Council during the present session, and report the same to the Council."

The question recurring on the adoption of the resolution, it was decided in the affirmative.

Mr. McLeod, from the committee appointed to act in conjunction with a similar committee from the House of Representatives, to wait upon his Excellency, the Governor, and inform him that the two Houses were prepared to receive any communication he might have to make, reported that

"The joint committee waited upon his Excellency, the Governor, and were informed that his Excellency was prepared to meet the two Houses of the Legislative Assembly in convention immediately."

On motion of Mr. Forbes,

The Council then repaired to the room designated for holding a convention of the two Houses.

After the two Houses had met in convention, his Excellency, the Governor was conducted to the seat prepared for the presiding officers of the two Houses, by the joint committee of the two Houses appointed to wait upon his Excellency. The Rev. Mr. Neill then addressed the Throne of Grace, after which his Excellency, Governor Ramsey, delivered the following message :

#### FELLOW-CITIZENS OF THE COUNCIL

#### AND HOUSE OF REPRESENTATIVES :

I congratulate you and your constituents upon the favorable auspices under which, as members of the first Legislative Assembly of Minnesota, you come together. To this distant land, so recently a wilderness, the Congress and Executive of the Nation have just given a name, an organized government, and boundaries of the most extended character. These have been given us that we may in the future, bear a distinctive part in that common destiny of progress by which the American name and American institutions are, by superior intelligence, labor and energy, continually borne peacefully onward, to occupy distant regions with civilization and cultivated happiness.

That our part is sustained in a manner in consonance with the national character—that the footsteps of our infant commonwealth are guided and the twig bent, while it is yet young, in the true direction of politics and moral greatness—depends in a vast degree, upon the earlier legislation of the Territory. Whilst this legislation should be politically wise, it should likewise judicate, as it can measurably create, that high moral tone, which will ever attract among us, tens of thousands of people who rightly deem a regard for an eternal future, as a consideration not to be lost sight of in the selection of a location for the pursuit of temporal happiness or wealth.

I would advise, therefore, that your legislation should be such—as will guard equally, the rights of labor and the rights of property, without running into ultraisms on either hand—as will recognize no social distinctions, except those which merit and knowledge, religion and morals, unavoidably create—as will repress crime, encourage virtue, give free scope to enterprise and industry—as will promptly, and without delay, administer to and supply all the legitimate wants of the people—laws, in a word, in the formation of which will be kept steadily in view the truth, that this Territory is destined to be a great State, rivalling in population, wealth and energy, her sisters of the Union; and that, consequently, all laws not merely local in their objects, should be framed for the future as well as the present.

I would impress upon you also, the propriety of avoiding doubtful experiments in changing the principles upon which the great fundamental laws of society are based.

The institutions under which so many flourishing States have been reared, cannot be pernicious; and let us be content with the good they are certain to produce, rather than seek to grasp in the unknown and untried for that which may prove an evil or a shadow. Older communities can afford experiments; we are too young, and our infant steps too tottering to justify our seeking to stride through new and difficult paths which are yet unbroken by the footsteps of older and stronger governments.

Our Territory, judging from the experience of the few months since public attention was called to its many advantages, will settle rapidly. Nature has done much for us. Our productive soil and salubrious climate will bring thousands of immigrants within our borders; it is of the utmost moment that the foundations of our legislation should be healthful and solid. A knowledge of this fact, will encourage

tens of thousands of others to settle in our midst; and it may not be long ere we may with truth be recognized throughout the political and the moral world, as indeed the "polar star" of the republican galaxy.

Thus you will see, gentlemen, that yours is a most interesting, and responsible position, and that in your hands, more than in that of any future Legislative Assembly, will be the "destinies of Minnesota."

It is a subject of felicitation to ourselves, as it should be of deep thankfulness to an overruling Providence, that while "the pestilence which walketh in darkness" has carried destruction over so fair a portion of our common country, the destroyer has been averted from our borders; and our people have continued in the enjoyment of the blessings of health. And it is not a less cause for thankfulness, that while disease has obstructed the prosperity of trade throughout the Union, and a blight has been inflicted upon the fields of neighboring States, that a generous soil has abundantly rewarded our husbandman for all his toil, and that a ready demand at home, with high prices for all his produce, have enriched his coffers, and enabled him to command all the comforts of life.

No portion of the earth's surface perhaps combines so many favorable features for the settler as this Territory. Watered by the two greatest rivers of our continent, the Missouri sweeping its entire western border; the Mississippi and Lake Superior making its eastern frontier; and whilst the States of Wisconsin and Iowa limit us on the south, the possessions of the Hudson's Bay Company present the only barrier to our domain on the extreme north—in all embracing an area of one hundred and sixty-six thousand square miles; a country sufficiently extensive to admit of the erection of four States of the largest class, each enjoying in abundance most of the elements of future greatness. Its soil is of the most productive character, yet our northern latitude saves us from the malaria and death, which in other climes are so often attendant upon a liberal soil, our people under the healthful and bracing influence of this northern climate will never sink into listlessness, but continue to possess the vigor and the energy to make the most of their natural advantages.

The great Father of Waters, flowing through the centre of our Territory, opens to us a communication of two thousand miles, enabling our people to carry the products of their fields, their woods, their mines, and their manufacturing industry (the latter an incident of our unrivalled water power), from their northern homes to the very tropics, and bring in exchange for their merchandize all the rich products of the sunny south. And besides these, the pineries upon the Mississippi, St. Croix and their tributaries, with the great deposits of copper and iron on Lake Superior, and the abundant fisheries of the western extremity of that lake, will, under a proper development, prove additional rich sources of revenue to the Territory. The immigrant and capitalist need but perceive these sources of prosperity and wealth, to hasten to seize upon them by settling among us, and I do not doubt it will be so; especially as in future years it is to be hoped no death-dealing epidemic, as in the past few months, will, without touching surround us as with a girdle of fire, through which all must pass who would visit our healthful and fertile land.

I think it does not admit of question, that many thousands have been deterred from coming amongst us the past season, by the prevalence of the great epidemic scourge, cholera, on all the lines of travel communicating in this direction.

I arrived in the Territory late in the month of May, and on the first day of June, one thousand eight hundred and forty-nine, issued the customary proclamation, announcing the organization of a Territorial government.

The first duty enjoined upon me by the organic law, was that of districting the Territory judicially. This I did by proclamation bearing date the 11th day of June, 1849, having only in view therein such a temporary arrangement as would secure to the people, in the short period intervening before the meeting of the legislature, the benefits of an organized judiciary; and yet to avoid the confusion it might have occasioned, I declined making a division of the county of St. Croix, the only organized county in the Territory, as it would have involved the division and removal of the county records, at the great hazard of their loss and defacement, while no advantage appeared in a merely temporary arrangement, sufficient to compensate for this diffi-

culty. Even conceding the power to divide for the time being, an old county, or to create a new one, I did not wish to present the anomaly of dividing a county into three judicial districts, when the business of the whole could be so easily dispatched by one judge.

On this view of the matter, I established the districts as you will see set forth in the proclamation on the subject. The second and third, I regarded as almost nominal districts, in which there would probably be little or no business to transact, but which at the same time the organic law required me to designate, using the language "The Governor of the said Territory may define the judicial *districts* of said Territory, and assign the *judges* who may be appointed for said Territory to the *several districts, &c. &c.*"

The present arrangement being designed to be but temporary, in fulfillment of the requirements of the organic law, and yet doing as little violence as possible to the organization of the county of Saint Croix, in which only was there much necessity for a court, I now ask the Legislative Assembly, to revise this work of mine at an early day. I would suggest that all the ceded country in the Territory be erected into at least three counties; and if but three, that each of these counties be made a judicial district, and that the Indian country be apportioned among them severally "for judicial purposes." In this way perhaps, can be removed or obviated all the difficulties, fancied or real, of extending a judicial organization over the unceded lands of our Territory.

While upon the subject of the judiciary, allow me to direct your attention to the necessity of designating the times for the meeting of the supreme court: the judges of which, are required to hold at least one term annually, at the seat of government of the Territory. The organic law, while prescribing the manner and place, has devolved upon the Legislature the duty of designating the time for holding the sessions of this court.

The census of the Territory being enjoined upon me by law, as a preliminary to districting it for election purposes, on the 11th day of June I issued my precept, directed (in the absence from the Territory of a marshal, upon whom the duty properly devolved) to John Morgan, sheriff of the county of St. Croix, requiring him to proceed to make an enumeration of the inhabitants, and informing him that his compensation should be whatever the Legislative Assembly might allow; and I trust that a proper compensation may be made him for this service. In pursuance of these directions, the census was accordingly taken, and a return of it filed in the office of the Secretary of the Territory, on the fourth day of July last.

Upon the information thereby afforded as a basis of representation, the Territory was immediately divided into Council and Representative districts, and an election ordered to be held therein, on the first day of August, one thousand eight hundred and forty-nine. The returns of this election having been made to the office of the Secretary of the Territory, on or before the 14th day of August last, a proclamation was published, bearing date the 17th of the same month, declaring the result of the election.

I cannot refrain from here remarking, that the districting of the Territory for election purposes, I felt to be a most delicate duty; and perhaps the apportionment adopted by me, may not have been so exact and proper, as with fuller information might have been prescribed. Knowing little of the country personally, I could only govern my action by the necessarily meagre and hastily prepared returns of the officer taking the census. Any unwitting errors, in this respect, can be repaired by the present Legislative Assembly; which, by the organic law, is required to re-district the Territory and to apportion to the districts the number of members of the Council and of the House of Representatives to which they may be entitled, and also to fix by law the day for the commencement of the regular sessions of future Legislative Assemblies. But as the census which will be taken next year by the General Government, will embrace in its enumeration a great mass of population, which a crowding immigration must in the meantime bring into our Territory, thus furnishing a fuller and better data for a further apportionment; and as the Council now elected, will hold office for two years, it may be advisable to delay the apportionment for members

of the latter body, until the next Legislative Assembly, when the returns of the census of 1850 will have been received. And in this connection, I would also respectfully recommend an early revision of the whole election law, as that of the late Wisconsin Territory in operation here, is in many respects unsuited to the peculiar requirements of our Territory and the condition of our people.

I have been thus particular, gentlemen, in giving you a history of my official proceedings previous to the meeting of your bodies. In all that I did, I am conscious of being governed only by a sincere desire to advance the best interest of our Territory. The acts imposed upon me by the organic law, were, from necessity, of a legislative as well as an executive character, and it is proper that you should be in possession of a connected history of them; as they were generally of but a temporary nature, requiring, many of them, additional legislation on your part: and in regard to this legislation, I have likewise deemed it my duty to make several suggestions for your deliberation.

The proclamations, orders, returns, &c., referred to, will be laid before you.

In now proceeding to invite your attention to matters at large, calling for legislative interference, I am impelled by a sense of the importance of the subject, to first urge upon your earnest consideration, the propriety of adopting some more stringent enactments, to put down the frightful and increasing traffic in intoxicating liquors with the Indians of this Territory. When on a business visit to Long Prairie, at the Winnebago Agency, on the 13th of July last, I found the frontier settlers on my route, in great alarm, and some of them on the point of breaking up and leaving the country with their families, from well-grounded apprehension of Indian outrages, reasonably to be anticipated from the amount of whiskey carried on to that border, by bad and lawless men. Deeply sympathizing with these distressed people, I made a requisition as superintendent of Indian affairs, upon the commandants of Fort Gaines and Fort Snelling, for a military detachment to pursue these contraband whiskey-traders, and if possible, to destroy, under the laws regulating trade and intercourse with the Indians, that damnable stimulant which, in savage nature, too surely provokes to murder, arson, violence and outrage. The force at Fort Gaines was too small to lend the necessary aid; but Col. Loomis, the commandant at Fort Snelling, dispatched Capt. Munroe with a detachment of forty men to Sauk Rapids, under whose energetic management, much liquor was destroyed, several offenders arrested and handed over to the custody of the law, and the peace of the frontier preserved.

The necessity of severe laws to repress this abominable traffic, is daily more apparent. The laws of Congress, where they operate, are sufficient to check the evil; but the liquor trader evades these laws by locating himself on the borders of the Indian country, upon the ceded lands, and there, tempting the Indian to follow him, carries on the nefarious business, in defiance of public opinion, and in utter disregard of those mild prohibitory laws, which, though suited to the condition of organized and well regulated society, are quite powerless on a remote and wild frontier. Laws, therefore, allowing of prompt, decided, severe, and almost summary action against those engaged in selling liquor to the Indians on our borders, are required to break up the business; and it must be broken up, or Minnesota will be the scene of many a tragedy, and her settlement delayed for years. While so many avenues to wealth are here open to the industrious and enterprising, it is amazing that one should be ventured upon, at once disreputable to those engaged in it, dangerous to themselves and hazardous to the lives and property of the exposed settlers of the frontier. The best interests of the Territory so plainly require that all the legitimate means of government, and all its powers, be used to ensure the abatement of this monstrous evil, that I will most cheerfully co-operate with the Legislative Assembly in any course they may suggest for its extirpation.

By the 12th section of our organic law, the statutes of the late Territory of Wisconsin are in force in this Territory; but subject, nevertheless, to be altered, modified or repealed by the Governor and Legislative Assembly. This body of laws thus forms our municipal code; and it is of the highest importance that the people should at least have the opportunity given them of knowing the provisions of the enactments to which they are subjected. It has been held as a fixed legal maxim that "ignor-

ance of the law excuseth no man;" but it is questionable, in a moral and practical sense, whether men should be held responsible for violations of statutes, a knowledge of which can be acquired by the community in no accessible mode, and in regard to which even judges, magistrates, and other officials, are for the most part unable to obtain satisfactory information. No compilation of the laws of Wisconsin has been published since 1839, quite ten years ago; whilst those general laws which have since been passed, additional to, or modifying, altering and repealing those contained in that collection, are so scattered through a series of volumes of pamphlet laws, published every year thereafter, and so intermixed with a mass of purely local laws, many of them imperfectly indexed, that they present a chaotic mass nearly defying the most patient labor to disentangle, and requiring the most acute legal experience to discriminate between those which are actually in force and those which are really repealed. But few persons, however, are allowed this meagre chance of knowledge; but are compelled to receive the law second-handed upon the mere dictum of others, thus reducing it from a tangible substance of record to the uncertainty of a shadowy tradition. The original editions of these pamphlet laws, I learn, were but small, and it would appear that for most of the years they are quite out of print; and their extreme scarcity can be estimated when the strong doubt is expressed, whether at this time exceeding half a dozen complete sets of those pamphlet laws are to be found in the whole Territory of Minnesota. This is undeniably a most unfortunate state of things; and I would recommend the Legislative Assembly to take into their earliest consideration some remedy for the mischief. It is above all requisite that the Justices of the Peace, a number of whom were recently appointed, should so soon as it can possibly be done, be put in possession of the laws relating to their jurisdiction and practice; and I am of opinion that such of the laws of the late Territory of Wisconsin on this subject as the Legislature may desire to continue in force, with such amendments as the peculiar situation of our people may suggest, should at once be re-enacted, and, with the addition of some useful forms, forthwith published and distributed.

In addition to the difficulty of disseminating among our people the whole body of Wisconsin legislation, there is doubtless much in it that is incompatible with the character of our people, and unsuited to the wants of our social and commercial condition. In each State of this Union, and in each Territory, there seem to be shades of difference in the people, and diversities in their interests, business, and slightly in their social feelings and action; though viewing the extent of our common country, and the many subdivisions it contains, no population so great in number as ours and so widely disseminated are so homogeneous in character, or less provincial in their manners and pursuits. But climate, soil and business; but especially the quarter of the world or of the Union from which new States are first peopled, undoubtedly do occasion some variety in their modes of thought, and materially influence the institutions that are adopted. To satisfy these local diversities, our government is wisely constituted. The central authorities of an extended empire can scarcely ever adapt its legislation to meet the ramified local wants of its distant parts. To obviate this difficulty, our republican system is so framed, that local governments, nearly independent in their action, attend to the local requirements of each neighborhood in every State, and shape their respective legislation to accommodate all peculiarities of situation, and to satisfy every modification of character; whilst the government of the nation in the meantime guards the whole from assaults without and from possible outbreaks within.

In this manner, and by every popular idea having the power of legislative development in all sections of the land; by every popular grievance, whether imaginary or substantially founded, having legal redress promptly at the door, and by every opposing interest having at least one Legislature to listen to their representations—the legitimate ends of government, the contentment and happiness of the people are fully carried out; and violent revolution, being without a provocation or an aim, is never attempted, and probably never even imagined. An exemption from local peculiarities, requiring no special legislation, cannot be said to characterize our young and growing Territory, any more than other similar communities: and already it is clear,

that the laws of not any State or Territory, as a whole, are adapted exactly to our situation. It might naturally be inferred that those of Wisconsin, from proximity of territory, would present the most points of adaptation; but, before conceding more than the partial truth of this proposition, we should call to mind her location on the western border of steam navigation on the great lakes; enjoying thereby a means of communicating cheaply and speedily with the sea board, and of deriving thence, mainly from the constant in-pouring tide of foreign immigration, and partly from the most northern range of States, the great bulk of her population.

The population so made up must be excellent, beyond a dispute; but it is probable the chief portion of the inhabitants of this Territory will be drawn from another direction. Our principal dependence to convey immigrants to us is plainly the Mississippi river, in whose great valley and that of the Missouri, our Territory is nearly wholly situated; and while it is not unlikely that all the States of the Union, to the extreme north-eastern one of the confederacy, will have more or less representatives amongst us, in pursuit of wealth or health; yet it is palpable, that only upon the lower Middle, and the Western States, and such foreign immigration as can avail itself of the Ohio and Mississippi rivers to transport itself hither, should we, or can we, to any material extent, rely to furnish the great proportion of our population; together with some Anglo-French immigration from the British provinces, drawn here partly by their religious sympathy and common language with most of the first white residents of the country, the worthy pioneers of the Upper Mississippi.

A people thus constituted, and from these sources, present and prospective, afford by their diverse habits and even prejudices, sufficient reasons for enacting statutes more in keeping, may be, with their feelings and customs, and better calculated, perhaps, to gratify, to satisfy, or to restrain them, than the existing laws of our neighboring Territory.

In addition to these reasons, I might dwell upon the different geological formations of our lands; the dissimilar systems by which the two are watered or drained; the somewhat dissimilarity of productions; the decided difference in the pursuits of the people—hers engaged chiefly in agriculture; ours finding employment and wealth in lumbering; in commercial intercourse with the distant North; in supplying the numerous annuity-receiving Indians congregating within our borders; and in the cultivation of the soil, to furnish a profitable and durable home market. These all present, however, such an aggregate of salient differences, such a contrast of circumstances, to be added to the different constitution of population before spoken of, that it is impossible to resist the conviction that the code of Wisconsin, whatever it is, should receive material alteration before it is established finally as the permanent law of Minnesota. I would therefore recommend you, at an early day of the session, to select a commission consisting of three or more competent persons, to report a code of laws to be submitted for the action of the Legislative Assembly during its present session—and the judges of our courts, doubtless, would with pleasure, should the Legislature indicate a wish to that effect, meet with the commission, and give it the assistance of their legal learning and experience.

From the great extent of the frontiers of this country, and the number and warlike character of the Indians located within the Territory and on its borders, we may reasonably expect to realize the experience of all other communities situated like ourselves, and be involved in Indian war or difficulties. To provide safeguards against such an emergency, is one of the first duties of the Legislature; and I would therefore respectfully call your attention to the subject, and ask such legislation as will secure a proper organization of the militia of the Territory; which accomplished, the general government will cheerfully and promptly furnish us with the necessary arms and equipments.

In any organization that may be effected, I hope the chief attention will be addressed to encouraging the formation of mounted troops—a kind of force most serviceable in an Indian country, and indispensable for the defence of a thinly settled region, where distant points are required often to be reached in a short space of time, to avail anything in preventing a threatened outbreak, or in arresting the farther progress of outrage and securing the offenders.

Much good, it occurs to me, could be done by the general government, in opening a great military road from Fort Snelling to the Missouri, and marching a respectable military force over it at least once a year. It would give to the wild Sioux of the western portion of our Territory, and other Indians of the warlike tribes on the borders in that direction, a proper sense of the military power of the whites, and do much to preserve peace even among the tribes hostile to each other. There are probably within the Territorial limits, twenty-five thousand or more Indians, some of them, as for instance the Winnebagoes, discontented with their location and ready for mischief, and all of them brave and martial in their character. A proper regard for the welfare of our people, should induce the national Government to adopt all precautionary measures, to secure us from Indian war on the frontier.

The present patriotic chief-in-charge of the Union, I feel assured, will cheerfully co-operate with Congress, in giving us all needful protection; and his long residence in the Indian country, and his personal acquaintance with this region, will give his representations upon the subject additional force.

I declined making the appointment of certain Territorial officers, such as Treasurer, Auditor, Attorney General and Adjutant General, preferring that the Legislature should first act in the premises, by defining their duties, and providing compensation for their services. The propriety of such legislation, is respectfully suggested to the Assembly.

As the annual appropriations by Congress for Territorial expenses, are limited to specific objects, and as there are other purposes in the administration of the government of the Territory, for which means will have to be provided, it will be necessary for the Assembly to indicate some way, by taxation or otherwise, of creating a Territorial Treasury. Now, when our wants are few and not very pressing, there is time and opportunity for maturing a system of finance, that will be simple in its details, and yet adapt itself to the expansion of our population and the consequent varying opinions of our people. We all know the force of habit, and how difficult it will be to improve or amend our policy on this head, at a future day. Let, therefore, the foundation of our financial system be cautiously laid; guarding in our laws with like care, against extravagance, the vice of States, and against dishonesty, the vice of individuals; and equally against living beyond our income, which is so common a weakness, not to say crime, of both. The truth, that great and permanent public improvements, are for the benefit of future populations as well as the present, has been used to an excessive extent to justify the doctrine, that the State may be almost crushed with debt for posterity to pay. While it is undeniable, that the State never legally dies; that a community never ceases to exist, and that the public faith once pledged to pay, may never afterwards be violated, without incurring the deepest disgrace; yet there seems to be injustice in burdening generations unborn with enormous debts, which they had no voice in creating, and might not have created. I have elsewhere, for years, witnessed the embarrassments arising from a wild and extravagant system of public improvement, which piled up a mountain of debt upon the commonwealth; and I would in advance, most earnestly deprecate seeing the future State of Minnesota, ever similarly overwhelmed with indebtedness, and checked in her career of reasonable enterprise. "*Pay as you go*," is said to be the philosopher's stone, so long and eagerly sought for; and it is a jewel, upon which this destined Northern Light of the American Confederacy, should condense its rays in all time to come, that those who run even, may not fail to observe its precious value.—Let us, gentlemen, adopt those simple words as our financial motto, and it shall be well with us and our children after us.

The vending of ardent spirits, is carried on to an unnecessary extent; and in looking around for objects of taxation, I know of none that so properly invites your legislation as this. An adequate tax laid upon the business, while it yielded a fair revenue to the Territorial and county treasuries, would at the same time tend greatly to repress the evil.

The subject of education, which has ever been esteemed of the first importance, especially in all new American communities, deserves, and I doubt not will receive, your earliest and most devoted care. From the pressure of other and more immediate wants, it is not to be expected, that your school system should be very ample; yet

it is desirable, that whatever is done, should be of a character that will readily adapt itself to the growth and increase of the country ; and not in future years, require a violent change of systems, by which much prejudice is to be overcome and much useful time lost, and the efficiency of individual schools in some instances impaired, for a long period.

The 13th section of the organic law provides, that at the "first session, the Governor and Legislative Assembly, shall locate and establish a temporary seat of government for said Territory, at such place as they shall deem eligible ; and shall, at such time as they shall see proper, prescribe by law, the manner of locating the permanent seat of government of said Territory, by a vote of the people."

The first division of this clause, in relation to the location of a temporary seat of government, makes the duty incumbent upon the present Legislature ; but the legislation involved in the selection of a permanent site for the capital, I understand, may be had at a future day, and by a future Legislature ; and indeed it would be premature, with our comparatively small population, to decide at this time, so important a question as the location of the permanent seat of our government. In fairness to the people who will shortly occupy lands now in possession of the Indians, the decision of the question had better be postponed.

A temporary "Great Seal of the Territory of Minnesota," has been adopted ; an impression of which, will be submitted. I preferred consulting the Legislative Assembly upon the adoption of a permanent Great Seal ; and I herewith lay before you the design of one, to which I ask your attention, and if you approve of it or suggest its modification, it will then be placed in the hands of an artist to be engraved, and thenceforward supercede the seal now in use ;—and while on this subject, I would suggest, that some legislation is needed, in regard to seals for the Supreme and several District Courts, Probate Courts, and for county officers.

The Congress of the United States, in a spirit of liberality that cannot be too highly appreciated, appropriated five thousand dollars for the purchase of a library for the Territory. As I was appointed to the position I hold, in the month of April, and esteeming it my duty to hasten to the Territory with all convenient dispatch, I could not command time sufficient, to make a selection of the entire library ; but contented myself with the purchase of such works, as I supposed the Legislature and Courts would immediately require. The balance of the books, have been ordered and will be here, possibly before the adjournment of the Assembly. The necessary legislation for the preservation of the library, I would suggest should be immediately had.

The Legislative Assembly, as is necessary and customary with all Territorial Legislatures, will doubtless make known to the Congress of the United States, from time to time, the wants and wishes of our people.

Among other things, I regard it as of first importance, that Congress should be memorialized by you, and asked to extend the pre-emption privilege to all actual settlers on the public lands, whether surveyed or not, to which the Indian title has been extinguished. I consider this modification of existing law, due to that hardy and enterprising people, who have opened the boundless regions of the West to the capital and industry of the country. For half a century, this class of the community has kept upon the march—having charge of the outposts of that immense army, that year after year, with resistless energy, encroaches upon the domain of the wilderness.—These enterprising pioneers, comprising in all the States quite half a million of people, leading this moving life, know but little local calm and quiet rest ; their homes of last year are abandoned this ; and with wife, children, cattle and utensils, they start onward again, upon a new route for a location farther beyond ; where once more their toil and privations open the prairie and the forest, until another wave of hardy adventurers, a little less restless in spirit, arrive to purchase their places and their improvements, while they resume their never-ceasing journey towards the setting sun.

In all this, whatever the results to the individual, the public and the government undoubtedly gain ; and to this enterprising, bold and fearless people, every reasonable concession should be made. The extension of the pre-emption privilege, in the way I have intimated, would be no more than a just boon of reward for their enter-

prise. It frequently happens, that between the extinction of the Indian title and a government survey, ten or more years intervene; and, in the meantime, these poor people have to lose the benefit of their improvements. The laws should be so constructed as to make provision for these things, rather than leave it to private combination, and tacit understanding, among these people themselves, to maintain their rights against grasping speculators.

I would here remark, that the possession of large tracts of country by speculators, will do, and has done, more to retard its settlement, than any other cause; and, as if the evil was not extended enough before, the bounty land-warrants, issued to the soldiers of the Mexican war, in good faith, and as a just though small compensation for their bravery and sacrifices, have recently become a fresh element of speculation and of non-resident land-monopoly. Two-thirds of them, it is estimated, have passed into second hands, and are being systematically shingled over our Territory and the whole western country, by non-residents; thereby delaying and disturbing the natural and proper developement of this region of country and the adjoining States. I am not prepared, at this time, to indicate the proper course to be pursued, for arresting this evil; but I will most cordially co-operate with the Legislative Assembly, in any remedy devised by them, to avert from Minnesota, this only blight upon our progress and prosperity.

Next in importance, towards facilitating the settlement of the Territory, I would rank the purchase of the Sioux Indian country, west of the Mississippi river, from the Iowa line, north to the Watab river, which is the south boundary of the Winnebago country; adding as the western boundary of such purchase, a line drawn due south from the lake at the head of Long Prairie river. This extensive, rich and salubrious region, would open new inducements for the enterprise of our countrymen; for it is considered equal, in soil, to any portion of the valley of the Mississippi; and in healthfulness, is probably superior to any part of the American continent. It is known to be rich in minerals as in soil; is sufficiently timbered, being traversed for one hundred miles on its western border, by a hard-wood forest some forty miles in width; is watered by some of the finest rivers of the North-West, such as the Minnesota or St. Peter's, the Blue Earth, the Osakis, the Root River, and others; and is bespangled with beautiful lakes in every direction. To the eye of the observer, it presents an agreeable mingling of high rolling prairies and gentle slopes; wooded hill-tops, luxuriant natural meadows, and abundance of the purest water; and I feel a conviction, that this country, once thrown open for settlement, would be peopled with a rapidity exceeded anything in the history of western colonization. I would therefore press strongly upon the Legislative Assembly, the expediency of memorializing Congress upon the subject.

Much complaint is made by the settlers about Sauk Rapids, Swan River, &c., as to the demoralizing effects of the privilege given the Chippeways, in the treaty of 1837, to hunt and fish upon the lands ceded by said treaty. It might be well for the Legislative Assembly, to memorialize the President of the United States, requesting him to notify the Chippeways, that these privileges must cease; and requiring them to move into their proper territory.

A good road is wanted from the settlements on the Saint Croix, along that river to Lake Superior. An improvement of this nature, would open the mineral regions on the shores of that lake to the farm produce of our Territory, and lead to a trade mutually advantageous. It would, moreover, give convenient access to the extensive pine-ries on that river; and thus enable the General Government, at an early period, to realize something out of her public lands in that quarter, now that they are covered with valuable pine forests; and will consequently command a ready sale, which may not be the case years after this, when denuded of timber by the axe of the lumberman. This road, I suggest, might commence at Point Douglass, pass by way of the Prairie Settlement to Stillwater, and thence, via the Marine Mills and St. Croix Falls, to Lake Superior.

On the Mississippi, a good road is needed; and one could be constructed at a small expense, from St. Paul, via St. Anthony's Falls, Elk River, Sturgis', Sauk Rapids, and Swan River, to Crow Wing. The bridging of a number of small streams,

comprises nearly the entire expenditure necessary; and when completed, it would afford to the Government a good military road from Fort Snelling to Fort Gaines, at the Crow Wing.

The National Government, having to deliver, semi-annually, large quantities of goods and provisions at her forts and Indian agencies on the extreme Upper Mississippi, is therefore directly interested in every enterprise that will improve the navigation of that river. If, in lieu of the present tedious and expensive land carriage, a transportation upon that river and in steamboats, could be introduced above the Falls of St. Anthony, she would profit greatly by it; both in the extra dispatch and superior cheapness, with which supplies could be forwarded to the upper country. To secure this desirable result, a moderate appropriation, to remove the obstructions to navigation at the Sauk Rapids, is all that is required; when, it is believed, hundreds of miles of additional steamboat navigation above the great Falls, would be opened, saving several thousand dollars annually to the Government, in freight to Fort Gaines and the Chippeway and Winnebago agencies; and immensely facilitating and increasing the common trade to the far North, Pembina and the Hudson Bay Company's Possessions. These are objects of no little moment; and Congress, I feel assured, would lend a most favorable ear to any proper application for aid, to accomplish such a work as this, which is alike demanded by a due regard for the interests of the nation as well as of the Territory.

A very profitable trade might be had with the settlements on the Red River of the North, near to and beyond the British line, if suitable encouragement was given by the authorities at Washington. Already, several hundred of their peculiar carts visit us annually; traversing a distance of seven hundred miles, entirely through a wild Indian country, fording swollen rivers and crossing immense prairies, without any guarantees of protection. They bring us the spoils of the chase, and many articles of comfort, necessity and even luxury; purchasing and carrying home with them in return, the varied produce of our agricultural and manufacturing industry. It would be advisable to invite the attention of Congress to this trade, as it is susceptible of being greatly increased, to the advantage of the Territory and the interests of the country at large.

There should be proper and safe places of confinement in the Territory, provided for prisoners; and I am convinced, that the nearly total want of these, is ordinarily, a chief cause of the weakness of the law on the frontiers. Without prisons, crime can have no punishment, except that which illegal violence summarily inflicts; criminals know no restraint from committing fresh offences, save the ulterior remedy that removes them from the land and from life at the same moment; and society either suffers continually from depredators, or escaping from this dilemma, rushes into one quite as evil, in defending itself by lawless force; until, eventually, in the blindness of passion and unrestrained authority, the innocent are the victims quite as often as the guilty, and the wholesome restraints of all law, having in the meantime become irksome, the system ends by reducing the entire community into chaos and deplorable anarchy. I apprehend no extreme results like these, in Minnesota, under any circumstances; but wisdom teaches us to guard against a condition of things, having but a bare tendency to produce consequences here, which are not without their example and parallel elsewhere in the valley of the Mississippi; and also warns us to avoid all possible ill results on every hand, by the timely erection of sufficient places of confinement, for the bad and vicious of our Territory. But in the weak and infant condition of our population, the inability to put up the proper structures, is so entirely evident, that I am satisfied Congress on your representations, would cheerfully grant an appropriation, sufficient to erect a prison at some central point, easy of access, which would answer for all the counties of the Territory, until the period when increased population and greater wealth, may enable each county to have a proper building for the purpose, within their own respective limits. Nor would the fact, that a principal reason for desiring the erection of a secure prison in the Territory, is, the frequent violation of the laws "regulating trade and intercourse with the Indians," be without its due weight and proper influence, upon the action of Congress in the premises.

The growing settlement and rising business of the Territory, manifestly demand of Government, an increase of our mail facilities, beyond those we have heretofore enjoyed. At present, all the correspondence we have with the rest of the world, is through a mail to and from Prairie du Chien, once in every week; and in the winter, it is said, months have intervened, between the periods of its arrival and departure. Certainly, the kind disposition which the national administration has already evinced towards our infant State, in more than one instance, will prevail upon them to give us the means of keeping up a more frequent interchange of information and feelings with the rest of the American people. Government have several military posts, and extensive relations with the Indian tribes within the Territory, and it is equally their interest with ours, that will be advanced, by allowing us a Territorial mail at least three times in every week, both in winter and summer. In this telegraphic age, when lightning has become a news-carrier, we may certainly venture to claim this moderate share, in the advancing facilities of intercommunication throughout the world.

The preservation by a community, of materials for the composition of its history, when a future time shall require it to be written, is a task not without its uses; and when early commenced, easily accomplished; and as newspapers are the day-books of history, as well as semi-official records in many cases, I deem it not improper to recommend to the Assembly, the propriety of authorizing and requiring the Territorial Secretary, or the librarian, to subscribe for and preserve in a durable form, a copy of each and every newspaper that may be published in the Territory. Thus, much that is interesting in the fleeting registers of the day, and which, in years to come, will be esteemed rich mines for the historian, can be saved for satisfactory reference and future information.

Among the sources of our wealth, agriculture will always hold a chief and prominent position; for it is this pursuit, that mainly supplies the vital element of a State's permanent prosperity; and I therefore clearly comprehend the importance of securing, at the commencement of our farming operations, a proper adaptation of culture to soil and climate; that no prejudice may arise to either, from unfavorable results produced in the hands of unskilful farmers. Which means Government can with propriety adopt, to patronize agricultural improvement, I am not just now fully prepared to indicate; but the formation of a semi-official Territorial Agricultural Society; the establishment of an Annual Agricultural Fair, near the Territorial capital; and the bestowal of bounties and premiums, honorary and monetary, for superiority of crops raised, or stock produced, or for general excellence in all the duties of a farmer, are suggested as measures, which might, perhaps, legitimately receive your legislative sanction, and certainly your individual approbation and encouragement.

Before concluding, gentlemen of the Council and House of Representatives, permit me to say a few words of a general character. Your and my duties, will often, in the course of the session, conduct us to the same results; and let you and me both address ourselves with zeal and good feeling, to make those results, in their broader consequences, redound to the happiness of the community, the prosperity of Minnesota, and the glory of our great common country.

My duties are chiefly suggestive and ministerial; yours are of that positive character, which shape the measures and principles of government, and give them the first impress of enactment. My concurrence in your judicious action, shall always be hearty and cordial; and my official sanction never wanting, to any measures for the benefit of our infant commonwealth. Keep in view the truth, to which I have once before alluded, that all the foundations for the future legislation of Minnesota, are to be laid by you; see that they are formed of not crumbling material; but are deep, and broad, and surely cemented; for, generations to come, and to be born, who shall people the broad prairies of this mighty region, may recur to you in after times, as the authors of much of their prosperity or much of their adversity. It is an interesting responsibility, and one in which I also must participate.

In coming among you to assume the position I hold, I trust to be believed when I say, that I brought with me only the sincere determination to do right, to do justice, to live in harmony with all, and to use whatever power I incidentally possess, en-

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firely for the true and abiding weal of Minnesota. And may that God who rules the destiny of nations, so prosper your doings and mine, that no reproaches will meet us in the present, no regrets be experienced in the future; but that we will all bear with us the conviction, that each performed his whole duty, for the dissemination of "Liberty and Law, Religion and Education," throughout our Territory, for the people's true happiness, and the enduring glory of the American name.

ALEX. RAMSEY,

*Executive Chamber, Saint Paul, Minnesota Territory, Sept. 4, 1849.*

On motion of Mr. Wilkinson (H. of R.),

The convention dissolved, and the Council repaired to the Council chamber, and resumed its session, when—

Mr. Norris asked and obtained leave to introduce the following resolution, which was read, viz:

"Resolved, That James M. Goodhue be appointed to do the incidental printing for the Council during its present session."

The question then recurring on the adoption of the resolution, it was decided in the affirmative—Ayes 5—Noes 4.

Mr. Norris moved that five hundred copies of the message of his Excellency, the Governor, be ordered to be printed for the use of the Council;

Which was decided in the affirmative.

Mr. Boal moved that the Council do now proceed to the election of a Chaplain to the Council, and that two Tellers be appointed by the Chair;

Which motion prevailed, and Messrs. Boal and Loomis were appointed Tellers.

The following was the result of the first ballot, viz:

Rev. T. Boutwell had six votes.

" Mr. Neill " two "

" Mr. Ravoux " one "

Rev. T. Boutwell, having received a majority of all the votes cast, was declared to be duly elected Chaplain of the Council for the present session.

On motion of Mr. Burkleo,

Ordered, That the Secretary of the Council inform the Rev. Mr. Boutwell of his election.

Mr. McLeod, by leave, offered the following resolution, which was read and adopted, viz:

"Resolved, That the printer of the Council be directed to print one hundred copies of the Governor's message in the French language, for distribution among the French and Canadian inhabitants of Minnesota."

Mr. Forbes, by leave, introduced a resolution, which was read as follows, viz:

"Resolved, That the Secretary of the Council contract with some suitable person to translate the message of his Excellency, the Governor, into the French language, and furnish a copy of such translation to the printer to the Council."

On motion of Mr. Burkleo,

The Council adjourned until to-morrow morning, at eleven o'clock.

COUNCIL, Wednesday, September 5, 1849.

Prayer by the Rev. Mr. Hobart.

The journal of the proceedings of yesterday was read.

The President laid before the Council the following communication, which was read and laid upon the table, viz:

TO THE PRESIDENT OF THE COUNCIL:—

Sir,—In conformity to a resolution of the Council of yesterday, I have made the enclosed arrangement with the postmaster at this place. I have also, in conformity with another resolution of yesterday, made the enclosed arrangement with L. M. Oliver, Esq., for the translation of the Governor's message into the French language.

Respectfully, your obedient servant,

JOSEPH R. BROWN, Secretary,

*Council Chamber, St. Paul, Sept. 5, 1849.*

## AGREEMENT WITH THE POSTMASTER.

"ST. PAUL, Sept. 5, 1849.

"I will keep a separate postage account with the members of the Council of the Legislative Assembly of Minnesota Territory, for all the letters and papers to or from the members respectively, with the understanding that the amount of said postage account shall be paid by the Secretary of the Territory immediately after the Legislature adjourns.

J. W. BASS, P. M."

## AGREEMENT FOR THE TRANSLATION OF MESSAGE.

"ST. PAUL, Sept. 5, 1849.

"I will translate the Governor's message into the French language, at as early a day as possible, for such reasonable compensation as the Legislature shall allow.

L. M. OLIVER."

Mr. McLeod offered the following resolution, which was read and adopted, viz :

"Resolved, That five hundred additional copies of the Governor's message in the English language, and two hundred additional copies in the French language be ordered to be printed for the disposal of the Council."

Mr. Norris, from the committee appointed to prepare permanent rules for the government of the Council, during the present session, made the following

## REPORT :

"The committee appointed to draft permanent rules for the government of the Council, at its present session, beg leave to report the following

## STANDING RULES OF THE COUNCIL.

1. The Council shall choose, by ballot, one of the members to occupy the Chair, who shall be styled **PRESIDENT OF THE COUNCIL**, and who shall hold his office during one session thereof, unless he be removed therefrom by a vote of two-thirds of the members present.

2. The President shall take the chair, at the hour to which the Council shall have adjourned ; shall immediately call the members to order ; and on the appearance of a quorum, shall cause the journal of the preceding day to be read and corrected.

3. He shall preserve order and decorum ; may speak to points of order in preference to other members, rising from his seat for that purpose ; and shall decide questions of order, subject to an appeal to the Council by any member.

4. He shall rise to put a question, but may state it sitting.

5. Questions shall be distinctly put in this form, to wit : "As many as are of the opinion that (as the question may be) say Aye ;" and after the affirmative voice is expressed, "As many as are of the contrary opinion say No." If the President doubts, or a division be called for, the Council shall decide : those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

6. The President shall call some member to the Chair, when the Council votes to go into committee of the whole, and may then debate the question before the committee. He shall also have the right to name a member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment. In the absence of the President, except as above, the Council shall appoint a President *pro tem*.

7. He shall appoint all committees unless otherwise directed by the Council. He shall sign all acts, memorials, addresses, and resolutions ; and all writs, warrants, and subpoenas (issued by the Council) shall be signed by him and attested by the Secretary.

8. In all cases the President shall have the right of voting ; and on all questions he shall vote last.

9. In case of any disturbance or disorderly conduct in the lobby, the President (or Chairman of the committee of the whole) shall have power to order the same to be cleared.

10. Reporters, wishing to take down the debates, may be admitted by the President, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the Council.

11. After the journal has been read and corrected, the order of business shall be as follows, viz :

1st. Letters, petitions, memorials, remonstrances, and accompanying documents may be presented and referred.

2d. Resolutions may be offered and considered; notices of leave to introduce bills may be given; and bills may be introduced on leave granted.

3d. Reports of committees may be made and considered: 1st, from standing committees; 2d, from select committees.

4th. Messages and other executive communications.

5th. Messages from the House of Representatives, and amendments proposed by the House of Representatives to bills from the Council.

6th. Bills and resolutions from the House of Representatives on their second reading.

7th. Bills on their third reading.

8th. Bills ready for third reading.

9th. Bills reported by a committee of the whole.

10th. Bills in which a committee of the whole has made progress, and has leave to sit again.

11th. Bills not yet considered in committee of the whole.

12. Bills of a public nature shall always have the preference of private bills.

13. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise from his seat, and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, and avoid personality.

14. Whenever any member is called to order, he shall sit down until it is determined whether he is in order or not; and if a member be called to order for words spoken in debate, the exceptionable words shall be taken down in writing immediately.

15. When two or more members happen to rise at once, the President shall name the member who is first to speak.

16. No member shall speak more than twice on the same question; nor more than once on a motion for commitment, without leave of the Council.

17. Whilst the President is putting any question or addressing the Council, none shall walk out of or across the room, nor in such case, or when a member is speaking, shall entertain private discourse; nor whilst a member is speaking, shall pass between him and the Chair. Every member shall remain uncovered during the session of the Council. No member or other person shall visit or remain by the Secretary's table while the ayes and noes are calling, or ballots are counting.

18. No member shall vote on any question in any case where he was not within the bar of the Council when the question was put, unless by leave of the Council.

19. Upon a division and count of the Council on any question, no member without the bar shall be counted.

20. Every member who shall be in the Council when the question is put, shall give his vote, unless the Council, for special reasons, shall excuse him. All motions to excuse a member from voting, shall be made before the Council divides, or before the calling of the ayes and noes is commenced. And any member wishing to be excused from voting, may make a brief verbal statement of the reasons for making such request; and the question shall then be taken without further debate.

21. When a motion is made and seconded, it shall be stated by the President; or, being in writing, it shall be handed to the Chair, and read aloud before debated.

22. Every motion shall be reduced to writing, if the President or any member desire it.

23. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in the possession of the Council, but may be withdrawn at any time before a decision or amendment.

24. When a question is under debate no motion shall be received, unless to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; and these several motions shall have precedence in the order in which they stand arranged. A motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not be again allowed on the same day, and at the same stage of the bill or proposition. A motion

to strike out the enacting words of a bill shall have precedence of a motion to amend, and if carried, shall be equivalent to the rejection of the bill.

25. A motion to adjourn shall be always in order; that and the motion to lie on the table, shall be decided without debate.

26. The previous question shall be in this form: "Shall the main question be now put?" It shall be only admitted when demanded by a majority of the members present; and until it is decided, shall preclude amendment, and further debate of the main question. On a motion for the previous question, and prior to the main question being put, a call of the Council shall be in order.

27. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

28. When a motion or question has been once put and carried in the affirmative or negative, it shall be in order for any member who voted in the majority, or when the Council is equally divided for a member who voted in the negative, to move for a reconsideration thereof on the same or the succeeding day; and such motion shall take precedence of all other questions except a motion to adjourn. A motion for reconsideration being put and lost shall not be renewed.

29. Any member may call for a division of the question, when the same will admit of it. A motion to strike out and insert shall be deemed to be indivisible. A motion to strike out being lost, shall not preclude an amendment, nor a motion to strike out and insert.

30. In presenting a petition, memorial, remonstrance, or other communication, addressed to the Council, or Legislative Assembly, the member shall only state the general purport of it.

31. Every petition, memorial, remonstrance, resolution, bill, and report of committee shall be endorsed with its appropriate title; and immediately under the endorsement the name of the member presenting the same shall be written.

32. Any member may make a call of the Council and require absent members to be sent for, but a call of the Council cannot be made after the voting has commenced; and the call of the Council being ordered, and the absentees noted, the doors shall be closed and no member permitted to leave the room until the report of the sergeant-at-arms be received and acted upon, or further proceeding in the call be suspended.

33. The following standing committees (each to consist of three members) shall be appointed at the commencement of the session, viz:

On Internal Improvements.

On Territorial Affairs.

On the Judiciary.

On Agriculture and Manufactures.

On Territorial Expenditures.

On Legislative Expenditures,

On the Militia,

On Schools.

On Incorporations.

On Territorial Roads.

On Engrossed Bills.

On Enrolled Bills.

34. The rules observed in Council shall govern, as far as practicable, the proceedings in committee of the whole; except that a member may speak oftener than twice on the same subject, and that a call for the yeas and nays, or for the previous question, cannot be made.

35. Amendments made in committee of the whole shall be entered on a separate piece of paper, and so reported to the Council by the Chairman, standing in his place; which amendments shall not be read by the President, unless required by one or more of the members. The report having been first acted upon, the bill shall then be subject to debate and amendment before the question to engross it be taken.

36. All bills and resolutions shall be introduced by motion for leave, or upon the reports of committees. Members introducing a bill shall always give one day's no-

tion of a motion to bring it in, and when brought in, it should be endorsed with the name of the member or committee.

37. Every bill or joint resolution requiring the approval of the Governor, shall receive three several readings previous to its passage; the first reading shall be at length, and no bill shall receive a second and third reading on the same day.

38. No bill or joint resolution shall be committed or amended until it has been twice read. If objections are made to a bill on its first reading, the question shall be, "Shall the bill be rejected?" If no objection be made, or the question to reject be lost, the bill shall go to its second reading.

39. All bills and joint resolutions requiring the approval of the Governor, shall, on a second reading, be considered in committee of the whole, before they shall be acted upon by the Council; and those originating in the Council, except resolutions not requiring the approval of the Governor, before being considered in committee of the whole, shall be printed, unless otherwise ordered by the Council.

40. Sixty copies of every bill, joint resolution, or memorial, shall be printed, after the second reading by the Secretary, unless otherwise ordered. And all bills, resolutions, and amendments, after being printed, shall remain at least one day on the files, before being considered.

41. No more than three bills originating in the Council 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 President.

42. The final question upon the second reading of every bill, or other paper originating in the Council, and requiring three readings previous to being passed, shall be, "Shall it be engrossed and read a third time?" and upon every such bill or paper originating in the House of Representatives, "Shall it be read a third time?"

43. No amendments shall be received on third reading, except to fill blanks, without the unanimous consent of the Council. In filling blanks, the largest sum, longest time, and greatest distance, shall be first taken.

44. A bill or resolution may be committed at any time previous to its passage; and if any amendment be reported upon such commitment, by any other than a committee of the whole, it shall be again read a second time, considered in the committee of the whole, and the question for third reading and passage again put.

45. Every bill, joint resolution, or memorial, originating in Council, shall be carefully engrossed before being transmitted to the House of Representatives for concurrence.

46. Immediately after the passage of any bill or other paper, to which the concurrence of the House of Representatives is to be asked, it shall be the duty of the Secretary to transmit the same to the House, unless some member of the Council shall make a motion to reconsider the vote by which the Council passed said bill or other paper, in which case the Secretary shall not transmit said bill or other paper until the motion to reconsider has been put; and on the concurrence in any bill or other paper of the House of Representatives by the Council, or on the concurrence or disagreement in any vote of the House, it shall also be the duty of the Secretary to notify the House thereof.

47. Memorials to Congress, to the President of the United States, or the head of either of the departments, shall be considered in committee of the whole before being adopted.

48. It shall be competent for any member when a question is being taken, to call for the ayes and noes, which shall be inserted on the Journal. A call for the ayes and noes cannot be interrupted in any manner whatever.

49. Committees shall not absent themselves from the Council by reason of their appointment, without special leave for that purpose be first obtained.

50. It shall be in order for the committee on enrollment to report at any time.

51. A Secretary, Assistant Secretary, Sergeant-at-Arms, Messenger and Fireman, shall be elected by ballot, to hold their offices during the pleasure of the Council.—The Secretary shall keep a correct journal of the daily proceedings of the Council, and shall perform such other duties as shall be assigned to him as such Secretary.—He shall permit no journal, records, accounts or papers to be taken from the table or

out of his custody, other than in the regular mode of business; and if any papers in his charge shall be missing, he shall report the fact to the President, that inquiry may be made. He shall superintend the recording of the Journal of proceedings, the engrossing, enrolling, transcribing, and copying of bills and resolutions, and generally perform the duties of Secretary, under the direction of the President. These officers shall severally take an oath truly and faithfully to discharge their respective duties of office.

52. The proceedings of the Council on executive business shall be kept in a separate book of record, to be provided by the Secretary of the Council, and published with the proceedings of the Council.

53. The rules of parliamentary practice, comprised in Jefferson's Manual, shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with these rules and the orders of Council, and the joint rules and orders of the Council and House of Representatives.

54. The President is authorized to administer all oaths prescribed by the foregoing rules.

55. The standing hour for the daily meeting of the Council shall be ten o'clock in the morning, until the Council direct otherwise.

56. The Governor, Secretary of the Territory, Judges of the Supreme Court, Delegate in Congress, Members of Congress, of State Legislatures, and of the House of Representatives, may be admitted to seats within the bar of the Council.

57. No standing rule or order of the Council, shall be rescinded or changed without one day's notice being given of the motion therefor. Nor shall any rule be rescinded, changed, or suspended, except by a vote of at least two-thirds of the members present.

58. Every resolution debated shall lie over for one day.

On motion of Mr. Sturgis,

The report of the committee was accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Sturgis,

The rules reported by the committee were adopted as the permanent rules for the government of the Council at the present session.

Mr. Rollins asked and obtained leave to introduce a resolution, which was read as follows, viz:

"Resolved, That there be fifty copies of the rules adopted for the government of the Council, printed for the use of the members thereof; and fifty copies to be filed in the office of the Secretary of the Territory."

The question recurring on the adoption of the resolution, it was decided in the affirmative.

Mr. Sturgis, by leave, introduced the following resolution, which was read and adopted, viz:

"Resolved, That the Secretary of the Council be instructed to furnish such stationery for the use of the members of the Council as may be required."

Mr. Burkleo, by leave, introduced the following resolution, which was read and adopted, viz:

"Resolved, That fifty copies of the organic act of the Territory of Minnesota, be printed for the use of the Council."

On motion of Mr. Rollins,

The Council adjourned until three o'clock, P. M.

*Three O'clock, P. M.*

The President announced the Standing Committees of the Council for the present session, as prescribed by the rules, as follows, viz:

On Internal Improvements—Messrs. Rollins, McLeod and Sturgis.

On Territorial Affairs—Messrs. Burkleo, Boal and Forbes.

On the Judiciary—Messrs. Boal, Norris and Loomis.

On Agriculture and Manufactures—Messrs. Sturgis, Loomis and Norris.

On Territorial Expenditures—Messrs. Forbes, Burkleo and Rollins.  
 On Legislative Expenditures—Messrs. Norris, Loomis and Sturgis.  
 On the Militia—Messrs. Forbes, Loomis and McLeod.  
 On Schools—Messrs. McLeod, Burkleo and Boal.  
 On Incorporations—Messrs. Loomis, Forbes and Rollins.  
 On Territorial Roads—Messrs. Burkleo, Sturgis and Norris.  
 On Engrossed Bills—Messrs. Rollins, Boal and McLeod.

Mr. Burkleo asked and obtained leave to introduce the following resolution, which was read and adopted, viz :

“ *Resolved*, That fifty copies of the list of Standing Committees be printed for the use of the Council.”

“Mr. Forbes, by leave, presented an account of Henry A. Gliddon for services as Messenger, which he moved be referred to the committee on Legislative Expenditures.”

The reference was accordingly made.

On motion of Mr. Sturgis,

The Council adjourned.

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COUNCIL, Thursday, September 6, 1849.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. Burkleo asked and obtained leave to introduce a resolution, which was read as follows, viz :

“ *Resolved*, That there be one hundred copies of the slips of the Journal of the Council printed daily;”

Which resolution was adopted by the Council.

Mr. Sturgis, by leave, offered the following resolution, which was read and adopted, viz :

“ *Resolved*, That his Excellency, the Governor, Delegate in Congress, and Justices of the Supreme Court of this Territory, Ministers of the Gospel, Members of the House of Representatives, and the Reporters of the papers of this place, be invited to take seats within the bar of the Council.”

Mr. Norris, by leave, introduced the following resolution, which was read as follows, viz :

“ *Resolved*, That it shall be the duty of the Sergeant-at-Arms when any article, or articles may be required for the use of the Council room, to notify the committee on Legislative Expenditures of the Council thereof, and with their sanction and authority, to purchase said articles, to be paid for by an appropriation of the Legislative Assembly;”

Which resolution was adopted by the Council.

Mr. Norris gave notice that on to-morrow, or some future day, he would offer an amendment to the standing rules of the Council.

On motion of Mr. Rollins,

The Council adjourned until to-morrow morning at eleven o'clock.

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COUNCIL, Friday, September 7, 1849.

Prayer by the Rev. Mr. Hobart.

The Journal of the proceedings of yesterday was read.

Mr. Loomis, from the joint committee to prepare joint rules for the government of the two Houses, submitted the following

#### REPORT :

“ The joint committee, to whom was referred the preparation of rules for the government of the two Houses, after having the subject fully under advisement, beg leave to submit the following

SECTION 1. In all cases of disagreement between the two Houses, if either House shall re-

quest a conference, and to appoint a committee for that purpose, the other House shall appoint a similar committee, and such committee shall, at a convenient hour, to be agreed upon by their Chairman, meet in the conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses for or against the disagreements, and confer freely thereon.

2. When a message shall be sent from the Council to the House of Representatives, or from the House of Representatives to the Council, it shall be announced at the door of the proper House by the door-keeper thereof, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3. After a bill shall have passed both Houses, it shall be duly enrolled by one of the transcribing clerks, under the direction of the Secretary of the Council, or Chief Clerk of the House of Representatives, as the bill may have originated in one or the other House, before it shall be presented to the Governor for his approval.

4. When a bill is duly enrolled, it shall be examined by a joint committee of two from each House, appointed for that purpose, who shall carefully compare the enrolled with the engrossed bill, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bill, and make their report forthwith to the respective Houses.

5. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Council.

6. After a bill shall have been thus signed in each House, it shall be presented by the said committee of enrollment to the Governor for his approval; it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Chief Clerk of the House, or the Secretary of the Council, as the bill may have originated in the one or the other House, and the said committee shall report the day of presentation to the Governor, which shall be entered on the Journal of each House.

7. All orders, resolutions, and votes which are to be presented to the Governor for his approval, shall also in the same manner be previously enrolled, examined, and signed, and then be presented in the same manner, and by the same committee, as is provided in the case of bills.

8. When a bill or resolution which shall have passed in one House, is rejected in the other, notice thereof is to be given to the House in which the same may have passed.

9. When a bill or resolution which has been passed in one House, is rejected in the other, it shall not be again brought in during the same session without a notice of five days, and leave of two thirds of the House in which it shall be renewed.

10. Each House shall transmit to the other all papers, on which any bill or resolution shall be founded.

11. After each House shall have adhered to their disagreement, a bill or resolution is lost.

12. Whenever any report of a joint committee, or other document, shall be presented to both Houses of the Legislative Assembly, the House first acting on the same, if it shall be thought necessary to have it printed, shall order a sufficient number of copies for both branches, and shall immediately inform the other House of its action upon the subject.

13. Neither House shall adjourn during any session thereof, without the consent of the other for a longer period than three days.

14. The committee of each House on Territorial Expenditures, on Enrolled Bills, or Legislative Expenses, shall act jointly.

15. When a bill, resolution, or memorial shall have passed either House, which requires the concurrence of the other, it shall be transmitted to the said House without the necessity of entering an order on the Journal of the House in which it passed, requesting the concurrence of the other House.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., Chief Clerk thereof, viz:

COUNCIL, 4

"MR. PRESIDENT :—I am instructed to inform the Council that the House of Representatives has permanently organized by the appointment of the following officers:

"Joseph W. Furber, Speaker; W. D. Phillips, Chief Clerk; L. B. Wait, Assistant Clerk; Jesse Taylor, Sergeant-at-Arms; O. H. Kelley, Messenger; and David Hone, Fireman.

"I am also instructed to inform you that the House has elected the Rev. Mr. Hobart, Chaplain during its present session ;"

And then he withdrew.

On motion of Mr. Sturgis,

The report of the joint committee to prepare joint rules for the government of the two Houses was accepted, and the committee discharged from the farther consideration of the subject.

On motion of Mr. Norris,

The joint rules were read by the Secretary, and considered and adopted by the Council, as rules for the government of the two Houses during the present session of the Legislative Assembly.

Mr. Forbes moved a reconsideration of the vote by which the Council adopted a resolution on yesterday, inviting certain persons to take seats within the bar of the Council at pleasure ;

Which motion prevailed, and the resolution being again before the Council, and the question recurring on its adoption ;

Mr. Forbes moved to amend by striking out all after the word "Resolved," and inserting in lieu thereof the words, "All United States Territorial Officers, Members of the House of Representatives, Ministers of the Gospel, and Reporters of the papers in this Territory, be invited to take seats within the bar of the Council at pleasure."

Mr. Loomis moved to amend the amendment by inserting after the words, "Ministers of the Gospel," the words, "Physicians and Members of the Bar ;"

Which motion prevailed.

Mr. Burkleo moved to amend the amendment as amended, by striking out all after the word "Resolved," and inserting in lieu thereof, the words "That the Ladies and Gentlemen of the Territory, be invited to take seats within the bar of the Council at pleasure ;"

Which motion prevailed—Ayes 5, Noes 4.

The question then recurring on the adoption by the Council of the resolution as amended ;

It was decided in the affirmative—Ayes 5, Noes 4.

Mr. Norris, agreeably to previous notice, asked and obtained leave to offer the following amendments to the Standing Rules of the Council, which were read, viz :

"Add to the Standing Committees, a committee on Enrolled Bills.

"Add the following as an additional rule, viz :

"58. Every resolution which gives rise to debate, shall lie over for one day."

The question then recurring on the adoption of the amendments proposed to the Standing Rules of the Council,

It was decided in the affirmative by a vote of two-thirds the members present.

Mr. Norris moved a reconsideration of the vote adopting the resolution of invitation to the Ladies and Gentlemen of the Territory, to take seats within the bar of the Council at pleasure ;

Which motion prevailed, and the resolution being again before the Council, was read by the Secretary, when

Mr. Norris offered the following amendment, viz :

"Strike out all after the word "Resolved," and insert "That his Excellency, the Governor, Officers of the Territory, Members of the House of Representatives, and citizens generally, be invited to take seats within the bar of the Council at pleasure, so far as may be convenient, without incommoding the business of the Council."

Mr. McLeod moved to amend the amendment, by inserting after the word "Territory" in the second line, the words "Officers of Fort Snelling ;"

Which modification was accepted by the gentleman proposing the original amendment.

Mr. Burkleo moved to insert after the word "Representatives," in the third line, the word "Ladies;"

Which motion was negatived.

The question then recurring on the adoption of the amendment offered by Mr. Norris,

And the Ayes and Noes being called for by Mr. Loomis, Those who voted in the affirmative were Messrs. Boal, Forbes, McLeod, Norris and Rollins—5.

Those who voted in the negative were Messrs. Burkleo, Loomis, Sturgis and Ohmsted, President—4.

So the amendment was adopted.

The question then recurring on the adoption of the resolution, as amended, It was decided in the affirmative—Ayes 5, Noes 4.

On motion of Mr. Sturgis,

The Council adjourned until three o'clock, P. M.

*Three O'clock, P. M.*

Mr. Rollins moved that a committee of two be appointed by the Chair, to wait upon the conductors of the two presses, and ascertain when the Message of his Excellency, the Governor, can be obtained in print;

Which motion prevailed, and Messrs. Rollins and Burkleo were appointed said committee.

Mr. Burkleo, from the committee appointed to wait upon the conductors of the presses, reported that

"On the authority of Mr. Goodhue, the Message can be furnished on Monday.

"On the authority of Mr. M'Lean, the Message can be furnished in the 'Chronicle and Register' to-morrow forenoon, at an early hour."

Mr. Norris, by leave, introduced the following resolution, which was read by the Secretary, viz:

"Resolved, That his Excellency, the Governor, be requested to inform the Council what arrangements have been made for opening that portion of the Library which is received, and when it will be accessible to the Members of the Assembly."

The question then recurring on the adoption of the resolution, it was decided in the affirmative.

On motion of Mr. Norris,

Ordered, that the Secretary of the Council notify his Excellency, the Governor, of the adoption of the above resolution.

On motion of Mr. Burkleo,

The Council adjourned until nine o'clock to-morrow morning.

*COUNCIL, Saturday, September 8, 1849.*

Prayer by the Rev. Mr. Neill.

The Journal of the proceedings of yesterday was read.

The Chair announced the appointment of the Standing Committee on Enrolled Bills, as follows, viz:

Messrs. Norris, McLeod and Sturgis.

The Chair laid before the Council the following communication, which was read and laid upon the table, viz:

"COUNCIL CHAMBER,  
ST. PAUL, Sept. 8, 1849. }

TO THE PRESIDENT OF THE COUNCIL:

Sir,—In accordance with an order of the Council, I furnished his Excellency, the Governor, with a copy of a resolution of the Council adopted yesterday, asking information respecting the time when the Library would be accessible to the Members of

the Legislative Assembly. In answer to which his Excellency replied verbally, "that the Library would be prepared and accessible to the Members of the Assembly early next week;" which reply he wished communicated to the Council.

Respectfully, your obedient servant,

JOSEPH R. BROWN, Secretary."

On motion of Mr. Rollins,

The Message of his Excellency, the Governor, was taken up, and the Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration thereof.

After some time passed therein, the committee rose, and by their Chairman, reported to the Council the following resolutions, viz :

"Resolved, That so much of the Governor's Message as relates to county organization, and the designation of the time for holding the session of the Supreme Court, be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's Message as relates to the election law, be referred to the committee on the Judiciary.

"Resolved, That so much of the Governor's Message as relates to a revision of the laws, be referred to the committee on the Judiciary.

"Resolved, That so much of the Governor's Message as relates to the militia, be referred to the committee on the Militia.

"Resolved, That so much of the Governor's Message as relates to a military road from Fort Snelling to the Missouri river, be referred to the committee on Internal Improvements.

"Resolved, That so much of the Governor's Message as relates to traffic in spirituous liquors with Indians, be referred to the committee on the Judiciary.

"Resolved, That so much of the Governor's Message as relates to schools, be referred to the committee on Schools.

"Resolved, That so much of the Governor's Message as relates to the sale of spirituous liquors and a Territorial and County revenue, be referred to the committee on the Judiciary.

"Resolved, That so much of the Governor's Message as relates to the location of the seat of government, be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's Message as relates to the Library and management of it, be referred to the committee on Schools.

"Resolved, That so much of the Governor's message as relates to pre-emption rights, be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's message as relates to the extinction of the Indian title to the lands west of the Mississippi, be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's message as relates to the removal of the Chippewas, be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's message as relates to the construction of roads on the St. Croix and Mississippi rivers, be referred to the committee on Territorial Roads.

"Resolved, That so much of the Governor's message as relates to the improvement of the navigation of the Upper Mississippi, be referred to the committee on Internal Improvements.

"Resolved, That so much of the Governor's message as relates to memorializing Congress to facilitate intercourse with the Pembina settlement, be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's message as relates to prisons, be referred to the committee on Territorial Expenditures.

"Resolved, That so much of the Governor's message as relates to mail facilities be referred to the committee on Territorial Affairs.

"Resolved, That so much of the Governor's message as relates to the preservation of files of papers published in the Territory, be referred to the committee on Schools.

"Resolved, That so much of the Governor's message as relates to agriculture, and formation of an agricultural society, be referred to the committee on Agriculture and Manufactures.

"*Resolved*, That so much of the Governor's message as relates to taking the Territorial census, be referred to the committee on Territorial Expenditures."

The question then recurring on the adoption by the Council of the resolutions proposed by the committee of the whole,

It was decided in the affirmative, and the resolutions were adopted.

Mr. Forbes asked and obtained leave to introduce

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes."

On motion of Mr. Rollins,

Said joint resolution was laid on the table.

On motion of Mr. Sturgis,

The Council adjourned until Monday morning, at eleven o'clock.

#### COUNCIL, Monday, September 10, 1849.

Prayer by the Rev. Mr. Hobart.

The Journal of the proceedings of Saturday was then read.

Mr. Forbes offered the following resolution, which was read and adopted, viz :

"*Resolved*, That Charles M. Berg be, and he hereby is employed to draft a map of St. Croix county on a scale of six miles to the inch, for the use of the Council, for such reasonable compensation as the Legislature may hereafter allow."

On motion of Mr. Forbes,

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes,"

Was taken from the table, and read the first and second times.

Mr. Sturgis moved a suspension of the rule requiring bills, &c., to be printed after the second reading ;

Which motion prevailed by a two-thirds vote, and

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and, by the Chairman, reported progress, and asked leave to sit again.

Leave was granted by the Council.

On motion of Mr. Rollins,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

Mr. Sturgis gave notice, that on to-morrow or some future day, he would ask leave to introduce a bill to authorize the publishing of the laws of the Territory in the several newspapers printed therein.

Mr. Loomis moved to rescind the resolution of Tuesday, the 4th inst., instructing the Secretary of the Council to furnish each member with thirty copies, weekly, of such newspaper or papers published in this place, as they direct ;

Which was decided in the negative.

Mr. Norris moved that the Council do now adjourn until four o'clock to-morrow afternoon ;

Which motion was negatived—Ayes 3—Noes 6.

Mr. Loomis moved that the Council do now adjourn ;

Which was decided in the negative.

On motion of Mr. McLeod,

The Council adjourned until three o'clock to-morrow afternoon.

#### COUNCIL, Tuesday, September 11, 1849.

Prayer by the Rev. Mr. Boutwell, who assumed his duties as Chaplain to the Council.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., the chief Clerk, viz :

"Mr. PRESIDENT :—I have been directed by the House to inform you that the committee on the part of the House, appointed to act in connection with a similar committee of the Council, did, on the fifth of September, report joint rules for the government of the two Houses, which rules were adopted by the House as reported ;"

And then he withdrew.

The Journal of the proceedings of the Council of yesterday was then read.

Mr. Forbes presented the petition of Franklin Steele, for a charter for a term of years, to establish and keep a ferry above the Falls of St. Anthony ;

Which petition was read, and

On motion of Mr. Forbes,

Was referred to the committee on Incorporations.

Mr. Loomis presented a proposition for printing the journals and laws, from Messrs. McLean, Owens, and Quay, which being read,

Mr. Loomis moved that it be laid on the table, and fifty copies printed for the use of the Council ;

Which motion was negatived.

On motion of Mr. Rollins,

The proposition was laid on the table.

Mr. Rollins gave notice, that on to-morrow or some future day, he would ask leave to introduce a bill relative to the temporary location of the seat of government, and suitable buildings for the same.

Mr. Boal offered the following resolution, which was read and adopted, viz :

"Resolved, That the thanks of the Council be presented to the Rev. Messrs. Hobart and Neill, for their pious attention as chaplains since the convening of the present Legislature."

Mr. Sturgis asked and obtained leave to introduce

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers of the Territory ;"

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

Mr. Boal, from the committee on the judiciary, reported

"No. 2 (C. F.) A bill regulating groceries ;"

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

Mr. Sturgis gave notice, that on to-morrow or some future day, he would ask leave to introduce a bill in relation to selling spirituous liquors to Indians.

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Wednesday*, September 12, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

Mr. Norris asked and obtained leave to introduce the following resolution, which, being read, was adopted by the Council, viz :

"Resolved, That the thanks of the Council be presented to the Rev. Mr. Parsons, for his services as Chaplain during the present session."

Mr. McLeod, by leave, submitted the following communication from the Hon. Henry H. Sibley, which,

On motion of Mr. McLeod,

Was ordered to be read and entered on the Journal of the Council, viz :

"MENDOTA, Sept. 11, 1849.

"TO THE HONORABLE THE LEGISLATIVE COUNCIL OF MINNESOTA TERRITORY :—

"The undersigned, having seen a notice in the public journals, some time since, signed by the general agent of the Washington Monument Association, to the effect that a portion of rock from each State would be received to be used in the construction of the monument, has caused to be procured from the quarry, about two hundred miles

distant, a specimen of the red or pipe stone, which is peculiar to our Territory, to be proffered for that purpose.

"Believing it to be meet and proper that Minnesota should not be backward in her contribution to a work which is intended to perpetuate the memory of the 'Father of his Country,' and that the offering should be that of the constituted authorities of the Territory, rather than the act of a private individual, I have hereby the honor to present the specimen of rock to your honorable body, for your acceptance, to be disposed of in such manner as your wisdom may suggest.

"The slab is about two and a half feet in length, and a little over one and a half in breadth, and two inches in thickness. In the last particular it does not meet the requirements of the Association; but, apart from the impracticability of transporting a huge mass of stone, weighing nearly, if not quite, half a ton, if of the dimensions stated, to so remote a point as Washington city, it is known that the strata of pipe stone rarely, if ever, exceed three inches in thickness. In length and breadth, it is believed the specimen will come up to the standard, and can be so used as to face a solid block of granite or other material, and thus answer the proposed end.

"In conclusion I would beg leave to state, that a late geological work of high authority, by Dr. Jackson, designates this formation as *Callinite*, upon the erroneous supposition that Mr. George Catlin was the first white man who had ever visited that region; whereas it is notorious that many whites had been there and examined the quarry long before he came to the country. This designation, therefore, is clearly improper and unjust. The Sioux term for the stone is *E-yan-shah*, by which I conceive it should be known and classified.

"I have the honor to be,

Very respectfully,

Your obedient servant,

H. H. SIBLEY."

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, viz:

"MR. PRESIDENT:—I am instructed to inform the Council, that the House of Representatives have passed the following resolution, viz:

"*Resolved by the Legislative Assembly of the Territory of Minnesota, (the Council concurring,) That the enacting clause to all acts of the Legislative Assembly shall be,*

"Be it enacted by the Legislative Assembly of the Territory of Minnesota;"

And then he withdrew.

On motion of Mr. Burkleo,

The said resolution was taken up, and read a first and second times, and placed on file for the action of the Council in committee of the whole.

Mr. Loomis gave notice, that on to-morrow or some future day, he would ask leave to introduce a bill to incorporate a Historical Society of Minnesota.

Mr. Boal, from the committee on the Judiciary, reported

"No. 3 (C. F.) A bill relative to selling liquor to Indians;"

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

On motion of Mr. Sturgis,

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers of the Territory,"

Was taken from the table, when,

On motion of Mr. Sturgis,

The printing of said bill was dispensed with by a two-thirds vote, and,

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and, by the Chairman, reported the bill back to the Council, with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

Mr. Norris moved that said bill, as amended, be recommitted to the committee of the whole, for further consideration;

Which motion prevailed.

On motion of Mr. Burkleo,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

Mr. Norris asked and obtained leave to introduce

"No. 2 (C. F.) Joint resolution relative to a donation to the Washington Monument Association;"

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

Mr. Forbes moved to dispense with the printing of "No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for a certain number of papers, and for other purposes;"

Which motion prevailed by a two-thirds vote, and,

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and, by the Chairman, reported the joint resolution back to the Council, with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the joint resolution to be engrossed for a third reading,

It was decided in the affirmative.

So the joint resolution was ordered to be engrossed.

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of

"No. 1 (H. of R.) Joint resolution relative to the enacting clause of bills."

After some time passed therein, the committee rose, and, by the Chairman, reported the joint resolution back to the Council with amendments.

The question then recurring on the adoption, by the Council, of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

On motion of Mr. Rollins,

The Council adjourned.

COUNCIL, *Thursday, September 13, 1849.*

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

Mr. Norris gave notice that on to-morrow or some future day, he would ask leave to introduce a bill to define the time when the Acts of the Legislative Assembly shall take effect.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed.

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes."

"No. 1 (H. of R.) Joint resolution relative to the enacting clause of bills;"

Was then taken up, in order of business, and the question recurring on ordering the joint resolution to a third reading.

It was decided in the affirmative, and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution ;

It was decided in the affirmative. So the title was agreed to.

Mr. Loomis, by leave, introduced the following resolution, which after being read, was adopted by the Council, viz :

"Resolved, That a select committee of three be appointed by the Chair, to be called the 'Committee on Printing,' whose duty it shall be to examine and report upon all matters connected with the printing required to be done by the Council, at its present session."

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes," then coming up in order, and the question recurring on ordering the joint resolution to a third reading;

It was decided in the affirmative; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the further consideration of

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers of the Territory."

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council, without amendments.

The question then recurring on the acceptance by the Council, of the report of the committee of the whole,

Mr. Rollins moved that the report of the committee of the whole, be laid on the table;

Which motion prevailed—Ayes 4, Noes 3.

On motion of Mr. Sturgis,

The Council adjourned until two o'clock, P. M. to-morrow.

#### COUNCIL, Friday, September 14, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

The President called Mr. Norris to the Chair, as President *pro tem*.

Mr. McLeod presented the petition of S. J. Findley, for a charter for a ferry across the Mississippi, opposite Fort Snelling. Also,

The petition of J. B. Faribault and others, for a charter for Francois Gamelle to keep a ferry across the St. Peter's, near its mouth ;

Which petitions were referred to the committee on Incorporations.

Mr. Loomis asked leave of the Council to withdraw a communication from Messrs. M'Lean, Owens and Quay, of the 11th inst., relative to printing.

The Council refused to grant leave.

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, for the consideration of

"No. 3 (C. F.) A bill relative to the sale of liquor to the Indians."

After some time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

The question recurring on granting the committee leave to sit again,

Mr. Sturgis moved that the question be laid on the table for one day, which motion prevailed.

Mr. Sturgis, in pursuance of previous notice, asked and obtained leave to introduce

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"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians;"

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

On motion of Mr. Burkleo,

The Council adjourned until Monday morning at ten o'clock.

COUNCIL, Monday, September 17, 1849.

Mr. Olmsted, President of the Council, being absent,

On motion of Mr. Sturgis,

Mr. Forbes was appointed President of the Council *pro tem.*, and took the Chair accordingly.

Prayer by Rev. Mr. Boutwell.

The Journal of the proceedings of Friday was read.

Mr. Sturgis presented a Map of Minnesota Territory, drafted for the use of the Legislative Assembly, by C. M. Berg, Esq., under the direction of his Excellency, the Governor of the Territory.

Mr. Norris offered the following resolution, which, after being read by the Secretary, was adopted by the Council, viz:

"Resolved, By the Council, (with the concurrence of the House of Representatives,) that a committee of two be appointed by the Chair, to act in conjunction with a similar committee of the House of Representatives, to report to the two Houses what subject of legislation it is expedient to act upon the present session, and also to report the most proper manner of revising our present statutes."

Messrs. Norris and Loomis were appointed said committee on the part of the Council.

Mr. Sturgis moved that the question of granting leave to the committee of the whole to sit again on

"No. 3 (C. F.) A bill relative to the sale of liquors to the Indians,"

Which on the 14th, was ordered to lie on the table for one day, be now taken up;

Which motion prevailed.

The question then recurring on granting the committee of the whole leave to sit again on said bill.

Leave was granted, when

On motion of Mr. Sturgis,

The bill was laid on the table.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of

"No. 2 (C. F.) A bill regulating groceries."

During the deliberation of the committee of the whole, the following message was received from the House of Representatives by W. D. Phillips, Esq., the chief Clerk thereof, when the President *pro tem.* took the Chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives have passed

"No. 3 (H. of R.) A bill for the relief of John Morgan," to which the concurrence of the Council is requested."

The chief clerk of the House of Representatives then withdrew, and the committee of the whole resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Burkleo,

"No. 3 (H. of R.) A bill for the relief of John Morgan,"

Was read a first and second times, and placed on file for action of the Council in committee of the whole.

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of

"No. 3 (H. of R.) A bill for the relief of John Morgan;"

And after some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted, when

On motion of Mr. Loomis,

The bill was referred to the committee on Territorial Expenditures.

On motion of Mr. Loomis,

The Council adjourned.

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COUNCIL, Tuesday, September 18, 1849.

The President *pro tem.* called the Council to order.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

Mr. McLeod, by leave, introduced documents relating to

"No. 3 (H. of R.) A bill for the relief of John Morgan."

On motion of Mr. Norris,

The documents were accepted and referred to the committee on Territorial Expenditures.

Mr. Norris, agreeably to previous notice, asked and obtained leave to introduce

"No. 6 (C. F.) A bill declaring the time at which the several acts passed at the present session of the Assembly shall take effect;"

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

Mr. Loomis moved that the report of the committee of the whole on

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers of the Territory,"

Which was laid on the table on the 13th inst. be now taken up, which motion prevailed, and

The report of the committee of the whole was accepted, when

On motion of Mr. Loomis,

The bill was ordered to be recommitted to the committee of the whole, and

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers in the Territory."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The Council concurred in the amendments proposed by the committee of the whole.

The question then recurring on ordering the bill to be engrossed for a third reading;

Mr. Norris moved to amend the bill by adding to the first section a proviso, as follows, viz:

"Provided, That the price paid for the same shall not exceed one half the rate paid for the publication of the Laws and Journals in pamphlet form;" and

The question then recurring on the adoption of the amendment proposed, pending the question,

On motion of Mr. McLeod,

The bill and motion to amend was laid on the table for one day.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the further consideration of

"No. 2 (C. F.) A bill regulating groceries."

After some time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted by the Council.  
On motion of Mr. Loomis,  
The Council adjourned until three o'clock, P. M.

*Three O'clock, P. M.*

Mr. Norris, from the committee on Territorial Expenditures, reported back to the Council,

"No. 3 (H. of R.) An act for the relief of John Morgan," and the documents explanatory thereof, with the following amendments to the bill, viz :

"Insert in the last line, between the words 'authorized' and 'to,' the words 'and required,' and add to the last line of the bill, the words 'out of any money in the Treasury not otherwise appropriated.'"

The question then recurring on the adoption, by the Council, of the amendments proposed by the committee on Territorial Expenditures,

It was decided in the affirmative.

A bill, under the rules, after amendment by a committee, other than the committee of the whole, being ordered to return to a second reading,

"No. 3 (H. of R.) A bill for the relief of John Morgan,"

Was read the second time, when

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee was accepted.

Mr. McLeod moved a suspension of the rule prohibiting bills from being read the second and third times on the same day, to allow

"No. 3 (H. of R.) A bill for the relief of John Morgan,"

To be read the third time now, which motion prevailed by a two thirds vote.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative, and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the further consideration of

"No. 2 (C. F.) A bill regulating groceries."

After some passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted by the Council,

On motion of Mr. Loomis,

The Council adjourned,

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COUNCIL, *Wednesday, September 19, 1849.*

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

At the request of Mr. Olmsted, President,

Mr. Loomis took the Chair as President *pro tem.* of the Council.

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers in the Territory,

Coming up, under the rules, and

The question recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the further consideration of

"No. 2 (C. F.) A bill regulating groceries."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

Mr. Norris called for the reading of the bill as proposed to be amended, which was ordered, and pending the reading thereof by the Secretary,

A message was received from the House of Representatives by W. D. Phillips, Esq., the chief Clerk, as follows, viz :

"MR. PRESIDENT :—The House of Representatives have concurred in the 'Joint resolution for a joint committee to fix a plan of operation relative to legislation.'"

"Messrs. Babcock and Trask have been appointed on the part of the House, in accordance with said resolution.

"The House have concurred in the amendments of the Council to

"No. 1 (H. of R.) Joint resolution relative to the enacting clause of bills."

The chief Clerk having withdrawn, the reading of "No. 2 (C. F.) A bill regulating groceries,"

Was resumed and completed.

The question then being put on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

Mr. Norris moved to amend the first section of the bill by striking out the words "by the" in the ninth line;

Which motion prevailed.

Mr. Norris called for the reading of the sixth section of the bill, which, being read by the Secretary,

Mr. Norris moved to amend the sixth section as follows, viz :

"Strike out the words 'same to,' and insert in lieu thereof the word 'shall,' and insert between the words 'prosecuted' and 'to' the words 'the same;'"

Which motion was passed in the affirmative.

On motion of Mr. Norris,

The bill was laid on the table for one day.

Mr. Sturgis moved the Council do now adjourn;

Which motion was negative—Ayes 3, Nays 4.

On motion of Mr. Sturgis,

The Council adjourned until three o'clock this afternoon.

*Three O'clock, P. M.*

The President not being in attendance, the Council appointed Mr. Loomis, President *pro tem*.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Norris called for the reading of the bill as proposed to be amended, and the reading being ordered, the Secretary read the bill with the proposed amendments.

The question being then put on the concurrence of the Council in the amendments proposed by the committee of the whole,

It was decided in the affirmative.

On motion of Mr. Norris,

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians,"

Was laid on the table, and made the special order of the day for Saturday next.

Mr. McLeod moved that the Council do now adjourn;

Which was decided in the affirmative—Ayes 4, Noes 2.

So the Council adjourned.

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COUNCIL, *Thursday*, September 20, 1849.

Mr. Olmsted, President, called the Council to order.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

Mr. McLeod presented the petition of Louis Laramie for a divorce, together with an affidavit respecting the same.

Mr. Norris called for the reading of the petition and affidavit;

Which was accordingly read by the Secretary.

Mr. McLeod moved that the petition and affidavit be referred to a select committee of three, with instructions to report by bill or otherwise;

Which motion prevailed.

The Chair appointed Messrs. McLeod, Norris, and Burkleo said committee, and the petition and affidavit were referred accordingly.

Mr. McLeod, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers in the Territory;"

Which bill coming up in order, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. McLeod,

"No. 2 (C. F.) A bill regulating groceries;"

Which was laid on the table yesterday, for one day,

Was now taken up, when,

On motion of Mr. Norris,

The bill was recommitted to the committee of the whole; and

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration thereof.

After some time passed therein, the committee rose, and, by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

Mr. Loomis moved that,

"No. 3 (C. F.) A bill relative to the sale of liquors to the Indians,"

Be now taken from the table; which motion prevailed; and

Mr. Loomis moved that said bill be laid on the table, and made the special order of the day for Saturday next.

Mr. Sturgis moved to amend the motion by striking out all after the words "Laid on the table," when

Mr. Loomis, by leave, withdrew his motion; and

On motion of Mr. Sturgis,

"No. 3 (C. F.) A bill relative to the sale of liquor to the Indians," was laid upon the table.

Mr. Loomis moved that the Council resolve itself into a committee of the whole for the consideration of

"No. 4 (C. F.) A bill to incorporate the Historical Society of Minnesota;"

Which was decided in the affirmative—Ayes 4, Noes 2.

So the Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, for the consideration of said bill, and during the deliberations of the committee of the whole,

A message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, when the President took the Chair for its reception, as follows, viz:

"MR. PRESIDENT:—The House have passed 'No. 1 (C. F.) A joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes,'

"With amendments to which the concurrence of the Council is requested."

The chief Clerk then withdrew, and the committee of the whole Council resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported "No. 4 (C. F.) A bill to incorporate the Historical Society of Minnesota" back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

Mr. Norris called for the reading of the amendment, which, being ordered, was accordingly read as follows, viz:

"Strike out all after the enacting clause."

The question then being put on the concurrence of the Council in the proposed amendment,

It was decided in the affirmative.

On motion of Mr. Forbes,

The Council adjourned until three o'clock this afternoon.

*Three O'clock, P. M.*

On motion of Mr. Loomis,

The message from the House of Representatives was taken up, and

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes,"

Returned from the House of Representatives with amendments, being under consideration, and the amendments having been read by the Secretary, and

The question recurring on the concurrence of the Council in the amendments made by the House of Representatives,

Mr. Norris moved to amend the amendments of the House of Representatives by inserting in the second amendment, after the word "authorized," the words "and required;"

Which was decided in the affirmative.

The question being then taken on the concurrence of the Council in the amendments of the House of Representatives, as amended by the Council;

It was decided in the affirmative—Ayes 4, Noes 2.

At the request of Mr. Olmsted, President,

Mr. Norris took the Chair as President *pro tem.* of the Council.

Mr. McLeod, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 2 (C. F.) A bill regulating groceries."

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of

"No. 6 (C. F.) A bill declaring the time at which the several acts passed at the present session of the Assembly shall take effect."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Burkleo called for the reading of the bill as proposed to be amended; which being ordered, the bill was accordingly read by the Secretary.

The question then being taken on the adoption of the proposed amendments,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. McLeod,

The Council adjourned.

COUNCIL, Friday, September 21, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

The Chair announced Messrs. Loomis, Sturgis, and McLeod a "Committee on Printing," in conformity with a resolution of the Council of Sept. 13th.

Mr. McLeod, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 6 (C. F.) A bill declaring the time at which the several acts passed at the present session of the Assembly shall take effect."

Mr. McLeod, from the select committee, to whom was referred the petition and affidavit of Louis Larammie for a divorce, reported

"No. 7 (C. F.) A bill granting a divorce to Louis Larammie from Wa-kan-ye-ke-win, an Indian woman of the Sioux tribe;"

Which was read a first and second times.

Mr. Norris moved that the rule requiring bills to be printed after their second reading be suspended in reference to the said bill;

Which was decided in the affirmative by a two-thirds vote.

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of

"No. 7 (C. F.) A bill granting a divorce to Louis Larammie, from Wa-kan-ye-ke-win, an Indian woman of the Sioux tribe."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Norris called for the reading of the bill as proposed to be amended;

Which being ordered, the Secretary read the bill accordingly.

The question then being taken on the adoption of the proposed amendment,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. Norris,

"No. 2 (C. F.) Joint resolution relative to a donation to the Washington Monument Association,"

Was taken up, and

The Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Sturgis called for the reading of the joint resolution as proposed to be amended; which being ordered, the joint resolution was accordingly read by the Secretary.

The question then being put on the adoption of the proposed amendments to the joint resolution,

It was decided in the affirmative.

The question then recurring on ordering the joint resolution to be engrossed for a third reading,

It was decided in the affirmative. So the joint resolution was ordered to be engrossed.

Mr. Forbes moved that the Council do now adjourn until two o'clock this afternoon.

Which motion was negatived—Ayes 3—Noes 4.

On motion of Mr. McLeod,

"No. 2 (C. F.) A bill regulating groceries,"

Was taken up; and the question recurring on ordering the bill to a third reading, It was decided in the affirmative, and the bill was read the third time.

The question then recurring on the passage of the bill,

Mr. Norris moved that the bill be referred to a select committee of three;

Which was passed in the affirmative.

The Chair appointed Messrs. Norris, Burkleo, and Loomis said committee.

On motion of Mr. McLeod,

The Council adjourned until Monday, at two o'clock in the afternoon.

#### COUNCIL, Monday, September 24, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of Friday was then read.

Mr. Loomis, from the committee on Incorporations, to whom was referred a petition from Franklin Steele, for a charter to keep a ferry on the Mississippi river above the Falls of St. Anthony, reported

"No. 8 (C. F.) A bill granting to Franklin Steele the right to keep and maintain a ferry across the Mississippi river;"

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

"No. 6 (C. F.) A bill declaring the time at which the several acts passed at the present session of the Assembly shall take effect,"

Then coming up under the rules, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Boal, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 2 (C. F.) Joint resolution relative to a donation to the Washington Monument Association."

Mr. McLeod, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 7 (C. F.) A bill granting a divorce to Louis Larammie from Wa-kan-ye-ke-win."

"No. 2 (C. F.) Joint resolution relative to a donation to the Washington Monument Association,"

Then coming up under the rules, and

The question recurring on ordering the joint resolution to a third reading,

COUNCIL, 6

It was decided in the affirmative; and the joint resolution was read the third time. The question then recurring on the passage of the joint resolution, It was decided in the affirmative. So the joint resolution passed. The question then recurring on agreeing to the title of the joint resolution, It was decided in the affirmative. So the title was agreed to.

"No. 7 (C. F.) A bill granting a divorce to Louis Laramie, from Wa-kan-ye-ke-win,"

Then coming up under the rules, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

Mr. Norris moved to amend the title by inserting after the word "Wa-kan-ye-ke-win" the words "his wife;"

Which motion passed in the affirmative.

The question then being taken on agreeing to the title of the bill as amended,

It was decided in the affirmative. So the title was agreed to.

Mr. Boal, from the committee on the Judiciary, reported

"No. 9 (C. F.) A bill regulating the rate of interest on money;

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

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians;"

Which had been made the special order of the day for Saturday last, now coming up under the rules,

On motion of Mr. Norris,

Was laid on the table and made the special order of the day for Wednesday next.

Mr. Norris moved that

"No. 3 (C. F.) A bill relative to the sale of liquors to the Indians,"

Be now taken up. Which motion prevailed, and,

On motion of Mr. Norris,

Said bill was laid on the table, and made the special order of the day for Wednesday next.

On motion of Mr. Norris,

The Council adjourned.

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COUNCIL, Tuesday, September 25, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

Mr. Loomis moved a suspension of the rule requiring bills to lie on the table one day after they are printed, before being acted on by the Council in reference to

"No. 9 (C. F.) A bill regulating the rate of interest on money;"

Which motion prevailed by a two-thirds vote; and,

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council, of the amendments proposed by the committee of the whole,

It was passed in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading, pending the question,

On motion of Mr. Forbes,

The Council adjourned.

COUNCIL, *Wednesday*, September 26, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

Mr. Norris moved a suspension of the rule of the Council requiring one day's notice previous to asking leave to introduce bills, resolutions, &c., to permit the introduction of a joint resolution now, without previous notice;

Which motion prevailed by a two-thirds vote, when

Mr. Norris asked and obtained leave to introduce

"No. 3 (C. F.) Joint resolution relative to the location of the temporary seat of government;"

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

Mr. Burkleo, from the committee on Territorial Affairs, to whom was referred so much of the Governor's message as relates to the temporary location of the seat of government, made the following

REPORT :

"The committee on Territorial Affairs, to whom was referred that portion of the Governor's message relating to the temporary location of the capitol, report :

"That the question of the location of the capitol temporarily, has received the full consideration of your committee, and after weighing carefully all the various reasons which have occurred to their minds in favor of a change of place, they are constrained to give it as their opinion, that St. Paul should continue to be the seat of government of the Territory of Minnesota, until otherwise determined by a vote of the people. Apart from the fact that St. Paul is the most central point, so far as the present population of the Territory is concerned, the fact that it is the head of navigation on the east of the Mississippi, and accessible to steamboats, is another strong point in its favor. Your committee believe that it is the wish of a majority of the inhabitants of Minnesota, that the location of the capitol should not be changed. With good roads diverging from every point, St. Paul is easily reached at all seasons of the year. Your committee are not in favor of trammeling the actions of future Legislatures, by fixing any specified time that the seat of government shall be continued at St. Paul. Circumstances may require that a permanent capitol be located at an early or late day, and they therefore deem it only necessary to recommend that the spot for the temporary seat of government be fixed upon at this session.

"So far as regards the sum of \$20,000 allowed and appropriated by Congress for the erection of buildings, your committee can find nothing in the organic law, which precludes that fund from being used in the construction of public buildings at the temporary capitol. If this view is correct, the Territory must depend upon the liberality of the General Government to make a further grant, whenever the time shall arrive for the people to decide where the capitol shall be permanently located, if that decision shall be adverse to the present site.

"Your committee beg leave to report, for your adoption, the following joint resolution, viz :

"No. 4 (C. F.) Joint resolution relative to the location of the temporary seat of government."

The report of the committee being read, was accepted, and the committee discharged from the further consideration of the subject; when

The joint resolution was read a first and second times, and laid upon the table to be printed.

Mr. Burkleo, from the committee on Territorial Affairs, to whom was referred so much of the message of his Excellency, the Governor, as relates to the organization of counties, reported

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakota, Prairie and Katokoming, and for other purposes;"

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

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have passed

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes."

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river, above the Falls of St. Anthony."

"No. 2 (H. of R.) Joint resolutions relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota;" and

"No. 5 (H. of R.) A bill granting a charter to Elam Greely, his heirs, &c., to construct and maintain a dam across Spake River, near the outlet of Cross Lake, and transmit with it explanatory documents.

"To all of which the concurrence of the Council is requested.

"The House have concurred in the amendments of the Council to the amendments of the House to

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes;"

The chief Clerk having withdrawn,

Mr. Forbes, from the committee on the Militia, made the following

#### REPORT :

"The committee on the Militia, to whom was referred so much of the Governor's message as relates to the organization of the Militia of the Territory, respectfully ask leave to state to the Council, that in the opinion of a majority of your committee, the proper and efficient organization of a Militia system within our Territory, is one of the most important duties devolving upon this Legislature; and your committee most heartily concur in the opinion expressed by his Excellency, the Governor, in his message, that 'from the great extent of the frontiers of this country, and the number and warlike character of the Indians located within the Territory and on its borders, we may reasonably expect to realize the experience of all other communities situated like ourselves, and be involved in Indian war and difficulties.' That a spirit of discontent and feeling of hostility towards our people now exists among the Winnebagoes, ready to break out in open acts of outrage whenever opportunity offers, is a lamentable fact too well known to our citizens, and loudly demands such preparations on behalf of the Territory as will awe those, and all other Indians within our limits, into a preservation of peaceable relations with our people, or enable us to meet and check successfully, the first outbreak of hostility.

"In time of peace, prepare for war," was the advice of a great and good man, and should not pass unheeded by us at the present time. In the opinion of a majority of your committee, the very ground work of our preparation should be an early organization of the Militia of the Territory, in such manner as to make it at all times capable of quelling any and all difficulties, that may arise between our citizens and any of the Indian tribes.

"Apart, however, from other considerations, a majority of your committee believe some Militia organization is demanded to enable us to secure our quota of arms from the general government. The law of Congress 'establishing a uniform organization of the Militia in the several States and Territories,' provides 'That the Militia of each State and Territory shall be divided into divisions, brigades, battalions, regiments and companies;' and the law of 1808 provides, that 'Arms shall be distributed to each State and Territory respectively, in proportion to the number of the effective Militia in each;' and the arms thus donated, 'Shall be distributed under such rules as shall be prescribed by the Legislature.'

"The majority of your committee, therefore, in recommending to the Council an organization of the Militia, while they believe such organization necessary, in conformity to the laws of Congress, and that without such organization no arms can be obtained from government under existing laws, have at the same time chosen such a system as will be most effectual and least burdensome to our citizens.

"It will be observed that by the provisions of the bill herewith submitted, while many inducements are held out to those who will uniform, arm, and equip, still there is no actual compulsion for those who do not wish to do so; and the nominal fine imposed, will, the majority of your committee believe, be amply sufficient to cover the

Militia expenditures of the Territory. Thus the object of continually having the Governor advised of the effective Militia force of the Territory, and its location, to enable him to make complete returns, annually, to the office of the Adjutant General of the United States Army, as provided by law, is attained; while those only who take an interest in a Militia organization, and are, properly speaking, the volunteer force of the Territory, who would of course be the most effective guardians to our citizens in case of Indian outrage, are more particularly encouraged.

"The majority of your committee, therefore, believing the system they have adopted to be the least objectionable, while it covers all the ground necessary, either for protecting our frontier or complying with the laws of Congress, respectfully submit the accompanying bill for the action of the Council, viz:

"No. 11 (C. F.) A bill to organize, discipline and govern the Militia of this Territory."

The report being read, it was accepted, and the committee discharged from the further consideration of the subject; when

The bill reported by the committee on the Militia, was read the first and second times, and laid upon the table to be printed.

Mr. McLeod, from the committee on Internal Improvements, reported

"No. 1 (C. F.) A memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river, on the Missouri;"

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

The message from the House of Representatives then coming up, under the rules, "No. 5 (H. of R.) A bill granting a charter to Elam Greely, his heirs, &c., to construct and maintain a dam across Snake river, near the outlet of Cross Lake,"

Was read a first and second times, and

On motion of Mr. Norris,

Was, together with the explanatory documents, referred to the committee on Incorporations.

"No. 2 (H. of R.) Joint resolutions relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota,"

Was read the first and second times; and

On motion of Mr. Sturgis,

Referred to the committee on Territorial Affairs.

"No. 1 (H. of R.) Memorial to Congress for the improvement of the Mississippi river, above the Falls of St Anthony,"

Was read a first and second times; and

On motion of Mr. Norris,

Was referred to the committee on Internal Improvements.

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes,"

Was read a first and second times; and

On motion of Mr. Norris,

Was referred to the committee on Schools.

Mr. Norris, from the select committee, to whom was referred

"No. 2 (C. F.) A bill regulating groceries,"

Reported the same back to the Council with an amendment, which was read as follows, viz:

"Amend the fifth section of the bill, by striking out of the second and third lines, the words 'by which to evade the intention of this act;' also, strike out the word 'gallon' wherever it occurs in the bill, and insert in lieu thereof, the word 'quart.'"

The question then recurring on the adoption, by the Council, of the amendments proposed by the committee, pending the question,

Mr. Burkleo moved that the bill be recommitted to a committee of the whole Council now;

Which motion prevailed; and

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the further consideration of

"No. 2 (C. F.) A bill regulating groceries."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption, by the Council, of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading, pending the question,

Mr. Boal moved the Council do now adjourn,

Which motion was negative—Ayes 3, Noes 5.

Mr. McLeod moved the Council do now adjourn until 11 o'clock to-morrow morning,

Which motion was negative—Ayes 3, Noes 5.

On motion of Mr. Rollins,

The Council adjourned until three o'clock this afternoon.

*Three O'clock, P. M.*

The question recurring on ordering

"No. 2 (C. F.) A bill regulating groceries,"

To be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

"No. 3 (C. F.) A bill relative to the sale of liquor to the Indians;"

Which had been made the special order of the day for this day, now coming up in order,

On motion of Mr. Norris,

The bill was indefinitely postponed.

"No. 5 (C. F.) A bill relative to the traffic in ardent spirits with the Indians;"

Which had been made the special order of the day for this day, now coming up in order; and

The question recurring on ordering the bill to be engrossed for a third reading,

Mr. Norris called for the reading of the bill, as amended; which being ordered, the bill was accordingly read by the Secretary, when

Mr. Norris moved to amend the second section by inserting after the word "county," the words "or any of the forts within the Territory, by permission of the commanding officers thereof;"

Which motion prevailed.

Mr. Sturgis moved that the bill be read as originally introduced;

Which was agreed to; and the bill as originally introduced, was read by the Secretary.

Mr. Loomis moved that the bill be laid on the table and made the special order of the day for Monday next.

Mr. Sturgis moved to amend the motion by adding, "and that the amendments adopted to the bill be ordered to be printed;"

Which motion to amend the motion was negative.

The question then recurring on the adoption of the motion of Mr. Loomis,

It was passed in the affirmative.

Mr. Loomis, from the committee on the Militia, made the following minority

#### REPORT:

"The undersigned, a minority of the committee, to which was referred so much of the Governor's message as relates to the organization of the Militia in the Territory of Minnesota, begs leave to report, that he has examined the subject, and after mature deliberation, has come to the conclusion that it is not expedient at this time, to attempt as extended a system of organization as is proposed in the bill, reported by a majority of the committee. When the number of persons capable of bearing arms in the whole Territory, does not much exceed the number required to form a single regiment, the undersigned can perceive no necessity for the passage of a bill which requires the appointment of a Major-General, two Brigadier-Generals, and all the other various officers contemplated in the bill which has been reported, and in fact the undersigned is somewhat inclined to doubt, whether if the the whole effective Militia

force of the Territory could be collected together, enough would be found to fill the various offices contemplated in the bill before us. And further, our population is so scattered, and much of it of such a floating character, that the undersigned very much doubts whether a bill of the kind reported, would not in its details be entirely inoperative, except perhaps in some one or two of the principal villages.

"The undersigned is therefore of the opinion, that a bill granting suitable encouragement for the formation of independent volunteer companies, would be much more effective in its operation, than the bill now before the Council; and would, therefore, respectfully recommend its rejection.

"D. B. LOOMIS."

The report, after being read, was accepted and laid upon the table.

On motion of Mr. Sturgis,

"No. 9 (C. F.) A bill regulating the rate of interest on money,"

Was taken up; and

The question then recurring on ordering the bill to be engrossed for a third reading,

Mr. Loomis moved that the bill be laid on the table until the 4th day of July next;

Which motion was negatived—Ayes 3, Noes 4.

Mr. Norris called for the reading of the bill as amended; which being ordered,

The bill was accordingly read by the Secretary.

Mr. Sturgis moved the bill be laid on the table, and made the special order of the day for Tuesday next;

Which was decided in the negative.

Mr. Norris moved the bill be laid on the table, and made the special order of the day for Friday next;

Which motion was negatived.

Mr. Burkleo moved to amend the bill by striking out the fifth section.

Mr. Norris called for the reading of the fifth section;

Which being ordered, the section was accordingly read by the Secretary.

The question then being put on the motion to strike out,

It was decided in the negative—Ayes 4, Noes 5.

Mr. Norris moved to amend the bill by striking out the second section;

Which was decided in the negative—Ayes 4, Noes 5.

The question then being taken on ordering the bill to be engrossed for a third reading, and the Ayes and Noes being called for by Mr. Loomis,

Those who voted in the affirmative were Messrs. Roal, Forbes, McLeod, and Olmsted, *President*—4.

Those who voted in the negative were Messrs. Burkled, Loomis, Norris, Rollins, and Sturgis—5.

So the Council refused to order the bill to be engrossed.

On motion of Mr. Loomis,

The Council adjourned.

#### COUNCIL, Thursday, September 27, 1849.

Prayer by the Rev. Mr. Pond.

The Journal of the proceedings of yesterday was read; and pending the reading thereof,

On motion of Mr. Norris,

The reading of the reports was dispensed with.

On motion of Mr. Loomis, the Journal was corrected.

The President called Mr. Norris to the Chair, as President *pro tem.* of the Council.

Mr. McLeod, from the committee on Schools, to whom was referred:

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes;"

Reported the same back to the Council with the following amendments, viz:

"Strike out in the first section the word 'Treasurer,' and insert 'Secretary.'

"After the word 'room,' in the second line of the fourth section, insert the words, 'which he will rent at a reasonable rate.'

"After the word 'Territory,' in the tenth line of the fifth section, insert the words, 'ministers of the Gospel.'

"Strike out the following words in the eighth section, viz: 'the volume so lost, or the actual damage done.'

"The committee also recommend an extension of time during which books may be kept away from the library, except during the sessions of the Legislature, when the period should, in no instance, extend to more than one week."

The question then recurring on the adoption by the Council of the amendments proposed by the committee on Schools,

It was decided in the affirmative.

The bill was then read a second time under the rules.

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council, with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

Mr. Rollins gave notice that on to-morrow, or some future day, he would ask leave to introduce a bill to secure married women their rights.

Mr. Burkleo moved the Council do now adjourn until two o'clock this afternoon; and pending the question,

A message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, as follows, viz:

"MR. PRESIDENT:—I have been instructed to inform the Council, that the Speaker of the House has signed the joint resolution relative to the enacting clause of the Legislature."

And then he withdrew.

The question then recurring on the motion to adjourn until two o'clock, P. M.,

Mr. Loomis moved to amend the motion by striking out "two," and inserting "three."

Which motion prevailed.

The question then being taken on the adoption of the motion as amended,

It was passed in the affirmative.

So the Council adjourned until three o'clock this afternoon.

*Three O'clock, P. M.*

The Council was called to order by the President.

Mr. Rollins, from the committee on Internal Improvements, to which was referred

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river, above the Falls of St. Anthony,"

Reported the same back with the following amendment, viz: "Strike out of the third paragraph of the memorial, the words 'Your memorialists are informed, and verily believe, that a steamboat will be built the coming season, above the Falls; but strong fears are entertained as to its being successfully run, unless some of the obstructions are removed.'"

The question then recurring on the adoption by the Council of the amendment proposed by the committee; pending the question,

Mr. Norris moved that the bill be referred to a committee of the whole Council now;

Which was agreed to; and

The Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, for the consideration of

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river, above the Falls of St. Anthony."

After some time passed therein, the committee rose, and by the Chairman, reported the memorial back to the Council, with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

On motion of Mr. Forbes,

The memorial was laid on the table.

Mr. Forbes presented a communication addressed to the President of the Council, which, he stated, was from Louis Roberts, of St. Paul.

On motion of Mr. Rollins,

"No. 8 (C. F.) A bill granting to Franklin Steele the right to keep and maintain a ferry across the Mississippi river,"

Was taken up; and

On motion of Mr. Rollins,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council, with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The President then read the communication from Mr. L. Roberts, which was a request that the members of the Council would attend the funeral of Mr. Francis Roberts, to-morrow at ten o'clock, A. M.

On motion of Mr. Forbes,

The Council adjourned until ten o'clock on Monday morning.

#### COUNCIL, *Monday*, October 1, 1849.

Prayer by the Rev. Mr. Neill.

The Journal of the proceedings of Thursday, September 27th, was read.

On motion of Mr. Sturgis,

Ordered, That the Secretary of the Council be instructed to return to the House of Representatives,

"Joint resolution relative to the enacting clause of the Legislature,"

With a request from the Council, that the same be referred to the joint committee on Enrolled bills, that it may be reported to the Council, correctly enrolled, previous to securing the signature of the President.

Mr. Loomis gave notice that on to-morrow or some future day, he would ask leave to introduce a memorial to Congress to construct a road from Point Douglass to the Falls of the St. Louis river.

Mr. Rollins asked and obtained leave to introduce

"No. 12 (C. F.) A bill to secure to married women their rights."

The Hon. C. K. Smith, Secretary of the Territory, was then announced, and delivered the following message, viz:

"MR. PRESIDENT:—I have the honor to present to you a message in writing, from his Excellency, the Governor;"

And then he withdrew.

The message of the Governor was then read by the Secretary as follows, viz:

COUNCIL, 7

MESSAGE FROM THE GOVERNOR.  
*To the Council and House of Representatives of the Legislative Assembly of Minnesota:*

GENTLEMEN:—I herewith communicate to your honorable bodies the translation of a memorial, numerously signed by half-breeds, residents of Pembina, on the Red River of the North.

You will perceive that it is a complaint of the grievances they suffer, embodying suggestions for remedying their wrongs, and is appropriately addressed, mainly to the general Government at Washington, for relief.

But as they are, in common with ourselves, Minnesotians, and as such deserving of our warmest sympathies, in their remote and comparatively unprotected and uncared-for home, I have thought it proper to invite the aid of your influence in pressing their just claims upon the kind consideration of the national authorities.

My information in regard to these people from all sources is, that they are a bold, honest, and hardy race, pursuing most industriously their mixed occupation of hunting and agriculture; that they are characterized by more than ordinary intelligence for their class and opportunities; and that altogether they form a valuable acquisition to the population of this Territory and of our common country.

They reside upon a fertile soil, that produces or is capable of producing in abundance, wheat, rye, corn, potatoes, and all the vegetable and animal productions necessary to human subsistence and comfort.

They occupy a point on our frontiers from whence are commanded the buffalo ranges of the immense plains to the south and west, and hundreds of their mounted hunters, issue forth twice a year, in the spring and fall, and slay thousands of buffalo, converting their meat, hides and tallow into articles of profitable merchandise.

The interference of the settlers within the British lines with them, in this their main pursuit, demands that the National Government should abate the evil, and jealously maintain the integrity of our Territory by repressing the intrusions of subjects of a foreign power, that churlishly refuses all reciprocity; and so preserve to our people advantages which nature has bestowed almost exclusively upon our Territory, wherein not only the larger animals of the chase, but those also valuable entirely for their furs, prefer to range, because their subsistence is easy from the abundance of their natural food spontaneously produced by a fertile and congenial soil.

It is worthy of consideration, likewise, whether such a course is not dictated by sound policy in another respect.

Since the census of Pembina in June last, when the population was about six hundred, it has, according to the memorial, increased to near a thousand souls in consequence, I believe, of further immigration from the British side of the line.

Such immigration is occasioned, it would appear, partly by dissatisfaction with the rule of the authorities of the Hudson Bay Company, and partly by an appreciation of the superiority of our Territory for permanent settlement; but chiefly in view of the facilities offered for hunting, the great buffalo ranges being nearly altogether within the American lines.

If, by establishing a military post at Pembina, and extending over the settlement our civil law, through organized counties and courts of justice, we can confine the British hunters and half-breeds exclusively to their inferior hunting ranges, the advantages of immigrating to Minnesota rather than remain in British Territory, would so greatly preponderate that but a short time would elapse before the body of the population in the neighborhood of Pembina would reach to five or six thousand in number, forming on the frontier an indomitable barrier to aggression, whether by savages or a foreign power, besides gaining so many additional arms to contribute to the commonwealth and prosperity of our country.

Under these views of things, it occurs to me that the first step towards any efficient relief is the extinguishment of the title of occupancy in the lands on the Red River of the North; the extension of our land system, or a modification of it thereto; and the organization of counties and courts therein, so that our fellow-citizens of mixed blood on the frontiers may enjoy in common with ourselves the precious privileges of free, just and liberal institutions.

A memorial from the Legislative Assembly of Minnesota would induce Congress to act in the premises, and is due from us to our brethren in the North.

ALEX. RAMSEY.

*Executive Department, St. Paul, October 1, 1849.*

Mr. Sturgis moved that the message, and accompanying memorial be referred to a select committee of three, to be appointed by the Chair; and that three hundred copies be printed for the use of the Council;

Which motion prevailed, and Messrs. Sturgis, Loomis, and Boal, were appointed said committee.

On motion of Mr. Rollins,

"No. 12 (C. F.) A bill to secure to married women their rights;"

Was read the first and second times, and laid upon the table to be printed.

Mr. Boal gave notice that on to-morrow or some future day, he would ask leave to introduce a bill regulating the duties of County Commissioners.

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes,"

Then coming up in order of business, and the question recurring on ordering the bill to a third reading,

Mr. Loomis moved to amend as follows, viz :

"Strike out of the third and fourth lines of the eighth section, the words 'under a penalty of twenty-five cents for each day,' and insert in lieu thereof, the words 'and any person retaining any book for a longer period than is allowed in the foregoing part of this section, shall be liable to a penalty of twenty-five cents for each day any book may be so retained;'"

Which amendment was adopted.

The question then being taken on ordering the bill to a third reading,

It was decided in the affirmative, and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Forbes,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

Mr. Loomis moved a reconsideration of the vote by which the Council passed

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes;"

And the question being taken, it was decided in the affirmative.

The question then recurring on the passage of the bill,

Mr. Loomis asked and obtained the unanimous consent of the Council, to offer the following amendments, viz :

"Add three sections to the bill, as follows, viz :

"Sec. 15. In case of vacancy in the office of Librarian, by death or otherwise, during the recess of the Legislative Assembly, the Governor shall appoint a Librarian, who shall qualify in all respects as is required in the foregoing sections of this act, and shall hold his office until the close of the next succeeding session of the Legislature."

"Sec. 16. All laws passed by the Legislature of the Territory of Wisconsin, coming within the purview of this act, are hereby repealed."

"Sec. 17. This act shall take effect from and after its passage."

The question then being taken on the adoption of the amendments proposed to the bill, It was passed unanimously in the affirmative.

A message was received from the House of Representatives, by W. D. Phillips, Esq., the chief Clerk, as follows, viz :

"Mr. President :—The House of Representatives have passed

"No. 9 (H. of R.) A bill to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski; and transmit with it explanatory documents."

"No. 2 (H. of R.) A memorial to Congress relative to the purchase of the Sioux Indian lands west of the Mississippi river."

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters, and of holding office."

"No. 10 (H. of R.) A bill to incorporate the Historical Society of Minnesota."

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop;" and

"No. 15 (H. of R.) A bill for the relief of Charles M. Berg."

"In all which the concurrence of the Council is requested."

"The House have also passed

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers of the Territory."

"No. 2 (C. F.) Joint resolution relative to a donation to the Washington Monument Association;" and

"No. 6 (C. F.) A bill declaring the time at which the several acts passed at the present session of the Assembly, shall take effect;" "

And then he withdrew.

The President then read the titles of the several bills and memorials received from the House of Representatives, and they were laid on the table under the rules.

The question again recurring on the passage of

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes,"

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed ;

"No. 2 (C. F.) A bill regulating groceries;"

Which bill coming up in order of business, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Loomis, from a joint committee of the two Houses of the Legislative Assembly, to which was referred the subject of the future course of legislation in the two Houses, made the following

#### REPORT :

"The joint committee of the Council and House of Representatives provided for by the following resolution, to wit :

"*Resolved*, By the Council, (with the concurrence of the House of Representatives) that a committee of two be appointed by the Chair, to act in conjunction with a similar committee on the part of the House, to report to the two Houses what subjects of legislation it is expedient to act upon the present session ; and also to report the most proper manner of revising our present statutes ;"

"Have had the same under consideration, and respectfully beg leave to make the following report :

"That it is expedient for the Legislative Assembly at its present session, to act upon the following subjects, to wit :

"1st. The revision of the laws defining the powers and duties of Justices of the Peace.

"2nd. Dividing the Territory into county and judicial districts, and assigning the Judges to their respective districts.

"3rd. To provide for the organization of counties, defining the number, powers and duties of county officers.

"4th. Providing the time for holding the sessions of the supreme and district courts.

"5th. The revision of the election laws, and to prescribe the qualifications of voters.

- " 6th. The location of the temporary seat of government.
- " 7th. Fixing the time of holding the annual meeting of the Legislative Assembly.
- " 8th. The revision of the grocery license laws; also the laws relating to the sale of spirituous liquors to Indians.
- " 9th. The passing of such memorials to Congress as may be thought proper.
- " 10th. The enactment of proper laws to prevent gambling.
- " 11th. The passage of a joint resolution declaring it inexpedient for the Legislative Assembly to grant divorces.

" And your committee would further report that they have carefully considered the last clause of the above resolution, to wit: ' And also to report the most proper manner of revising our present statutes; ' and respectfully beg leave to recommend that the Legislative Assembly, by joint ballot, elect three discreet members of their own body, as commissioners or revisors of the statutes and laws for the government of the Territory; and that said commissioners or revisors have leave to sit during the recess of the Legislative Assembly, and report the result of their labors to the next annual session of the Legislative Assembly; and that said commissioners or revisors, be instructed to request the advice and assistance of the Judges of the supreme court in their labors.

" All which is respectfully submitted.

" L. A. BABCOCK, Ch'n.

" D. B. LOOMIS.

" S. TRASK."

On motion of Mr. Forbes,

The report was accepted, and the committee discharged from the further consideration of the subject.

" No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians," Having been made the order of the day for this day, now coming up; and

The question recurring on ordering the bill to be engrossed for a third reading, pending the question,

Mr. Sturgis moved that the bill be recommitted to a committee of the whole Council,

Which motion prevailed; when

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. McLeod,

" No. 8 (C. F.) A bill granting to Franklin Steele, the right to keep and maintain a ferry across the Mississippi river,"

Was then taken up; and

The question recurring on ordering the bill to be engrossed for a third reading, pending the question,

Mr. Loomis moved to amend the bill, as follows, viz:

" Strike out in the commencement of the fifth section of the bill the words, ' before the said Franklin Steele can claim any benefits that can decree to him from the passage of this act, he shall,' and insert in lieu thereof, ' the said Franklin Steele shall, within six months after the passage of this act.' Also, strike out in the same section, in the third line, the words, ' United States,' and insert in lieu thereof the words, ' said board,' and add to said section the words, ' and in case of his failure or neglect so to do, shall forfeit all the benefits that might have accrued to him, from its passage.' "

The question then being taken on the adoption by the Council of the amendments proposed to the bill;

It was passed in the affirmative.

Mr. Forbes moved to amend the bill by inserting, in the third section, after the words, "night or day," the words, "but persons wishing to pass at the said ferry in the night, may be charged double the fare, as hereinafter prescribed;"

Which amendment was passed in the affirmative.

Mr. Rollins moved to amend the third section of the bill, by inserting the words, "each single horse and carriage, twenty-five cents;"

Which amendment was adopted by the Council.

Mr. Forbes moved further to amend the third section, by inserting the word "pounds" after the words, "one hundred;"

Which amendment the Council also adopted.

The question then being taken on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

Mr. Loomis moved the Council do now adjourn until to-morrow at eleven o'clock, A. M.;

Which motion, at the request of Mr. Sturgis, he subsequently, by leave, withdrew; when

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

"A bill to authorize the election of Sheriffs, and to define their duties," and

"A bill authorizing the election of County Treasurers, and defining their duties."

Mr. Loomis moved that the Council do now adjourn;

Which was decided in the negative.

Mr. Boal moved that the Council do now adjourn until nine o'clock to-morrow morning;

Which was decided in the negative—Ayes 2, Noes 4.

Mr. Sturgis moved that the Council now adjourn until eleven o'clock, A. M., to-morrow;

Which was decided in the negative—Ayes 2, Noes 4.

Mr. Rollins moved to adjourn until Wednesday next, at ten o'clock, A. M.

Which was decided in the negative.

Mr. Forbes moved to take up

"No. 2 (H. of R.) Memorial to Congress relative to the purchase of the Sioux Indian lands, west of the Mississippi river;"

Which was decided in the affirmative; and

The memorial was read the first and second times; and

On motion of Mr. Forbes,

The memorial was laid upon the table.

On motion of Mr. Loomis,

The Council adjourned.

COUNCIL, Tuesday, October 2, 1849.

Prayer by the Rev. Mr. Pond.

The President called Mr. Sturgis to the Chair as President *pro tem.* of the Council.

Mr. Forbes moved that the rule requiring the Journal to be read be temporarily suspended;

Which motion prevailed by a two-thirds vote.

Mr. Loomis, pursuant to previous notice, asked and obtained leave to introduce

"No. 2 (C. F.) A memorial to Congress relative to a road from Point Douglass to the St. Louis river;"

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

Mr. McLeod, from the joint committee on Enrolled Bills, reported the following bills and joint resolutions as correctly enrolled, viz:

"No. 1 (H. of R.) Joint resolution relative to the enacting clause of the Legislature."

"No. 2 (C. F.) Joint resolution relative to a donation to the Washington Monument Association."

"No. 1 (C. F.) A bill to authorize the printing of certain laws in the several newspapers of the Territory;" and

"No. 6 (C. F.) A bill declaring the time at which the several acts passed at the present session of the Assembly shall take effect."

Mr. Boal, pursuant to previous notice, asked and obtained leave to introduce

"No. 13 (C. F.) A bill to organize a Board of County Commissioners in the several counties in this Territory, and to define their duties,"

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

The message from the House of Representatives of yesterday, then coming up in order of business,

"No. 9 (H. of R.) A bill to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski,"

Was read a first and second times; when

Mr. Forbes moved the reference of said bill to the committee on Internal Improvements;

Which was decided in the negative—Ayes 2, Noes 4.

Mr. Burkleo moved the bill be referred to a committee of the whole Council;

Which motion prevailed.

"No. 15 (H. of R.) A bill for the relief of Charles M. Berg,"

Was then read the first and second times; and

On motion of Mr. Loomis,

Was laid on the table.

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,

Was read a first and second times; and

On motion of Mr. McLeod,

Was laid on the table, and made the special order of the day for to-morrow.

"No. 10 (H. of R.) A bill to incorporate the Historical Society of Minnesota,"

Was read a first and second times; and

On motion of Mr. Forbes,

Was laid upon the table.

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters, and of holding office,"

Was read the first and second times; when

Mr. McLeod moved its reference to the committee on Territorial Affairs;

Which motion was negatived.

Mr. Burkleo moved the bill be laid on the table, and made the special order of the day for Saturday next.

Mr. Forbes moved to amend the motion by striking out all after the words "laid on the table;"

Which amendment was accepted by Mr. Burkleo.

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

It was passed in the affirmative.

On motion of Mr. Forbes,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of

"No. 9 (H. of R.) A bill to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski."

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendment.

The report of the committee of the whole was accepted, and the bill was laid on the table under the rules.

Mr. Forbes moved that the Journal of yesterday be now read, omitting the message of the Governor, and the report of the joint committee, relative to the future course of legislation;

Which motion prevailed; and

The Journal was accordingly read by the Secretary.

On motion of Mr. Forbes,  
The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

The Council was called to order by the President.

Mr. Sturgis, by leave, presented the petition of David Gilman and others, for a Territorial road from Panfill's to Crow Wing;

Which was read by the Secretary; and

On motion of Mr. Sturgis,

Was referred to the committee on Territorial Roads.

Mr. Norris, from the joint committee on Enrolled Bills, reported as correctly enrolled:

"No. 1 (C. F.) Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes;" and

"No. 3 (H. of R.) A bill for the relief of John Morgan."

Mr. Boal, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians;" and

"No. 8 (C. F.) A bill granting to Franklin Steele the right to keep and maintain a ferry across the Mississippi river."

Mr. Sturgis moved that said bills be now taken up for the action of the Council;

Which motion prevailed; and

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians," being taken up; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

The question then recurring on ordering to a third reading,

"No. 8 (C. F.) A bill granting to Franklin Steele the right to keep and maintain a ferry across the Mississippi river,"

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

Mr. Norris asked the unanimous consent of the Council to amend by striking out the word "ass" where it occurs in the bill;

Which was refused.

The question then being taken on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

Mr. Loomis moved to amend the title of the bill as follows:

"Strike out the word 'keep,' and insert in lieu thereof the word 'establish';"

Which motion prevailed.

The question then being taken on agreeing to the title of the bill, as amended,

It was decided in the affirmative. So the title was agreed to.

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

"A bill providing for the election of Registers of Deeds, and defining their duties."

Mr. Boal moved that,

"No. 15 (H. of R.) A bill for the relief of Charles M. Berg,"

Be taken from the table;

Which motion prevailed; and

On motion of Mr. Boal,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

Mr. Forbes moved to amend the bill as follows, viz:

"Strike out of the bill as amended the words 'and sixty dollars for a Territorial map, presented for the use of the Council by request of his Excellency, the Governor,' and insert after the words 'county of St. Croix,' the words 'and sixty dollars for a Territorial map;'"

Which amendment was adopted.

On motion of Mr. Forbes,

The bill was laid on the table.

Mr. Sturgis moved to take up

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakotah, Prairie, and Katokoming, and for other purposes;"

Which motion prevailed; and,

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council, with progress made, and asked leave to sit again.

Leave was granted.

On motion of Mr. McLeod,

The Council adjourned.

#### COUNCIL, Wednesday, October 3, 1849.

Prayer by the Rev. Mr. Neill.

The Journal of yesterday was read and corrected.

Mr. Sturgis, from the committee on Territorial Roads, reported

"No. 14 (C. F.) A bill providing for laying out and establishing a Territorial road from Rice creek to Crow Wing;"

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

Mr. Burkleo, from the committee on Territorial Affairs, to which was referred

"No. 2 (H. of R.) Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota,"

Reported the same back to the Council without amendments.

The report was accepted, and the committee discharged from the further consideration of the bill.

"No. 9 (H. of R.) A bill to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski,"

Coming up in the order of business, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill, and the Ayes and Noes being called for by Mr. Loomis,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Forbes, McLeod, Norris, and Olmsted, *President*—6.

Those who voted in the negative were Messrs. Loomis and Sturgis—2. So the bill passed.

"No. 15 (H. of R.) A bill for the relief of Charles M. Berg,"

Then coming up in the order of business, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

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The question then recurring on agreeing to the title of the bill,  
It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakota, Prairie, and Katokoming, and for other purposes,"

Was then taken up; and,

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the further consideration of said bill.

During the deliberation of the committee of the whole,

A message was received from the House of Representatives by W. D. Phillips, Esq., the chief Clerk, when the President assumed the Chair for its reception, as follows, viz:

"MR. PRESIDENT:—The House of Representatives have instructed me to communicate to you the following resolution:

"*Resolved*, That the Clerk return to the Council

"No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes,

"And inform them of the action of this House, and request them to restore the said bill to the phraseology in which it was sent to the Council, that the action of both Houses thereon may be understood."

"And in accordance with said resolution, I return said bill."

The chief Clerk having withdrawn, the committee resumed its session.

After some time passed therein, the committee rose, and by the Chairman, reported

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakota, Prairie, and Katokoming, and for other purposes,"

Back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed to the bill by the committee of the whole,

Mr. Loomis called for the reading of the bill, as proposed to be amended;

Which being ordered, the bill was accordingly read by the Secretary; when

The question being taken on the adoption of the amendments,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading; pending the question,

On motion of Mr. Loomis,

The bill was laid on the table.

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

"A bill for the appointment of Treasurer, Auditor, and Attorney General."

On motion of Mr. McLeod,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

Having been made the special order of the day for this day,

Was taken up; and,

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendments.

The report of the committee of the whole was accepted.

The question then recurring on ordering the bill to a third reading; pending the question,

On motion of Mr. Sturgis,

The bill was referred to the committee on Territorial Expenditures.

On motion of Mr. Loomis,

"No. 2 (H. of R.) Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota,"

Was taken up; and,

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Forbes in the Chair, having said joint resolution under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the joint resolution to a third reading,

It was decided in the affirmative; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz:

"MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following bills and joint resolutions, viz:

"Joint resolution relative to the enacting clause of the Legislature."

"A bill for the relief of John Morgan."

"Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes."

"A bill to authorize the printing of certain laws in the several newspapers of the Territory."

"A bill declaring the time at which the several acts passed at the present session of the Assembly shall take effect;" and

"Joint resolution relative to a donation to the Washington Monument Association."

The chief Clerk withdrew; and

The several bills were signed by the President of the Council, and delivered to the Chairman of the committee on Enrolled Bills, for presentation to his Excellency, the Governor.

Mr. Rollins moved to take up the following joint resolutions, viz:

"No. 3 (C. F.) Joint resolution relative to locating the temporary seat of government;" and

"No. 4 (C. F.) Joint resolution relative to the temporary location of the seat of government;"

Which motion prevailed; and,

On motion of Mr. Rollins,

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of said joint resolutions.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolutions back to the Council, with amendments to each.

The question then recurring on the adoption by the Council, of the amendments proposed by the committee of the whole, to

"No. 4 (C. F.) Joint resolution relative to the temporary location of the seat of government;"

Pending the question,

Mr. Loomis moved that said joint resolution be laid on the table, and made the special order of the day for October 25, 1849;

Which motion prevailed.

The question then recurring on the adoption by the Council, of the amendments proposed by the committee of the whole, to

"No. 3 (C. F.) A joint resolution relative to locating the temporary seat of government."

It was decided in the affirmative.

The question then recurring on ordering the joint resolution to be engrossed for a third reading,

It was decided in the affirmative. So the joint resolution was ordered to be engrossed.

Mr. Rollins gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to exempt certain property from execution.

Mr. Sturgis gave notice, that on to-morrow, or some future day, he would ask leave to introduce a memorial to Congress, asking for an appropriation to improve the road from St. Paul to Crow Wing, and from the Mississippi river to Long Prairie.

On motion of Mr. Forbes,

The Council adjourned—Ayes 6, Noes 2.

COUNCIL, *Thursday*, October 4, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

The President called Mr. Rollins to the Chair as President *pro tem.* of the Council.

On motion of Mr. Norris,

Leave of absence was granted to Mr. Olmsted, President, for twelve days.

On motion of Mr. McLeod,

Mr. Forbes was appointed President *pro tem.* of the Council during the absence of the President; and

Mr. Forbes having taken the Chair,

Mr. Rollins asked and obtained leave to introduce

"No. 15 (C. F.) A bill to exempt certain property from execution;"

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

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed :

"No. 3 (C. F.) Joint resolution relative to the temporary location of the seat of government."

Mr. Norris moved that said joint resolution be ordered to a third reading now;

Which motion prevailed by a two-thirds vote, and the joint resolution was read the third time;

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

Mr. Loomis, from the committee on Incorporations, to which was referred

"No. 3 (H. of R.) A bill granting a charter to Elam Greely, his heirs, &c., to construct and maintain a dam across Snake river, near the outlet of Cross Lake,"

Reported the same back to the Council without amendment.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Norris, pursuant to notice given by Mr. Forbes on yesterday, asked and obtained leave to introduce

"No. 16 (C. F.) A bill creating the offices of Auditor of Public Accounts, Territorial Treasurer and Attorney General;"

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

Mr. Burkleo, from the committee on Territorial Affairs, to which was referred the petition of David Gilman and others, praying for a Territorial road from Rice river to Crow Wing, reported the same back to the Council with a recommendation, that the prayer of the petitioners be granted.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Burkleo, from the committee on Territorial Expenditures, to which was referred

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

Reported the same back to the Council with an amendment, as follows, viz :

"Strike out the word 'fifty' where it occurs in the bill, and insert in lieu thereof the words, 'thirty-five.'"

The question then recurring on the adoption by the Council of the amendment proposed to the bill by the committee,

It was decided in the affirmative.

The bill was then read the second time under the rules.

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony,"

Then coming up in the order of business; and

The question recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was passed in the affirmative. So the title was agreed to.

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakotah, Prairie and Katokoming, and for other purposes;"

Then coming up in the order of business; and

The question recurring on ordering the bill to be engrossed for a third reading,

Mr. Loomis moved to amend the first section, by inserting at the end of the ninth line, the word "the;"

Which amendment was agreed to.

Mr. Loomis moved further to amend the first section, by inserting in the tenth line, between the words "upon" and "eastern," the word "the;"

Which motion to amend was also agreed to.

Mr. Loomis moved to amend the fourth section of the bill, by striking out in the third line, the words, "beginning at the north-east corner of Washington county," and inserting in lieu thereof the words, "beginning at the point where thirty-six degrees, thirty minutes, north latitude, intersects the eastern boundary line of the Territory of Minnesota," and in the sixth line, strike out all after the words, "of said river," and insert in lieu thereof the words, "to the mouth of Muddy creek, thence in a direct line to the point of beginning,"

Which motion to amend was also agreed to.

Mr. McLéod moved to amend the nineteenth section, by inserting the words, "and Mankato" after the word Wah-nah-tah" in the second line,

Which amendment was agreed to.

Mr. McLeod moved further to amend the nineteenth section of the bill, by striking out in the third line, the word "Mah-cah-to;"

Which amendment was also agreed to.

The question then being taken on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

Mr. Norris moved to take up

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

Which motion prevailed; and

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with an amendment.

The question then recurring on agreeing to the amendment proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative, and the bill was read a third time.

The question then recurring on the passage of the bill,  
 It was decided in the affirmative. So the bill passed.  
 The question then recurring on agreeing to the title of the bill,  
 It was decided in the affirmative. So the title was agreed to.  
 Mr. McLeod moved that the Council do now adjourn, and pending the question,  
 Mr. Norris, by leave, read an invitation to the members of the Council to attend  
 the funeral of the daughter of the Hon. B. W. Brunson.  
 The question then being taken on the motion to adjourn, it was decided in the  
 negative—Ayes 3, Noes 4.  
 On motion of Mr. Norris,  
 The Council adjourned until three o'clock this afternoon.

*Three O'clock, P. M.*

On motion of Mr. Loomis,  
 "No. 5 (H. of R.) A bill granting a charter to Elam Greely, his heirs, &c., to con-  
 struct and maintain a dam across Snake river, near the outlet of Cross Lake,"  
 Was taken up, when  
 On motion of Mr. Loomis,  
 The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair,  
 for the consideration of said bill.  
 After some time passed therein, the committee rose, and by the Chairman, reported  
 the bill back to the Council without amendment.  
 The report of the committee was accepted.  
 The question then recurring on ordering the bill to a third reading,  
 It was decided in the affirmative, and the bill was read the third time.  
 The question then recurring on the passage of the bill,  
 It was decided in the affirmative. So the bill passed.  
 The question then recurring on agreeing to the title of the bill,  
 It was decided in the affirmative. So the title was agreed to.  
 Mr. Norris asked and obtained leave to introduce the following preamble and res-  
 olution, viz :  
 "Whereas, The chief Clerk of the House of Representatives communicated to the  
 Council on the second instant, a resolution of the House; directing the chief Clerk to  
 return to the Council,  
 "No. 2 (H. of R.) A bill to provide for the appointment of a Librarian, and for  
 other purposes; together with information of the action of the House on said bill;—  
*and whereas*, no information was communicated to the Council relative to any action  
 of the House of Representatives on the said bill; *and whereas*, the Council, by the  
 said resolution, is requested to restore the said bill to the phraseology in which it was  
 sent to the Council." Therefore,  
 "Resolved, That the Secretary of the Council be instructed to cause a copy of the  
 bill, as it originally came to the Council, to be made out, and report the same, to-  
 gether with the bill as amended by the Council, to the House of Representatives for  
 their action."  
 The preamble and resolution being read, and  
 The question then recurring on its adoption by the Council; and the Ayes and  
 Noes being called for by Mr. Loomis,  
 Those who voted in the affirmative, were Messrs. Burkleo, Norris and Forbes—  
 President—3.  
 Those who voted in the negative, were Messrs. Boal, Loomis and McLeod—3.  
 So the Council refused to adopt the preamble and resolution.  
 On motion of Mr. Burkleo,  
 The Council adjourned.

COUNCIL, Friday, October 5, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

On motion of Mr. Norris,

"No. 2 (C. F.) Memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river,"

Was taken up; and

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said bill.

During the session of the committee of the whole,

A message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, and the President *pro tem.* assumed the Chair for its reception, as follows, viz :

"MR. PRESIDENT :—The House of Representatives have passed :

"No. 2 (C. F.) A bill regulating groceries,"

"With amendments, to which the concurrence of the Council is requested.

"The House have refused to concur in the amendments of the Council to

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

"And also refused to concur in the amendments of the Council to

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river, above the Falls of St. Anthony.'"

The chief Clerk then withdrew, and the committee of the whole resumed its deliberation; and

After some further time passed therein, the committee rose, and by the Chairman, reported

"No. 2 (C. F.) Memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river"

Back to the Council with sundry amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative. So the memorial was ordered to be engrossed.

On motion of Mr. Rollins,

The message from the House of Representatives was then taken up; and

The question recurring on the concurrence of the Council, in the amendments made by the House of Representatives to

"No. 2 (C. F.) A bill regulating groceries,"

Mr. Norris called for the reading of the amendments, which being ordered, the amendments were read accordingly by the Secretary; when

On motion of Mr. Norris,

The question of concurrence was laid on the table.

The question then recurring will the Council recede from its amendments to

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

It was decided in the negative. So the Council refused to recede from its amendments to said bill.

The question then recurring will the Council recede from its amendments to

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river, above the Falls of St. Anthony;"

Mr. Norris moved that the question be laid on the table,

Which motion was negatived—Ayes 2, Noes 4.

The question then being put on receding from the amendments of the Council to the memorial,

It was decided in the negative. So the Council refused to recede from its amendments.

Mr. Loomis moved that a committee of two be appointed by the Chair, to confer with a similar committee on the part of the House, on the disagreeing vote of the two Houses on

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop;"

Which was decided in the affirmative; and Messrs. McLeod and Burkleo were appointed said committee.

Mr. Loomis moved that a committee of two be appointed by the Chair, to confer with a similar committee on the part of the House of Representatives, on the disagreeing vote of the two Houses, on

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river, above the Falls of St. Anthony;"

Which motion prevailed; and Messrs. Loomis and Norris were appointed said committee.

On motion of Mr. Norris,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakotah, Prairie and Katokoming, and for other purposes."

Mr. Rollins, from the committee on Enrolled Bills, reported as correctly enrolled:

"No. 2 (H. of R.) Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota;" and

"No. 9 (H. of R.) A bill to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski."

On motion of Mr. Norris,

"No. 10 (C. F.) A bill providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakotah, Prairie, and Katokoming, and for other purposes,"

Was taken up; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill; pending the question,

Mr. Norris asked and obtained the unanimous consent of the Council to offer an amendment as follows, viz:

"Strike out the word 'respectively' at the end of the second line in the thirteenth section."

The question being taken on the adoption of the amendment,

There was not a dissenting voice.

The question then being taken on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill; pending the question,

Mr. Norris moved to amend the title as follows:

"Strike out of the title the words, 'the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakotah, Prairie, and Katokoming,' and insert in lieu thereof the words, 'certain counties;'"

Which motion to amend was agreed to.

The question then being taken on agreeing to the title as amended,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Norris,

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters, and of holding office,"

Was taken up; when,

On motion of Mr. Rollins,

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Loomis asked that the amendments be read and receive the action of the Council separately; and

The first amendment being read, was adopted by the Council.

The second amendment being read,

Mr. Loomis called for the Ayes and Noes on the question of its adoption;

Which being ordered,

Those who voted in the affirmative were Messrs. McLeod, Norris, Rollins, and Forbes, *President*—4.

Those who voted in the negative were Messrs. Loomis and Burkleo—2.

So the second amendment was adopted by the Council.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill; and the Ayes and Noes being called for by Mr. Loomis,

Those who voted in the affirmative were Messrs. McLeod, Norris, Rollins, and Forbes, *President*—4.

Those who voted in the negative were Messrs. Burkleo and Loomis—2.

So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to:

On motion of Mr. Loomis,

"No. 11 (C. F.) A bill to organize, discipline, and govern the militia in this Territory,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of said bill.

During the session of the committee, the following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof; and the President *pro tem.* took the Chair for its reception, viz:

"Mr. President:—The Speaker of the House of Representatives has signed

"No. 9 (H. of R.) A bill to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski; also

"No. 2 (H. of R.) Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota."

The chief Clerk having withdrawn, the committee of the whole resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council, with sundry amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Norris asked that the amendments be read and acted on separately; and

The first amendment being then read, the Council concurred therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

So the Council adopted the amendments proposed to the bill by the committee of the whole.

The question then recurring on ordering the bill to be engrossed for a third reading; pending the question,

Mr. McLeod moved to amend the bill as follows, viz:

"Strike out of the second and third lines of the twenty-third section, the words 'one dollar for salary of the Adjutant General.'"

Mr. Norris moved to amend the motion by striking out all after the words "strike out," and insert in lieu thereof the words "the twenty-third section;"

Which motion to amend a motion was negatived.

COUNCIL.

The question then being taken on the motion to amend the bill,  
It was passed in the affirmative.

Mr. Burkleo moved to amend the bill by striking out the word "male" in the first line of the first section.

The question being taken on the adoption by the Council of the amendment proposed, and the Ayes and Noes being called for by Mr. Loomis, were ordered; when

Those who voted in the affirmative were Messrs. Burkleo and Norris—2.

Those who voted in the negative were Messrs. Loomis, McLeod, Rollins, and Forbes, *President*—4.

So the motion was negatived.

The question then being taken on ordering the bill to be engrossed for a third reading,

It was decided in the negative. So the bill was not ordered to be engrossed.

On motion of Mr. Loomis,

The Council adjourned.

COUNCIL, Saturday, October 6, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was read.

The President *pro tem.* then signed the following bill and joint resolution, viz :

A bill entitled "An Act to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski."

"Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota."

Mr. Boal, pursuant to previous notice, asked and obtained leave to introduce

"No. 16 (C. F.) A bill to provide for the election of Registers of Deeds, and to define their duties and powers ;"

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

Mr. McLeod, from the committee on Engrossed Bills, reported as correctly engrossed :

"No. 2 (C. F.) Memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river ;"

Which memorial then coming up in the order of business ; and

The question then recurring on ordering said memorial to a third reading,

It was decided in the affirmative ; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative ; and the title was agreed to.

On motion of Mr. Norris,

The question on the concurrence of the Council in the amendments made by the House of Representatives to

"No. 2 (C. F.) A bill regulating groceries ;"

Which was laid on the table yesterday, was taken up, when

Mr. Norris asked that the amendments be read and acted upon separately ;

Which being ordered,

The first amendment was then read by the Secretary, and the Council refused to concur therein.

The second amendment being then read, the Council refused to concur therein.

The third amendment being then read, the Council refused to concur therein.

The fourth amendment being then read, the Council refused to concur therein.

The fifth amendment being then read,

Mr. Norris moved to amend the amendment as follows, viz :

"Strike out the word 'all' in the first line of the amendment, and insert in lieu thereof the words 'so much of the ;' also,

"Strike out all after 'Wisconsin,' and insert in lieu thereof the words 'as are inconsistent with the provisions of this act, are hereby repealed.'"

The question then being taken on the adoption of the proposed amendment to the fifth amendment of the House,

It was decided in the affirmative.

The question then recurring on the concurrence of the Council in the fifth amendment of the House as amended,

It was decided in the affirmative.

The sixth amendment being then read, the Council concurred therein.

The amendment to the title of the bill being then read, the Council concurred therein.

So the Council refused to concur in the first, second, third, and fourth amendments; concurred in the fifth amendment with amendments; concurred in the sixth amendment, and concurred in the amendment to the title of the bill.

On motion of Mr. McLeod,

"No. 1 (G. F.) Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river, on the Missouri,"

Was taken up; and,

On motion of Mr. McLeod,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said memorial.

After some time passed therein, the committee rose, and by the Chairman, reported the memorial back to the Council, with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative. So the memorial was ordered to be engrossed.

On motion of Mr. Loomis,

"No. 10 (H. of R.) A bill to incorporate the Historical Society of Minnesota,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the bill to a third reading; pending the question,

Mr. Loomis moved to amend the first section of the bill by inserting after the word "Forbes," the words "Martin McLeod;"

Which motion prevailed.

The question then being taken on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Loomis moved that the Council do now adjourn until eleven o'clock, A. M., on Tuesday;

Which was decided in the affirmative; and the Council accordingly adjourned until eleven o'clock, A. M., on Tuesday next.

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COUNCIL, Tuesday, October 9, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of Friday was read.

During the reading of the Journal, the following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have appointed Messrs. Wilkinson and Marshall a committee of conference on

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop ;"

"And Messrs. Babcock and Brunson a committee of conference on

"No. 1 (H. of R.) A memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony ;"

And then he withdrew.

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed :

"No. 1 (C. F.) Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of Sioux river on the Missouri."

Mr. Loomis gave notice, that on to-morrow, or some future day, he would ask leave to introduce a bill to provide for the appointment of a Librarian.

Mr. Loomis moved to suspend the thirty-sixth rule, which provides against the introduction of bills, &c., without previous notice of one day, and that he be permitted to ask leave to introduce a joint resolution without notice ;

Which motion prevailed by a two-thirds vote ; when

Mr. Loomis asked and obtained leave to introduce

"No. 5 (C. F.) Joint resolutions to provide for the revision of the laws ;"

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

Mr. McCord, from the committee on Schools, made the following

#### REPORT OF THE COMMITTEE ON SCHOOLS.

The committee on Schools, to whom was referred so much of the Governor's message as relates to Schools, report :

That, deeply impressed with the great importance of the interesting subject referred to them, and anxious to devise and recommend a proper and effectual system for the organization and maintenance of common Schools, for the education of all the children and youth of this Territory, they have examined the subject with much deliberation, and are constrained to say that great difficulties have been presented to the formation or adoption of any plan or system suited to the present wants of the inhabitants, and so comprehensive as to make it applicable to a more extended system at some future, and perhaps not very distant day. Impressed with this belief, they have thought it not improper to offer a few remarks to accompany their report of a bill for the establishment and maintenance of common Schools, trusting that their views, and few preliminary suggestions may so far meet and obtain your approbation, as to become at some other period, in part, a basis for future legislation on this all important subject.

The appointment of a committee on Schools, in each branch of the Legislature of this Territory, is a recognition of the principle that the general diffusion of education, intellectual and moral, is essential to our present happy form of government, and that virtue and intelligence are the only pillars on which republican governments can safely rest ; and every attempt to build up free institutions without these, must ultimately fail. The purest form of democracy would but prove the greatest curse, where the minds and the hearts of the citizens are unprepared for the proper understanding and exercise of their rights and high privileges. The more intelligent the community, the more expanded will be the views which it will take of its true interests, and the less impediment will the friends of judicious improvement find to the accomplishment of their plans. But if their plans could be extended to imagination's utmost stretch, and completely executed, the strength, and true glory of the commonwealth must rest at last on the intelligence and virtue of its citizens.

The diffusion of knowledge is clearly and justly one of those great purposes for which all should be taxed for the common good.

If it is the right and the duty of a government to take a portion of our property to secure the rest, surely it cannot be denied that it has equal authority, and that it is equally wise and politic, to appropriate a portion of it also for the purpose of cultivating those noble faculties which distinguish man, and which, if properly improved,

and carried onward from one generation to another, will create a security of property and a national prosperity and strength enduring and progressive.

Not only those who have children to educate, but all classes and conditions should be made to sustain a system, which, if judiciously supported, would tend to the rapid spread of knowledge among the various races of men, in this Territory, and prove superior to all other means for the preservation of life and property, and the future peace and prosperity of the community. Where all should be made to bear a part of the burthen, they, of course, should be admitted to an equal participation of the benefits, and all invidious distinctions be at once and forever abolished.

The three great departments of education, are physical, intellectual and moral.—All men cannot become eminent for scientific or literary attainments; but all intelligent beings may be made morally good, and thus the immortal mind be prepared to take its rank among the intellect—not only of this transitory existence—but of the whole universe. Man should be educated for eternity, and fitted to take his place among those whose employment it will doubtless be to diffuse happiness throughout that sphere in which their Creator destined them to move. No system of education, then, can be complete or desirable, which does not view man in this light.

Morality and religion should be regarded as the most essential elements of education, and should hold their due prominence in every institution of learning. The sublime truths and precepts of Christianity should be impressively urged, and clearly explained, as presented in the Bible, and as taught and illustrated by its Divine Author; and bigotry, fanaticism, and narrow-minded sectarian prejudice, alike be for ever excluded from every temple of knowledge, and consigned to that dark oblivion to which the progress of light and knowledge are hastening them.

The examination of teachers, by competent and select persons, is a matter of the greatest importance to the success of any scheme of education.

Everywhere a certificate—or some other proof—is required of him who designs to practice law, or who sets up as a physician. If, therefore, we endeavor to protect the public health and property from quacks of every description, are we not also bound to protect the minds and morals of children from the incalculable injuries that may be inflicted by quack teachers? And the public who are to support the teachers of youth, have a perfect and just right to ascertain their moral and intellectual competence to the performance of their duties. Public patronage might, and always ought to be, withheld from the incompetent or unworthy. In few things, perhaps, are inexperienced, and sometimes intelligent men, so liable to deception by the artful and plausible, as in teaching; and the community, or proper authority, could in nothing more judiciously exercise its power than in the appointment of intelligent and experienced teachers, for the purpose of protecting those who may be laudably, but perhaps blindly, endeavoring to secure to their children the inestimable blessings of education, if properly inculcated.

The establishment and maintenance of common Schools in every settled district, so far as practicable with the limited means which can be obtained, should, and doubtless will be, the primary object attended to; but at no distant day a higher want will be felt, and the attainment of it should be kept constantly in view.

The laboring and actively employed portion of the community is undoubtedly its best portion, and every wise government is under peculiar obligations to promote its moral and intellectual elevation; and it may easily be demonstrated that the richest and poorest members of society, as well as the intermediate class, are equally and vitally interested in the establishment and maintenance of good academies, which are perhaps the most useful of all common schools. They are valuable to the poor man, because they afford him an opportunity of acquiring the elements of a liberal education at a comparatively small expense; and if it is a true maxim of public justice to make it economical, and bring it to every man's door, why should not the same principle apply to public education?

It is well known that tuition fees are but a small part of the cost of a liberal education, which consists principally in the price of board, travelling expenses, and other charges, the whole or greater part of which can be saved by those who live at home, or go only a short distance from home. Therefore, the establishment of one or more

high schools or academies near our own homes, and within the invigorating influence of our healthy climate, should never be lost sight of in all legislation on this subject.

The great and inestimable advantages of a republican government, in which no offices nor honors are hereditary, is that energy, talent, and virtue can rise unimpeded from the lowest to the highest station in society. But to most of those who are borne down by the hard hand of poverty, this must prove a bootless privilege, unless they can receive the intellectual training necessary to qualify them for the arduous ascent! Who has not observed the beneficial influence of a well managed high school or academy on the population in its vicinity?

Where these advantages are held out, the man who has the fire of a Milton glowing in his soul, can never remain "mute and inglorious," nor those whose "hands the rod of empire might have swayed," be condemned to waste their energies and noble aspirations in fruitless attempts to rise above their lot. Wherever there is a spark of genius, it will be kindled into a flame by emulation and observation of the advantages which sound learning invariably bestow.

M. McLEOD, Chairman.

Which report, being read by the Secretary, was accepted by the Council; and the bill accompanying the report, being

"No. 18 (C. F.) A bill to establish and maintain common schools,"

Was read a first and second times, and laid on the table to be printed.

Mr. Norris moved that three hundred copies of the report be printed in pamphlet form for the use of the Council.

Mr. Loomis moved to amend the motion by striking out the words "in pamphlet form," and insert in lieu thereof the words "on the slips of the Journals;"

Which motion to amend a motion was negatived.

The question then recurring on the adoption of the motion of Mr. Norris,

It was decided in the affirmative.

"No. 1 (C. F.) A memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of Sioux river on the Missouri,"

Being then taken up in the order of business, and

The question recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

"No. 12 (C. F.) A bill to secure married women their rights,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. McLeod called for the reading of the bill as proposed to be amended;

Which being ordered, the Secretary read the bill accordingly.

The question then being taken on the adoption of the proposed amendments,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the negative. So the Council refused to order the engrossment of the bill.

On motion of Mr. McLeod,

The Council adjourned until two o'clock, P. M.

Two O'clock, P. M.

Mr. Norris, from the joint committee on Enrolled Bills, reported as correctly enrolled :

" No. 5 (H. of R.) A bill granting to Elam Greely, his heirs, &c., the right to construct and maintain a dam across Snake river near the outlet of Cross Lake."

Mr. Rollins moved that

" No. 2 (H. of R.) A memorial to Congress relative to the purchase of the Sioux lands west of the Mississippi river,"

Be taken from the table ; which motion prevailed ; and,

On motion of Mr. Rollins,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, having said memorial under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendments.

The report of the committee of the whole was accepted.

The question then recurring on ordering the memorial to a third reading,

It was decided in the affirmative ; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Loomis,

" No. 14 (C. F.) A bill providing for laying out and establishing a Territorial road from Rice creek to Crow Wing,"

Was taken up ; and

Was laid on the table and made the order of the day for Thursday next.

Mr. Loomis moved a suspension of the rule providing that bills shall lie on the table one day after being printed, before being acted upon by the Council, to permit the action of the Council now on

" No. 13 (C. F.) A bill organizing a Board of County Commissioners in each county of this Territory ;"

Which motion prevailed by a two-thirds vote ; and,

On motion of Mr. Norris,

The Counsel resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of said bill.

After some time passed therein, the following message was received from the House of Representatives, by L. B. Wait, Esq., the assistant Clerk, when the President *pro tem.* assumed the Chair for its reception, viz :

" MR. PRESIDENT :—The House of Representatives have refused to recede from their amendments to

" No. 2 (C. F.) A bill regulating grocery licenses ;"

" And have refused to concur in the amendment of the Council to the fifth amendment of the House to said bill, and have appointed Messrs. Marshall and Jackson a committee of conference on said bill ; and the Council is requested to appoint a committee to confer with that of the House on the aforesaid bill,

" The House have concurred in the amendment of the Council to

" No. 10 (H. of R.) A bill to incorporate the Historical Society of Minnesota,"

" With an amendment.

" The House have passed

" No. 8 (C. F.) A bill granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river ;"

" With amendments, and

" No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota."

" In all which the concurrence of the Council is requested.

" The House have passed

" No. 7 (C. F.) A bill granting a divorce to Louis Laramie from Wa-kan-ye-ke-win, his wife."

"And have indefinitely postponed

"No. 3 (C. F.) Joint resolution relative to the temporary location of the seat of government."

The assistant Clerk having withdrawn, the committee resumed its session.

After some time passed therein, the committee rose, and by the Chairman, reported

"No. 13 (C. F.) A bill organizing a Board of County Commissioners in each county of this Territory"

Back to the Council with sundry amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading; pending the question,

On motion of Mr. Norris,

The bill was laid on the table.

On motion of Mr. Loomis,

The Council adjourned.

COUNCIL, *Wednesday*, October 10, 1849.

Prayer by the Rev. Mr. Neill, at the request of the Chaplain.

On motion of Mr. Loomis,

The report of the committee on Schools was ordered not to be read, in reading the proceedings of yesterday; and

The Journal of yesterday was read with the exception of said report.

The Chair appointed Messrs. Rollins and Loomis a committee to confer with the committee of the House, on the disagreeing vote of the two Houses, on

"No. 2 (C. F.) A bill regulating grocery licenses."

Mr. Burkleo presented the petition of Harvey Wilson and others, asking a charter for a ferry across the St. Croix at Stillwater, which was read by the Secretary, and

On motion of Mr. Norris,

Was referred to the committee on Incorporations.

Mr. Norris, from the committee on Enrolled Bills, made the following

REPORT:

"The joint committee on Enrolled Bills, this day presented to his Excellency, the Governor, for examination and approval, the following bills and joint resolutions, viz:

"A bill entitled 'An Act to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski.'

"A bill entitled 'An Act for the relief of John Morgan.'

"A bill entitled 'An Act to authorize the printing of certain laws in the several newspapers of the Territory.'

"A bill entitled 'An Act declaring the time at which the several acts passed at the present session of the Assembly shall take effect.'

"Joint resolution relative to the enacting clause of the Legislature.'

"Joint resolution relative to a donation to the Washington Monument Association.'

"Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes; and

"Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota."

Mr. Burkleo, from the committee on Territorial Affairs, to which was referred so much of the Governor's message as relates to the extinguishment of the Indian title to lands within the Territory of Minnesota, reported

"No. 6 (C. F.) Joint resolution relative to the half-breed lands,"

Which was read a first and second times.

The message of yesterday from the House of Representatives, then coming up in order of business.

"No. 8 (C. F.) A bill granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river,"

Returned from the House of Representatives with amendments, being the first in order, and

The first amendment being read by the Secretary, the Council concurred therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

So the Council concurred in all the amendments made to the bill by the House of Representatives.

"No. 10 (H. of R.) A bill to incorporate the Historical Society of Minnesota,"

Having been returned from the House of Representatives with an amendment made to the amendment of the Council to said bill,

And the question recurring on the concurrence of the Council in said amendment to the amendment of the Council; and the amendment being read by the Secretary, the Council concurred therein.

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes;"

Was read the first and second times, and placed on file for the action of the Council in committee of the whole.

Mr. Loomis asked and obtained leave to introduce the following resolution, viz :

"Resolved, That when the Council adjourns, it will adjourn until two o'clock, P. M. on to-morrow, and that Mr. R. Kennedy have the use of this chamber during the adjournment;"

Which resolution was read and adopted by the Council.

On motion of Mr. Burkleo,

"No. 13 (C. F.) A bill organizing a board of County Commissioners in each county of this Territory,"

Was taken from the table, and

The question recurring on ordering the bill to be engrossed for a third reading,

Mr. Norris moved to amend by striking out the words, "Judge of Probate" in the fourth line of section four, and inserting in lieu thereof the words, "any other person being authorized to administer oaths;"

Which motion prevailed, and the amendment was adopted.

Mr. Norris moved to amend the eighth section of the bill, by inserting in the fourth line between the words "board" and "to," the words, "or in the discharge of any official duty."

Pending the question on the adoption of the amendment, the following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, viz :

"MR. PRESIDENT :—The House of Representatives have passed

"No. 12 (H. of R.) A bill to prevent the taking and conversion of any logs, masts or other timber, and for other purposes." Also

"No. 3 (H. of R.) A memorial of the Legislative Assembly of Minnesota to the Congress of the United States, for laying out mail routes from St. Paul to Fort Gaines and other intermediate points, and also to Stillwater."

"The House have refused to concur in the first amendment of the Council to

"No. 11 (H. of R.) A bill to prescribe the qualification of voters, and of holding office," and have concurred in the second amendment, with an amendment, in which the concurrence of the Council is requested.

"The Speaker of the House of Representatives has signed

"No. 5 (H. of R.) A bill entitled an act granting a charter to Elam Groely, his heirs, &c., to construct and maintain a dam across Snake river near the outlet of Cross Lake."

The chief Clerk having withdrawn,

The question was taken on the adoption of the amendment proposed by Mr. Norris to

"No. 13 (C. F.) A bill organizing a board of County Commissioners in each county of this Territory;"

COUNCIL, 10

Which resulted in its adoption.

The question again recurring on ordering the bill to be engrossed for a third reading;

Mr. Burkleo moved to amend the seventh section of the bill, by inserting in the second line before the word "notice" the words, "Sundays;"

Which motion to amend was agreed to.

Mr. Norris moved further to amend by adding a section, as follows, viz ;

"Sec. 27. So much of the laws now in force as contravene the provisions of this act, are hereby repealed;"

Which amendment was adopted.

The question then being taken on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

The following message was received from the House of Representatives by W. D. Phillips, Esq., chief Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have passed the following bills, with amendments, in which the concurrence of the Council is requested, viz :

"No. 10 (C. F.) A bill to provide for the erection of certain counties therein named, and for other purposes.

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians."

"But the House have disagreed to the title of said bill."

And then the chief Clerk withdrew.

On motion of Mr. Norris,

The messages from the House of Representatives were taken up, when the President *pro tem.* signed

A bill entitled "An Act granting a charter to Elam Greely, his heirs, &c., to construct and maintain a dam across Snake river near the outlet of Cross Lake,"

And the said bill was placed in the hands of the Chairman of the committee on Enrolled Bills, for presentation to his Excellency, the Governor.

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters and of holding office,"

Returned from the House of Representatives, with notice of non-concurrence in the first amendment of the Council to said bill, and concurrence of the House in the second amendment of the Council with an amendment ; and

The question recurring, "Will the Council recede from its first amendment to the bill,"

On motion of Mr. Norris,

The question was laid upon the table.

Mr. Norris moved the Council do now adjourn ; which motion prevailed, and

The Council adjourned until two o'clock to-morrow afternoon.

COUNCIL, Thursday, October 11, 1849.

Prayer by the Rev. Mr. Boutwell.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

"MR. PRESIDENT :—I am instructed to inform the Council that the Governor, this day, made the following communication to the House of Representatives :

TERRITORY OF MINNESOTA,

EXECUTIVE DEPARTMENT, St. Paul, Oct. 11, 1849.

To the Hon. Speaker of the House of Representatives :

SIR :—I have this day approved and signed the following acts and joint resolutions :

"An act to dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski."

" 'An act for the relief of John Morgan.'  
 " 'Joint resolution relative to the enacting clause of the Legislature.'  
 " 'Joint resolution relative to the removal of the Chippewa Indians from the ceded lands within the Territory of Minnesota.'

'ALEX. RAMSEY,' ..

" In the message from the House of Representatives on the 9th day of October, there was an error: Messrs. Wilkinson and Marshall were appointed the committee of conference on

" 'No. 1 (H. of R.) Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony;'

" And Messrs. Babcock and Brunson, the committee of conference on

" 'No. 14 (H. of R.) A bill entitled an act for the relief of B. W. Lott and P. P. Bishop.' "

And then he withdrew.

The Journal of the proceedings of yesterday was then read, and during the reading thereof the Hon. C. K. Smith, Secretary of the Territory, was announced, and delivered the following message, viz:

" MR. PRESIDENT :—His Excellency, the Governor, has requested me to deliver you a message in writing."

And then he withdrew.

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

" A bill regulating the time of holding general elections, and for other purposes."

" A memorial to Congress relative to the school lands; " and

" A joint resolution relative to the adjournment of the present Legislative Assembly, and for other purposes."

Mr. Norris, from the joint committee on Enrolled Bills, reported the following bills to have been examined and found correctly enrolled, viz:

" No. 8 (C. F.) A bill granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river."

" No. 10 (H. of R.) A bill to incorporate the Historical Society of Minnesota; " and

" No. 2 (H. of R.) A memorial to Congress relative to the purchase of the Sioux Indian lands west of the Mississippi river."

Mr. Loomis, from the joint committee of conference, to which was referred the disagreeing vote of the two Houses on

" No. 1 (H. of R.) Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony,"

Made the following

#### REPORT:

" The joint committee of conference to which was referred the disagreeing vote on

" 'No. 1 (H. of R.) Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony,'

" Have had the same under consideration, and respectfully beg leave to submit the following report:

" In place of the amendment originally transmitted by the Council to the House of Representatives, strike out the words 'Your memorialists are informed and verily believe that a steamboat will be built, the coming season, above the Falls; but strong fears are entertained as to its being successfully run, unless some of the obstructions are removed.'

" The committee recommend the adoption of this amendment by the two Houses. " D. B. LOOMIS, Chairman,"

Which report was read, and the committee discharged from the further consideration of the subject.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of conference,

It was decided in the affirmative.

Executive communications then being in order, the written communication received

from his Excellency, Governor Ramsey, was ordered to be read; and was accordingly read by the Secretary, as follows:

" TERRITORY OF MINNESOTA,  
EXECUTIVE DEPARTMENT, St. Paul, Oct. 11, 1849. }

" *To the Hon. the Speaker of the Council:*

" SIR:—I have this day approved and signed the following acts and resolutions:

" 'An act to authorize the printing of certain laws in the several newspapers of the Territory.'

" 'An Act declaring the time at which the several acts passed at the present session of the Assembly shall take effect.'

" 'Joint resolution relative to a donation to the Washington Monument Association.'

" 'Joint resolution authorizing the Secretary of the Territory to subscribe for certain papers, and for other purposes.'

" ALEX. RAMSEY."

Messages from the House of Representatives being then in order,

" No. 10 (C. F.) A bill for the erection of certain counties, and for other purposes,"

Returned from the House of Representatives with sundry amendments; and the question recurring on the concurrence of the Council in the amendments of the House of Representatives,

Mr. Norris called for the reading of the amendments and action thereon by the Council separately; which being ordered,

The first amendment was read by the Secretary, and the question recurring on its adoption by the Council,

It was decided in the negative—Ayes 3, Noes 3.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

The fourth amendment being then read, the Council concurred therein.

The fifth amendment being then read, the Council concurred therein.

The sixth amendment being then read, the Council concurred therein.

The seventh amendment being then read, the Council concurred therein.

The eighth amendment being then read, the Council concurred therein.

The ninth amendment being then read, the Council refused to concur therein.

The tenth amendment being then read, the Council concurred therein.

The eleventh amendment being then read, the Council concurred therein.

The twelfth amendment being then read, the Council concurred therein.

The thirteenth amendment being then read, the Council concurred therein.

So the Council refused to concur in the first and ninth amendments, and concurred in the second, third, fourth, fifth, sixth, seventh, eighth, tenth, eleventh, twelfth and thirteenth amendments of the House of Representatives to said bill.

" No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians,"

Which was returned from the House of Representatives with amendments; and the question recurring on the concurrence of the Council in the amendments of the House,

Mr. McLeod moved that the question be laid on the table,

Which motion prevailed.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz:

" MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following acts and memorial, viz:—

" 'An Act to incorporate the Historical Society of Minnesota.'

" 'An Act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river;' and

" 'A memorial to Congress relative to the purchase of the Sioux Indian lands west of the Mississippi river.'"

And then he withdrew.

" No. 12 (H. of R.) A bill to prevent the taking and conversion of logs, masts and other timber, and for other purposes,"

Was then read the first and second times; and

On motion of Mr. Loomis,

Was referred to the committee on the Judiciary, with instructions to report as soon as practicable.

"No. 3 (H. of R.) A memorial of the Legislative Assembly of the Territory of Minnesota to the Congress of the United States, for laying out a mail route from St. Paul to Fort Gaines, and other intermediate points, and also to Stillwater,"

Was then read the first and second times, and placed on file for action of the Council in committee of the whole.

The President *pro tem.* then signed the following bills and memorial, and they were severally placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, viz :

A bill entitled "An Act to incorporate the Historical Society of Minnesota."

A bill entitled "An Act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river."

"A memorial to Congress relative to the purchase of the Sioux Indian lands west of the Mississippi river."

On motion of Mr. Loomis,

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota,"

Was taken from the table; and

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with progress made, and asked leave to sit again.

Leave was granted.

"No. 14 (C. F.) A bill authorizing the laying out and establishing a Territorial road from Rice creek to Crow Wing,"

Having been laid on the table, and made the special order of the day for this day, was now taken from the table; and

On motion of Mr. Burkleo,

Was laid on the table.

On motion of Mr. Loomis,

The Council adjourned.

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COUNCIL, Friday, October 12, 1849.

Prayer by the Rev. Mr. Boutwell.

The Journal of the proceedings of yesterday was then read.

Mr. Sturgis, pursuant to notice previously given, asked and obtained leave to introduce

"No. 3 (C. F.) Memorial to Congress for the improvement of certain roads therein named;"

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

Mr. Loomis, pursuant to previous notice, asked and obtained leave to introduce

"No. 19 (C. F.) A bill to provide for the appointment of a Librarian, and for other purposes;"

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

On motion of Mr. Norris,

The question of concurrence by the Council in the amendments made by the House of Representatives to

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians,"

Was taken from the table; and

The question recurring on the concurrence of the Council in said amendments, Mr. Norris asked that the amendments be read and acted on separately; which being ordered, and

The first amendment being read by the Secretary, the Council concurred therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

So the Council concurred in the amendments of the House of Representatives to said bill.

The question then recurring on the concurrence of the Council to the disagreement of the House to the title of the bill,

It was decided in the negative. So the Council refused to concur in the disagreement to the title of the bill.

On motion of Mr. Loomis,

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota,"

Was taken up; when

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, viz:

"MR. PRESIDENT:—The House of Representatives have refused to recede from their first and ninth amendments to

"No. 10 (C. F.) A bill providing for the erection of certain counties therein named, and for other purposes."

"And have appointed Messrs. Bailly and Dewey a committee of conference on said bill, and the Council is requested to appoint a committee to confer with that of the House.

The House have passed

"No. 1 (C. F.) Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of Sioux river, on the Missouri;"

"And have receded from their disagreement to the title of

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians,"

"And agreed to the title of said bill."

The chief Clerk having withdrawn,

The Chair appointed Messrs. Burkleo and Norris a committee to confer with the committee of the House of Representatives, on the disagreeing vote of the two Houses on

"No. 10 (C. F.) A bill, providing for the erection of certain counties, and for other purposes."

On motion of Mr. McLeod,

The Council adjourned until three o'clock this afternoon.

*Three O'clock, P. M.*

On motion of Mr. Rollins,

"No. 13 (C. F.) A bill organizing a board of County Commissioners in each county of this Territory,"

Was taken from the table; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Sturgis, agreeably to previous notice, asked and obtained leave to introduce

"No. 20 (C. F.) A bill to authorize the election of County Treasurers, and to define their duties; also

"No. 21 (C. F.) A bill to provide for the election of Sheriffs, and to define their duties;"

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

Mr. Norris, by leave, presented a petition from Charles E. Dolé and others, for an exclusive grant to navigate the Mississippi river with steamboats from St. Anthony's Falls to the Crow Wing.

Which was read and referred to the committee on Incorporations.

Mr. McLeod gave notice that on to-morrow or some future day, he would ask leave to introduce a memorial to the President of the United States, relative to the military reservation near Fort Snelling.

Mr. Norris moved a suspension of the rules providing for the printing of bills, after the second reading, in regard to

"No. 20 (C. F.) A bill to authorize the election of County Treasurers, and to define their duties;" and

"No. 21 (C. F.) A bill to provide for the election of Sheriffs, and to define their duties;"

And that said bills be laid on the table,

Which was decided in the negative—Ayes 4, Noes 4.

On motion of Mr. Burkleo,

The question pending and laid on the table, October 10, on

"No. 11 (H. of R.) A bill prescribing the qualifications of voters and of holding office,"

Was taken from the table; and

The bill having been returned from the House of Representatives with notice that the House had refused to concur in the first amendment of the Council to the bill; and had concurred in the second amendment of the Council with an amendment, and the question now recurring,

"Will the Council recede from its first amendment to the bill,"

It was decided in the negative.

The question then recurring,

"Will the Council concur in the amendment of the House to the second amendment of the Council to the bill;" and the Ayes and Noes being called for by Mr. Loomis,

Those who voted in the affirmative were Messrs. Boal, McLeod and Forbes, *President*—3.

Those who voted in the negative were Messrs. Burkleo, Norris, Loomis, Rollins and Sturgis—5.

So the Council refused to concur in said amendment.

On motion of Mr. Norris,

A committee of two, consisting of Messrs. Norris and Boal, were appointed to confer with a similar committee to be appointed by the House, on the disagreeing vote of the two Houses on

"No. 11 (H. of R.) A bill prescribing the qualifications of voters and of holding office."

On motion of Mr. McLeod,

"No. 3 (H. of R.) A memorial by the Legislative Assembly of Minnesota to the Congress of the United States, for laying out mail routes from St. Paul to Fort Gaines and other intermediate points, and also to Stillwater,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, having said memorial under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the memorial back to the Council without amendment.

The report of the committee was accepted; and

The question then recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial.

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

Mr. Norris moved to amend the title by striking out all after the word "memorial," and inserting in lieu thereof the words, "to Congress in relation to establishing mail routes therein named;"

Which motion to amend the title prevailed.

The question then recurring on agreeing to the title as amended,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Loomis,

The Council adjourned.

COUNCIL, Saturday, October 13, 1849.

Prayer by the Rev. Mr. Boutwell.

The reading of the Journal of yesterday was commenced, when

A message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, as follows :

"MR. PRESIDENT :—By a resolution which passed the House of Representatives this morning, I am authorized to request the Council to return to the House of Representatives for further action,

"No. 10 (C. F.) A bill providing for the erection of certain counties therein named, and for other purposes."

The chief Clerk having withdrawn, the Secretary completed the reading of the Journal of yesterday.

Mr. Norris moved that the Secretary of the Council be directed to return to the House of Representatives for further action,

"No. 10 (C. F.) A bill providing for the erection of certain counties therein named, and for other purposes,"

And the Ayes and Noes being called for by Mr. Loomis on the adoption of the motion, they were ordered, when

Those voting in the affirmative were Messrs. Burkleo, McLeod, Norris, Rollins, Sturgis and Forbes, *President*—6.

Mr. Loomis voted in the negative.

So the motion prevailed, and the Secretary was directed to return the bill to the House of Representatives.

Mr. Norris, pursuant to previous notice, asked and obtained leave to introduce

"No. 7. Joint resolution relative to the adjournment of the present Legislative Assembly,"

Which was read a first and second times.

Mr. Norris moved a suspension of the rule providing for the printing of bills, &c., after the second reading; and that the joint resolution be laid on the table without printing;

Which motion prevailed by a two-thirds vote.

Mr. McLeod, from the committee appointed to confer with a committee of the House of Representatives, on the disagreeing vote of the two Houses on

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

Made the following

#### REPORT :

"The joint committee of conference to which was referred the disagreeing vote of the two Houses on

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

Respectfully beg leave to report, that they have had the same under consideration, and would respectfully recommend that said bill be amended by striking out the word 'fifty,' wherever it occurs in said bill, and insert the words 'forty-five' in lieu thereof.

"All of which is respectfully submitted.

"L. A. BABCOCK,  
BENJ. W. BRUNSON,  
M. McLEOD,  
SAMUEL BURKLEO, } Committee."

On motion of Mr. Norris,

The report, after being read by the Secretary, was accepted, and the committee discharged from the further consideration of the subject.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of conference to

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop,"

It was decided in the affirmative. So the amendment was adopted by the Council.

Mr. Loomis, from the committee on Incorporations, to whom was referred the following petitions, viz:

Petition of Harvey Wilson and others, for a charter for a ferry at Stillwater.

Petition of J. B. Farribault and others, for a charter for F. Gamelle to keep a ferry across the St. Peters river; and

Petition of S. J. Findley, for a charter to keep a ferry across the Mississippi river opposite Fort Snelling.

Reported the petitions back to the Council with the recommendation of the committee, that the prayer of the petitioners be not granted.

On motion of Mr. Norris,

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Norris, from the joint committee on Enrolled Bills, reported as correctly enrolled:

"No. 7 (C. F.) A bill granting a divorce to Louis Larammie from Wa-kah-ye-ke-win, his wife;" and

"No. 1 (C. F.) Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of Sioux river on the Missouri."

Mr. Norris moved to suspend the rule requiring bills to lie one day on the table after being printed, in reference to

"No. 6 (C. F.) Joint resolution relative to the half-breed lands."

A division being called for on the question, the result was—Ayes 4, Nays 3.

Two thirds not voting in the affirmative, the motion was lost.

On motion of Mr. Sturgis,

"No. 14 (C. F.) A bill to lay out and establish a Territorial road from Rice creek to Crow Wing"

Was taken from the table; and,

On motion of Mr. McLeod,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. Loomis,

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes"

Was taken up; and,

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, having the said bill under consideration.

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After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Loomis asked that the amendments be read and acted upon separately; which being ordered,

The first amendment was then read by the Secretary, and the Council concurred therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

Mr. Loomis asked and obtained leave of absence for the Rev. Mr. Boutwell, Chaplain to the Council, for the coming week.

The fourth amendment to the bill being then read, the Council concurred therein.

The fifth amendment being then read, the Council concurred therein.

The sixth amendment being then read, the Council concurred therein.

The seventh amendment being then read, the Council concurred therein.

The eighth amendment being then read, the Council concurred therein.

The ninth amendment being then read, the Council concurred therein.

The tenth amendment being then read, the Council concurred therein.

The eleventh amendment being then read, the Council refused to concur therein.

So the Council concurred in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth amendments, and refused to concur in the eleventh amendment proposed by the committee of the whole to

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes."

On motion of Mr. McLeod,

The Council adjourned until two o'clock, P. M., on Monday.

COUNCIL, Monday, October 15, 1849.

Prayer by the Rev. Mr. Parsons.

The President *pro tem.* called the Council to order; and a quorum not being present, the Sergeant-at-Arms was directed to report a quorum in their seats.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk, viz:

"Mr. PRESIDENT:—The Speaker of the House of Representatives has signed the following memorials and bill:

"Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony."

"Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of Sioux river on the Missouri;" and

"An Act granting a divorce to Louis Laramie from Wa-kan-ye-ke-win, his wife."

"The House of Representatives have passed

"No. 17 (H. of R.) A bill entitled an Act to incorporate the Minnesota Mutual Fire Insurance Company;" and

"No. 31 (H. of R.) A bill fixing the time of the annual meeting of the Legislative Assembly;"

"In which the concurrence of the Council is requested.

"The House have also passed

"No. 2 (C. F.) A memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river;"

"And have again refused to recede from their first and ninth amendments to

"No. 10 (C. F.) A bill providing for the erection of certain counties therein named, and for other purposes."

The chief Clerk having withdrawn, and there still not being a quorum present, and the Sergeant-at-Arms having reported that a quorum could not be found,

On motion of Mr. Loomis,  
The Council adjourned.

COUNCIL, *Tuesday*, October 16, 1849.

Prayer by the Rev. Mr. Parsons.

The Journal of the proceedings of Saturday and yesterday was then read.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., the chief Clerk, viz:

"MR. PRESIDENT:—The House of Representatives have concurred in the amendment recommended by the joint committee of conference on

"No. 14 (H. of R.) An Act for the relief of B. W. Lott and P. P. Bishop."

"Also in the amendment of the Council to

"No. 15 (H. of R.) A bill for the relief of Charles M. Berg."

"Also in the substituted title of the Council to

"No. 3 (H. of R.) Memorial of the Legislative Assembly of the Territory of Minnesota to the Congress of the United States, for laying out mail routes from St. Paul to Fort Gaines and other intermediate points, and also to Stillwater;"

"And have refused to recede from their amendment to the second amendment of the Council to

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters, and of holding office;"

"And have appointed Messrs. Trask and Bailly a committee to confer with the committee of the Council on the disagreeing votes of the two Houses on said bill."

The chief Clerk then withdrew.

Mr. Norris, by leave, presented the petition of citizens of Red Rock, relative to county lines, and a certificate from Messrs. Brown and Denton relative to a former petition; which were severally read, and laid on the table.

Mr. Norris, pursuant to previous notice, asked and obtained leave to introduce

"No. 22 (C. F.) A bill regulating the time of holding the general election, and for other purposes;"

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

Mr. Sturgis gave notice, that on to-morrow, or some future day, he would ask leave to introduce a memorial to Congress for additional mail facilities from Prairie du Chien to this Territory.

Mr. Boal, from the committee on the Judiciary, to which was referred

"No. 12 (H. of R.) A bill to prevent the taking and conversion of any logs, masts, or other timber, and for other purposes,"

Reported the same back to the Council with sundry amendments.

The report was accepted, and the committee discharged from the further consideration of the subject.

The question then recurring on the adoption by the Council of the amendments proposed by the committee on the Judiciary to

"No. 12 (H. of R.) A bill to prevent the taking and conversion of any logs, masts, or other timber, and for other purposes,"

Mr. Loomis moved that said bill be referred to a committee of the whole Council;

Which motion was passed in the affirmative; and,

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

On motion of Mr. Loomis,

The unfinished business of the morning was now taken up, when Mr. Norris, from the committee on Enrolled Bills, reported that the committee had examined, and found correctly enrolled :

"No. 1 (H. of R.) Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony."

Mr. Roal, from the committee on Engrossed Bills, reported as correctly engrossed :

"No. 14 (C. F.) A bill for laying out and establishing a Territorial road from Rice creek to Crow Wing."

Mr. Sturgis, from the committee on Agriculture and Manufactures, reported

"No. 23 (C. F.) A bill to encourage wool-growing in Minnesota ;"

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

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

"A bill for the appointment of commissioners to take acknowledgments of deeds for lands lying in this Territory, and for other purposes."

The message from the House of Representatives then being in order of business, the following bills were read a first and second times, and placed on file for the action of the Council in committee of the whole, viz :

"No. 31 (H. of R.) A bill fixing the time of the annual meeting of the Legislative Assembly ;" and

"No. 17 (H. of R.) A bill to incorporate the Minnesota Mutual Fire Insurance Company."

The President *pro tem.* of the Council then signed the following bill and memorials, and they were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, viz :

A bill entitled "An Act granting a divorce to Louis Larammie from Wa-kan-ye-win, his wife."

"Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony ;" and

"Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river on the Missouri."

Bills on their third reading being then put in order, and

The question recurring on ordering to be read the third time,

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes,"

It was decided in the affirmative ; and the bill was read the third time.

The question then recurring on the passage of the bill,

Mr. Loomis asked and obtained the unanimous consent of the Council to amend the eighth section of the bill.

The question then being taken on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The motion then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

The question then recurring on ordering to a third reading,

"No. 12 (H. of R.) A bill to prevent the taking and conversion of any logs, masts, or other timber, and for other purposes,"

It was decided in the affirmative ; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

The question then recurring on the third reading of

"No. 14 (C. F.) A bill to provide for laying out and establishing a Territorial road from Rice creek to Crow Wing,"

It was decided in the affirmative ; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Norris,

"No. 7 (C. F.) Joint resolution relative to the adjournment of the present session of the Legislative Assembly."

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendment.

The report of the committee of the whole was accepted; and

The question then recurring on ordering the joint resolution to be engrossed for a third reading,

It was decided in the affirmative. So the joint resolution was ordered to be engrossed.

On motion of Mr. Sturgis,

"No. 6 (C. F.) Joint resolution relative to the half-breed lands,"

Was taken from the table; and,

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council, without amendment.

The report of the committee of the whole was accepted.

The following message was received from the House of Representatives, by W. D. Phillips, chief Clerk thereof, viz:

"MR. PRESIDENT:—The House of Representatives have passed 'A bill entitled An act concerning Justices of the Peace, and the action of forcible entry and detainer;'

"In which the concurrence of the Council is requested."

The chief Clerk then withdrew; and

The question then recurring on ordering to be engrossed for a third reading,

"No. 6 (C. F.) Joint resolution relative to the half-breed lands,"

It was decided in the affirmative. So the joint resolution was ordered to be engrossed.

Mr. Loomis moved to take up

"No. 5 (C. F.) Joint resolution relative to the revision of the laws;"

Which was decided in the negative—Ayes 3, Noes 3.

On motion of Mr. Sturgis,

The Council adjourned until two o'clock this afternoon.

*Two O'clock, P. M.*

Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee had examined and found correctly enrolled:

"No. 14 (H. of R.) A bill for the relief of B. W. Lott and P. P. Bishop."

"No. 5 (C. F.) A bill to provide against the traffic in ardent spirits with the Indians;" and

"No. 2 (C. F.) A memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river."

Mr. Rollins, from the committee on Engrossed Bills, reported as correctly engrossed:

"No. 6 (C. F.) Joint resolution relative to the half-breed lands;" and

"No. 7 (C. F.) Joint resolution relative to the adjournment of the present session of the Legislative Assembly."

Mr. Loomis, from the committee appointed to confer on the disagreeing vote of the two Houses on

"No. 2 (C. F.) A bill regulating grocery licenses,"

Made a report, which, without reading,

On motion of Mr. Loomis,

Was ordered to be laid on the table.

On motion of Mr. Norris,

"No. 7 (C. F.) Joint resolution relative to the adjournment of the present session of the Legislative Assembly,"

Was taken up for the action of the Council ; and

The question recurring on ordering the joint resolution to a third reading,

It was decided in the affirmative ; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

"No. 6 (C. F.) Joint resolution relative to the half-breed lands"

Was taken up for the action of the Council ; and

The question recurring on ordering the joint resolution to a third reading,

It was decided in the affirmative ; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

Mr. Loomis moved a call of the Council ; and the roll being called, Messrs. Burkleo, McLeod, and Olmsted did not answer to their names.

The Sergeant-at-Arms was directed to report the absentees in their seats.

Mr. Norris moved that further proceedings under the call of the Council be dispensed with ;

Which motion prevailed—Ayes 4, Noes 2.

On motion of Mr. Rollins,

"No. 15 (C. F.) A bill to exempt certain property from execution,"

Was taken up ; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Sturgis,

"No. 21 (C. F.) A bill authorizing the election of Sheriffs, and to define their duties,"

Was taken up ; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, having said bill under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading,

Mr. Norris moved that the bill be laid on the table ;

Which motion prevailed.

On motion of Mr. Norris,

The Council adjourned.

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COUNCIL, *Wednesday*, October 17, 1849.

Prayer by the Rev. Mr. Parsons.

The reading of the Journal of the proceedings of yesterday having been ordered,

pending the reading thereof, the following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

" Mr. PRESIDENT :—The House of Representatives have passed

" 'No. 19 (H. of R.) A bill for the election of commissioners to prepare a code of laws for the Territory of Minnesota ;' also

" 'No. 22 (H. of R.) A bill concerning divorces ;'

" In which the concurrence of the Council is requested.

" The House have also passed

" No. 13 (C. F.) A bill organizing a Board of County Commissioners in each county in this Territory."

The chief Clerk having withdrawn, the Secretary completed the reading of the Journal of yesterday.

Mr. Norris, agreeably to previous notice, asked and obtained leave to introduce

"No. 4 (C. F.) Memorial to Congress relative to school lands ;"

Which was read a first and second times, and ordered to be printed.

Mr. Burkleo moved a suspension of the rule requiring one day's notice previous to asking leave for the introduction of bills, to permit him to ask leave to introduce a bill without notice ;

Which motion prevailed by a two-thirds vote, when

Mr. Burkleo asked and obtained leave to introduce

"No. 24 (C. F.) A bill to amend an act entitled An Act concerning the time of commencing actions ;"

Which was read a first and second times, and ordered to be printed.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee had examined and found correctly enrolled :

"No. 15 (H. of R.) A bill for the relief of Charles M. Berg."

Mr. Loomis moved that the report of the committee of conference on

"No. 2 (C. F.) A bill regulating grocery licenses,"

Be taken up ; which motion prevailed ; and,

On motion of Mr. Norris,

The report was read and accepted ; when,

On motion of Mr. Loomis,

The report was laid on the table.

The message from the House of Representatives now coming up in order of business,

"No. 22 (H. of R.) A bill concerning divorces," and

"No. 19 (H. of R.) A bill for the election of commissioners to prepare a code of laws for the Territory of Minnesota,"

Were each read a first and second times, and placed on file for the action of the Council in committee of the whole.

On motion of Mr. Burkleo,

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, having for further consideration,

"No. 15 (C. F.) A bill to exempt certain property from execution."

During the session of the committee of the whole, the President *pro tem.* took the Chair, for the reception of the following message from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

" Mr. PRESIDENT :—The Speaker of the House of Representatives has signed the following acts and memorials :

" 'An act for the relief of B. W. Lott and P. P. Bishop.'

" 'An act to provide against the traffic in ardent spirits with the Indians.'

" 'Memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river.'

" The House of Representatives have concurred in the amendments of the Council to

" 'No. 12 (H. of R.) A bill to prevent the taking and conversion of logs, masts, or other timber, and for other purposes,'

" And have concurred in the first, second, third, eighth, and ninth amendments of the Council to

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes."

"And have non-concurred in the fourth, fifth, sixth, and seventh amendments of the Council to said bill."

The chief Clerk having withdrawn, the committee of the whole resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported

"No. 15 (C. F.) A bill to exempt certain property from execution,"

Back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed to said bill by the committee of the whole,

Mr. Rollins called for the reading of the amendments, and asked that the question be taken thereon separately.

Mr. Loomis moved that the Council adjourn; which was decided in the negative.

Mr. Burkleo moved that the Council adjourn until three o'clock this afternoon; which was decided in the negative.

The first amendment proposed by the committee of the whole to

"No. 15 (C. F.) A bill to exempt certain property from execution"

Was then read by the Secretary; and the Council concurred therein.

The second amendment was then read; and the Council concurred therein.

The third amendment was then read; and the Council refused to concur therein.

The fourth amendment was then read; and the Council refused to concur therein.

The fifth amendment was then read; and the Council concurred therein—Ayes 4, Noes 3.

The sixth amendment being then read, the Council concurred therein.

The seventh amendment being then read, the Council concurred therein.

So the Council adopted the first, second, fifth, sixth, and seventh amendments, and refused to adopt the third and fourth amendments proposed by the committee of the whole to said bill.

The question then recurring on ordering the bill to be engrossed for a third reading,

Mr. Loomis moved to amend the bill by inserting another section as follows, viz:

"Sec. 12. Any person not having property which is exempted from forced sale in the foregoing provisions of this act, to the amount of one thousand dollars, may retain any other description of property he may choose out of that in his possession to the amount specified in this section."

Mr. Norris moved to amend the amendment by striking out the words "one thousand," where they occur, and insert in lieu thereof the words "five hundred;"

Which was passed in the affirmative.

The question then recurring on the adoption of the amendment as amended, and the Ayes and Noes being called for by Mr. Loomis, were ordered; when

Those who voted in the affirmative were Messrs. Loomis and Forbes, *President*—2.

Those who voted in the negative were Messrs. Burkleo, McLeod, Norris, Rollins, and Sturgis—5.

So the amendment was not adopted by the Council.

The question again recurring on ordering the bill to be engrossed for a third reading,

Mr. Loomis moved a call of the Council; which being ordered, the roll was called by the Secretary; when Messrs. Boal and Olmsted did not answer to their names.

The Sergeant-at-Arms was sent for the absentees.

Mr. Norris moved that further proceedings under the call of the Council be dispensed with.

Which motion prevailed; and

The question being taken on ordering the bill to be engrossed; and the Ayes and Noes being called for by Mr. Loomis, were ordered; when

Those who voted in the affirmative were Messrs. Burkleo, Norris, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Loomis, McLeod, and Forbes,  
President—3.

So the bill was ordered to be engrossed.

On motion of Mr. Rollins,

The Council adjourned until three o'clock, P. M.

*Three O'clock, P. M.*

The Sergeant-at-Arms reported a quorum in their seats.

On motion of Mr. Norris,

The last message from the House of Representatives was taken up for the action of the Council; when

The President *pro tem.* of the Council signed the following bills and memorial, viz:

A bill entitled "An Act for the relief of B. W. Lott and P. P. Bishop."

A bill entitled "An Act to provide against the traffic in ardent spirits with the Indians;" and

"A memorial to Congress for an appropriation to construct a road from Point Douglass to the St. Louis river."

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes;"

Which was amended by the Council, and the fourth, fifth, sixth, and seventh of said amendments non-concurred in by the House of Representatives; and

The question now recurring, "Will the Council recede from its amendments?"

Mr. Rollins called for the reading of the amendments, and the action of the Council on each separately; which being ordered,

The fourth amendment of the Council being the first non-concurred in by the House of Representatives, was read by the Secretary; and the Council refused to recede therefrom.

The fifth amendment made by the Council, being the second non-concurred in by the House, being then read, the Council refused to recede therefrom.

The sixth amendment of the Council, being the third non-concurred in by the House, being then read, the Council receded therefrom.

The seventh amendment of the Council, being the fourth and last amendment non-concurred in by the House, being then read, the Council refused to recede therefrom.

So the Council refused to recede from its fourth, fifth, and seventh amendments, and receded from its sixth amendment made to

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes;" and,

On motion of Mr. Norris,

A committee of two, consisting of Messrs. Norris and Rollins, was appointed by the Chair, to confer with a similar committee on the part of the House of Representatives, on the disagreeing vote of the two Houses on said bill.

Mr. Norris moved that

"No. 18 (C. F.) A bill to establish and maintain common schools,"

Be taken up; which motion he subsequently by leave withdrew.

Mr. Loomis moved that the message from the House of Representatives of yesterday, containing

"No. 20 (H. of R.) A bill concerning Justices of the Peace, and the action of forcible entry and detainer,"

Be taken up, and that said bill be read a first and second times by its title;

Which motion was decided in the negative.

Mr. Norris moved that when the Council adjourn, it will adjourn until seven o'clock, P. M.;

Which motion was negatived.

Mr. Burkleo moved to take up the message of yesterday from the House of Representatives, containing

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"No. 20 (H. of R.) A bill concerning Justices of the Peace, and the action of forcible entry and detainer;" and that said bill be read the first and second times;

Which was decided in the negative—Ayes 3, Noes 3.

On motion of Mr. Norris,

"No. 21 (C. F.) A bill to authorize the election of Sheriffs, and to define their duties,"

Was taken from the table; when

The question recurring on ordering the bill to be engrossed for a third reading,

Mr. Norris called for the reading of the bill as amended; which being ordered, the Secretary read the bill accordingly.

Mr. Loomis moved to amend the sixteenth section of the bill by striking out the word "which," and inserting in lieu thereof the word "as;"

Which motion prevailed.

Mr. Rollins moved a reconsideration of the vote of yesterday, by which the Council adopted the amendment proposed to the seventh and eighth line of the sixth section of said bill by the committee of the whole;

Which motion prevailed; and

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole to the seventh and eighth line of the sixth section of said bill,

It was decided in the negative—Ayes 2, Noes 4.

Mr. Burkleo moved to amend the fifth section of the bill by striking out the word "shall" in the fifteenth line, and inserting in lieu thereof the word "may;"

Which motion to amend was negatived.

Mr. Norris moved to amend the third section of the bill by adding thereto the following, viz:

"Provided, That the fees allowed for the collection of county taxes shall not exceed one half the rates now allowed by law."

Mr. McLeod moved to amend the amendment by striking out all after the word "taxes," and inserting in lieu thereof the words "three per cent., as a compensation for collecting;"

• Which amendment he subsequently, by leave, withdrew; and,

On motion of Mr. Burkleo,

The motion to amend and the bill was laid upon the table.

Mr. McLeod moved that the Council adjourn;

Which was decided in the negative.

Mr. Norris, by leave, introduced a resolution, which was read as follows, viz:

"Resolved, That the Secretary of the Council be directed to procure the printing of the daily slips at the Chronicle office, for the remainder of this week, in order to give the printer to the Council an opportunity to furnish the bills which have accumulated at his office."

The question recurring on the adoption of the resolution, and debate arising thereon, it was laid on the table under the rules.

On motion of Mr. McLeod,

The Council adjourned until seven o'clock this evening.

*Seven O'clock, P. M.*

Mr. Norris moved a suspension of the rule providing that all resolutions creating debate shall lay on the table one day, to allow the resolution relative to printing, offered by him this morning, to be now considered; and pending the question,

Mr. Burkleo moved a call of the Council; which being ordered, the roll was called, when Messrs. Boal, Loomis, and Olmsted did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

Mr. Norris moved that further proceedings under the call of the Council be dispensed with;

Which motion prevailed; and

The question then recurring on the suspension of the fifty-eighth rule,

It was decided in the affirmative, two thirds of the members present voting for its suspension, viz: Ayes 4, Noes 2.

The rule being suspended; and

The question recurring on the adoption of the resolution,

Mr. Burkleo moved to amend by striking out all after the word "*Resolved*," and inserting in lieu thereof as follows:

"That Messrs. McLean and Owens be employed to do the incidental printing for the Council, for the remainder of the session."

The question then recurring on the adoption of the amendment to the resolution, it was decided in the negative.

The question then recurring on the adoption of the original resolution, it was decided in the affirmative. So the resolution was adopted.

Mr. Norris moved to take up the message from the House of Representatives of yesterday containing

"No. 20 (H. of R.) A bill concerning Justices of the Peace and the action of forcible entry and detainer;"

Which motion was decided in the affirmative.

The Sergeant-at-Arms reported that the absent members could not be found.

The Secretary then commenced the first reading of the bill; and pending the reading thereof,

On motion of Mr. McLeod,

The Council adjourned.

#### COUNCIL, Thursday, October 18, 1849.

Prayer by the Rev. Mr. Parsons.

The Journal of the proceedings of yesterday was read.

Mr. Sturgis, pursuant to previous notice, asked and obtained leave to introduce

"Mr. 5 (C. F.) Memorial to Congress for additional mail facilities;"

Which was read the first and second times, 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 relative to the printing of the laws, journals, and other incidental printing of the Legislature of this Territory.

Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed:

"No. 15 (C. F.) A bill to exempt certain property from execution."

Mr. Norris, from the committee on Enrolled Bills, made the following report, viz:

"The joint committee on Enrolled Bills report, that they did, on the 17th day of October, inst., present to his Excellency, the Governor, for his examination and approval, the following bills and memorials:

A bill entitled "An Act for the relief of B. W. Lott and P. P. Bishop."

A bill entitled "An Act to provide against the traffic in ardent spirits with the Indians."

"Memorial to Congress for an appropriation to construct a road from Point Douglas to the St. Louis river."

"Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of Sioux river on the Missouri."

A bill entitled "An Act granting a divorce to Louis Laramie from Wa-kan-ye-ke-win, his wife."

"Memorial to Congress for the improvement of the Mississippi river above the Falls of St. Anthony."

A bill entitled "An Act to incorporate the Historical Society of Minnesota."

A bill entitled "An Act granting a charter to Elam Greely, his heirs, &c., to construct a dam across Snake river, near the outlet of Cross Lake."

A bill entitled "An Act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river;" and

"Memorial to Congress relative to the purchase of the Sioux Indian lands west of the Mississippi river."

Mr. Norris presented an account of Joseph R. Brown for journals furnished the Legislature; which,

On motion of Mr. Norris,

Was referred to the joint committee on Legislative Expenditures.

Mr. McLeod moved a call of the Council; which being ordered, the roll was called, when Messrs. Boal, Olmsted, and Sturgis did not answer to their names; and the Sergeant-at-Arms was sent after the absentees.

Mr. Rollins moved that further proceedings under the call of the Council be dispensed with;

Which motion was negatived.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz:

"MR. PRESIDENT:—The House of Representatives, in accordance with the recommendation of the committee of conference on

"No. 2 (C. F.) A bill regulating grocery licenses,"

"Have adopted the substitute recommended by said committee for the second amendment of the House; have receded from their third and fourth amendments, and have adopted the substitute of the committee for the fifth amendment.

"The Speaker of the House of Representatives has signed

"An act for the relief of Charles M. Berg."

"The House has also passed

"No. 32 (H. of R.) A bill to locate a Territorial road from Point Douglass to St. Paul."

"No. 36 (H. of R.) A bill authorizing the Governor to issue his proclamation for the holding of a court in the county of Wabashaw, and for other purposes."

"No. 37 (H. of R.) A bill granting to John Banfil the right to establish a ferry across the Mississippi river, near the mouth of Rice river."

"In which the concurrence of the Council is requested.

"The House have also passed

"No. 6 (C. F.) Joint resolution relative to the half-breed lands;" and

"No. 7 (C. F.) Joint resolution relative to the adjournment of the present session of the Legislative Assembly."

The chief Clerk having withdrawn,

Mr. Loomis moved a reconsideration of the vote refusing to dispense with the call of the Council; and pending the question,

The Sergeant-at-Arms reported that the absentees could not be found in town.

Mr. Loomis, by leave, then withdrew his motion to reconsider; and,

On motion of Mr. Loomis,

Further proceedings under the call of the Council were dispensed with.

"No. 15 (C. F.) A bill to exempt certain property from execution;"

Coming up in order, and the question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

Mr. Loomis moved a call of the Council; which being ordered, the roll was called, when Messrs. Boal and Olmsted did not answer to their names.

The Sergeant-at-Arms was directed to report the absentees in their seats.

Mr. Rollins moved to dispense with further proceedings under the call of the Council; and the Ayes and Noes being called for by Mr. Loomis on the motion, and being ordered,

Those who voted in the affirmative were Messrs. Burkleo, McLeod, Norris, Rollins, and Sturgis—5.

Those who voted in the negative were Messrs. Loomis and Forbes, *President*—2.

So further proceedings under the call of the Council were dispensed with.

The question then again recurring on the passage of

"No. 15 (C. F.) A bill to exempt certain property from execution;"

Mr. Burkleo asked the unanimous consent of the Council to amend the bill, by inserting after the word "bedding" in the eighth section, the words "to the amount of twenty-five dollars."

Mr. McLeod objected to the proposed amendment.

The question then being taken on the passage of the bill; and the Ayes and Noes being called for by Mr. Loomis, were ordered; when

Those who voted in the affirmative were Messrs. Norris, Rollins, and Sturgis—3.

Those who voted in the negative were Messrs. Burkleo, Loomis, McLeod, and Forbes, *President*—4.

So the Council refused to pass the bill.

On motion of Mr. McLeod,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

The President *pro tem.* called the Council to order; and a quorum not being present,

The Sergeant-at-Arms was directed to report a quorum in their seats.

The Sergeant-at-Arms reported that a quorum could not be found in town; when, On motion of Mr. Loomis,

The Council adjourned.

COUNCIL, *Friday, October 19, 1849.*

Prayer by the Rev. Mr. Parsons.

The Journal of the proceedings of yesterday was then read.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., the chief Clerk, viz:

"MR. PRESIDENT:—The House of Representatives have passed the following bills and joint resolution, viz:

"No. 21 (H. of R.) A bill to divorce Eleazer F. Ring from his wife, Elzora F. Ring."

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build and maintain a dam across Rum river."

"No. 4 (H. of R.) Joint resolution relative to public printing."

"No. 14 (C. F.) A bill providing for laying out and establishing a Territorial road from Rice creek to Crow Wing;"

"With amendments; in all which the concurrence of the Council is requested."

"The House have appointed Messrs. Babcock and Black a committee to confer with the committee of the Council on the disagreeing vote of the two Houses on the fourth, fifth, and seventh amendments to

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes."

The chief Clerk of the House of Representatives having withdrawn,

Mr. Boal, in pursuance of notice, asked and obtained leave to introduce

"No. 25 (C. F.) A bill authorizing the Governor to appoint commissioners to take the acknowledgments of deeds for lands lying within the Territory, and for other purposes."

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

Mr. McLeod, pursuant to previous notice, asked and obtained leave to introduce

"No. 26 (C. F.) A bill to regulate the public printing;"

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

Mr. Loomis, from the committee on Incorporations, to which was referred the petition of Charles E. Dole and others, relative to navigating the Mississippi river by steam, above the Falls of St. Anthony, reported

"No. 27 (C. F.) A bill granting to Charles E. Dole and others the exclusive right

to navigate the Mississippi river with steamboats from the Falls of St. Anthony to the mouth of the Crow Wing ;”

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

Mr. Burkleo, from the committee appointed to confer on the disagreeing vote of the two Houses on

“ No. 10 (C. F.) A bill to provide for the erection of certain counties therein named, and for other purposes, presented the report of the committee of conference ; which was read by the Secretary, as follows, viz :

“ The committee of conference, to which was referred the matter of difference or disagreement between the two houses relative to bill No. 10 (C. F.) A bill to provide for the erection of certain counties therein named, and for other purposes, have conferred on the same, and ask leave to submit the following report :

“ First, it appears from the best information in the possession of your committee, that a part of the settlers between the lines in dispute, wish to be attached to Washington county, and a part wish to be attached to Ramsey county ; so neither line will be satisfactory to both parties. Your committee are therefore of the opinion that other matters than the conflicting opinions of citizens should govern the two houses in settling this question of boundary. Secondly, your committee is of the opinion that the line proposed by the Council is bearing rather near the town of St. Paul, and consequently infringing upon the rights of the citizens of the county of Ramsey ; therefore your committee believe that it is impolitic, unless there is a very great and apparent necessity for the same, to divide or cut up a township in the running of county lines, that much inconvenience and difficulty would arise from a township being divided and lying in two counties. Your committee would therefore recommend that the Council concur in the first and ninth amendments of the House to the aforesaid Council bill.

“ SAMUEL BURKLEO, Ch'n,  
ALEXIS BAILLY,  
JOHN J. DEWEY, } Committee.”

Mr. Loomis moved that the report be accepted, and the committee discharged from the further consideration of the subject ; and pending the question,

Mr. Norris asked and obtained leave to present a minority report from the same committee ;

Which was read by the Secretary as follows, viz :

“ The undersigned, the minority of a committee appointed to confer on the disagreeing vote on ‘ No. 10 (C. F.) A bill for the erection of certain counties therein named, and for other purposes,’ begs leave to report,

“ That the committee have conferred on said bill, and the majority have agreed to a report, which, under ordinary circumstances, I should have believed myself in duty bound to accede to. But there are circumstances connected with this case, which, I believe, justify me in adopting a different course ; and I feel it due to myself and my constituents, as well as to the Council, to present some of the reasons by which I am governed.

“ By the provisions of the bill, as it passed the Council, the settlement on the Red Rock Prairie was included in Washington county. This, as understood at the time, was in accordance with the wishes of those most interested, viz : the citizens of Red Rock themselves.

“ After the bill had passed the Council in this shape, it was considered in the House of Representatives, and thirteen amendments made thereto, principally in alterations of the boundary lines of the several counties ; and among them was one which so altered the boundary line between Washington and Ramsey counties as to bring the inhabitants of Red Rock into Ramsey county. This being, by the Council, thought improper, it refused to concur in that amendment, but concurred in all the others, thus indicating to the House that the Council considered the other line important. But the House refused to recede from their amendment ; and, as is the custom in such cases, a committee was appointed by the two Houses to confer on the disagreeing vote.

“ In the meantime, the inhabitants petitioned the Legislature on the subject, urgently

requesting that they might be permitted to remain in the county to which by their sympathies and their interests they were attached. A petition was also circulated which was represented to have for its object a further change of the boundaries, so as to include Cottage Grove and the entire settlement around in the county of Ramsey. This line would have been acceptable to three of the settlers, as it would have kept the settlements whose interests are identified in the same county.

"The other persons residing on Red Rock Prairie have never, to this Legislature, expressed any other desire than that urgently requesting that they might be included in Washington county.

"Again: two of the citizens on that Prairie who signed the petition to be included in Ramsey county, if the whole settlement could be included, have also informed the Legislature that they requested to be included in Washington county, if the lines did not include the entire settlement.

"Here, then, has been laid before the Legislature the urgent request of six householders on that tract to be included as proposed by the bill as it passed the Council in preference to that proposed by the amendment made by the House of Representatives, and but one man whose preference is to be included in Ramsey county; and in addition to this, the petition from the people of Washington county generally has asked that the line may be as adopted by the Council.

"Thus far I have confined myself entirely to the facts of the case, as they appear on record. And it is to be supposed the Council have thus far been satisfied that the prayer of the petitioners should be granted, inasmuch as there has been no counter petition or remonstrance; and it cannot be conceived that any private rights or public interests will be infringed upon. With a view to a fair and impartial investigation of the merits of the disagreement, the Council appointed on the committee of conference, one member favorable to each line, and being from the districts interested, supposed to be well acquainted with the circumstances. I regret; however, to say, that this disposition on the part of the Council does not appear to have been reciprocated by the House, as two members were appointed on the committee of conference who were known to have recorded their votes against receding from the amendment in question. Now, although it is believed that this course is a violation of the rules which govern legislative bodies in such cases, it is not my intention to question the motive which prompted it; and I only mention the fact to show that an equitable adjustment of the disagreement could not be expected from a committee thus constituted; and, as I before said, without questioning the motive, the Journal of the House will show not only a disregard of the true principles contemplated by committees of conference, but also a determination to carry a measure trifling in itself, but at the sacrifice of individual rights.

"Under this impression, and believing the Council will not sanction an attempt of the kind, to trample on the rights and privileges of citizens of this Territory by virtually debarring them from the right of petition, and believing the report of the majority of the committee to have been forestalled, as the minority of the committee, I beg leave to recommend to the Council the adoption of the following resolution:

"Resolved, That the Council will not adopt the report of the majority of the committee of conference on 'No. 10 (C. F.) A bill for the erection of certain counties therein named, and for other purposes.'

"All of which is respectfully submitted.

"J. S. NORRIS."

The question being then taken on the acceptance of the report of the majority, and the discharge of the committee,

It was decided in the affirmative.

The messages on the table from the House of Representatives being then in order, The following bills were each read a first and second times, and placed on file for the action of the Council in committee of the whole, viz:

"No. 32 (H. of R.) A bill to locate a Territorial road from Point Douglass to St. Paul."

"No. 36 (H. of R.) A bill authorizing the Governor to issue his proclamation for the holding of a court in Wabashaw county, and for other purposes."

"No. 37 (H. of R.) A bill granting to John Banfil the right to establish and maintain a ferry across the Mississippi river, near the mouth of Rice river;" and

"No. 4 (H. of R.) Joint resolution relative to the public printing."

The President *pro tem.* then signed

A bill entitled "An Act for the relief of Charles M. Berg;"

And it was placed in the hands of the Chairman of the committee on Enrolled Bills, for presentation to his Excellency, the Governor.

"No. 30 (H. of R.) A bill to divorce Eleazer F. Ring from his wife Elzora G. Ring."

Was read a first and second times; and

Mr. Sturgis moved said bill be referred to the committee on the Judiciary; and the Ayes and Noes being called for by Mr. Sturgis on the adoption of said motion, and being ordered,

Those who voted in the affirmative were Messrs. Burkleo, Norris, Rollins, Sturgis and Forbes, *President*—5.

Those who voted in the negative were Messrs. Boal, Loomis and McLeod—3.

So the bill was referred to the committee on the Judiciary.

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle and his associates to build a dam across Rum river,"

Was read a first and second times; and

On motion of Mr. Sturgis,

Was referred to the committee on Incorporations.

"No. 21 (H. of R.) A bill in relation to the public printing,"

On motion of Mr. Norris,

Was read a first and second times by its title; and was then placed on file for consideration in committee of the whole.

"No. 14 (C. F.) A bill providing for laying out and establishing a Territorial road from Rice creek to Crow Wing."

Having been returned from the House of Representatives with sundry amendments, and an amendment to the title thereof; the reading of which amendments being called for by Mr. Sturgis, and ordered,

The first amendment made to said bill by the House of Representatives being read by the Secretary, the Council concurred therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

The fourth amendment, being an amendment to the title of the bill, being then read, the Council concurred therein.

So the Council concurred in all the amendments made by the House of Representatives to the body of said bill, and the amendment made to the title thereof,

"No. 2 (C. F.) A bill regulating grocery licenses."

On which a committee of conference had reported, and the House having returned the bill with information that the propositions of the committee had been adopted by the House;

Mr. Loomis moved that the report of the committee of conference be now taken from the table for the action of the Council,

Which motion prevailed, and the reading of the report being ordered, it was read by the Secretary, as follows, viz:

"The joint committee of conference to whom was referred the disagreeing vote of the two Houses on

"No. 2 (C. F.) A bill regulating grocery licenses,"

Have had the same under consideration, and beg leave to recommend that the first amendment of the House of Representatives should be concurred in.

"For the second amendment of the House to said bill, they recommend a substitute thereto attached.

"That the House should recede from the third and fourth amendments to said bill.

"And the adoption of the substitute thereto attached, for the fifth amendment to said bill."

" All of which is respectfully submitted.

" W. R. MARSHALL, Chairman.

" D. B. LOOMIS."

The question then recurring on the adoption by the Council of the first proposition suggested by the committee ;

It was decided in the affirmative.

The question then being taken on agreeing to the second proposition;

It was decided in the affirmative.

The question then recurring on agreeing to the third proposition;

It was decided in the affirmative.

So the Council adopted the propositions made by the joint committee of conference on said bill.

Mr. Loomis moved that the majority report of the joint committee of conference on " No. 10 (C. F.) A bill for the erection of certain counties, and for other purposes,"

Be now taken up; and pending the question,

Mr. Sturgis moved a call of the Council, which being ordered, and the roll being called, Mr. Olmsted did not answer to his name.

The Sergeant-at-Arms was directed to report the absentee in his seat.

On motion of Mr. Norris,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

The question recurred on adopting the report of the majority of the committee of conference on

" No. 10 (C. F.) A bill for the erection of certain counties therein named, and for other purposes;"

Mr. Norris moved a call of the Council, which being ordered the roll was called, when Messrs. Olmsted and Sturgis did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

Mr. Loomis moved that further proceedings under the call of the Council be dispensed with ; which motion he subsequently, by leave, withdrew.

The Sergeant-at-Arms reported Mr. Sturgis in his seat, and that Mr. Olmsted could not be found.

Mr. Loomis renewed his motion that further proceedings under the call of the Council be dispensed with ; which motion prevailed.

Mr. Loomis presented the petition of four citizens of Red Rock, asking that the line between the counties of Ramsey and Washington be so located as to include them within the limits of Ramsey county;

Which petition was read.

The question then being taken on the adoption of the report of the majority of the committee of conference; and the Ayes and Noes being called for by Mr. Norris, and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Loomis, McLeod and Forbes, *President*—5.

Those who voted in the negative were Messrs. Rollins, Norris and Sturgis—3.

On motion of Mr. Rollins,

" No. 20 (H. of R.) A bill concerning Justices of the Peace and the action of forcible entry and detainer,"

Was taken up; when

On motion of Mr. Norris,

Said bill was read the first and second times by its title, and referred to the committee on the Judiciary.

On motion of Mr. Sturgis,

" No. 3 (C. F.) Memorial to Congress for the improvement of certain roads therein named,"

Was taken up ; and

On motion of Mr. Sturgis,

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The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said memorial.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the memorial to be engrossed for a third reading, pending the question,

Mr. Burkleo moved to amend by striking out in the third paragraph, the words "palpably necessary," and inserting in lieu thereof, the word "indispensable;" which motion prevailed.

The question then being taken on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative; and the memorial was ordered to be engrossed.

On motion of Mr. Loomis,

"No. 19 (H. of R.) A bill to appoint Commissioners to prepare a code of laws for the Territory of Minnesota,"

Was taken up; and

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative—Ayes 5, Noes 3.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill; and the Ayes and Noes being called for by Mr. Norris, and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Loomis, McLeod and Forbes, *President*—5.

Those who voted in the negative were Messrs. Norris, Rollins and Sturgis—3.

So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Burkleo,

"No. 18 (C. F.) A bill to establish and maintain Common Schools,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported progress and asked leave to sit again.

Leave was granted by the Council.

On motion of Mr. Loomis,

The Council adjourned.

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COUNCIL, Saturday, October 20, 1849.

Prayer by the Rev. Mr. Parsons.

The reading of the Journal of the proceedings of yesterday being ordered,

Mr. Norris moved that the reading of the reports of the committee of conference on "No. 10 (C. F.) A bill for the erection of certain counties therein named, and for other purposes,"

Be omitted; which motion prevailed, and the Journal was read omitting said reports.

Mr. Norris, from the committee on Enrolled Bills, reported that the joint committee on Enrolled Bills had examined and found correctly enrolled, the following bills and joint resolutions :

"No. 13 (C. F.) A bill organizing a Board of County Commissioners in the several counties in this Territory, and to define their duties."

"No. 7 (C. F.) Joint resolution relative to the adjournment of the present Legislative Assembly;" and

"No. 6 (C. F.) Joint resolutions relative to the Half-Breed lands."

On motion of Mr. Norris,

"No. 21 (C. F.) A bill authorizing the election of Sheriffs, and defining their duties,"

And the pending question to amend, was taken from the table, and

The question then recurring on the adoption by the Council of the amendment proposed by Mr. Norris, viz : To add a proviso to the third section,

Mr. Norris asked and obtained leave to withdraw said amendment.

Mr. Norris then moved to amend the bill, by adding a section as follows, viz :

"Sec. 16. Each Sheriff shall receive the following fees for the collection of the county taxes :

"Four dollars for every one hundred dollars by him collected, and the same proportion for less sums; to be retained by him in making payment, and credited therefor in his settlement with the Board of County Commissioners.

"Three per centum commission where goods are distrained, and taxes, commission and charges paid before sale.

"Five per centum commission on sales or distress, and charges for keeping property distrained, together with the tax and charges, out of the moneys received therefrom.

"On sales of real estate three per centum on the amount for which the same is exposed to sale, and twenty-five cents for each certificate of sale under this act, which are to be added to and estimated in the sum for which any tract of land, or lot, or part thereof, shall be sold."

The question then recurring on the adoption of said amendment,

It was decided in the affirmative. So the amendment was adopted.

The question then recurring on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

Mr. McLeod, from the committee on Engrossed Bills, reported as having been examined and found correctly engrossed:

"No. 3 (C. F.) Memorial to Congress for the improvement of certain roads therein named."

Mr. Loomis, from the committee on Incorporations, to whom was referred

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build a dam across Rum river,"

Reported the same back to the Council with amendments.

The report of the committee was accepted, and the committee discharged from the further consideration of the subject.

The question then recurring on the adoption by the Council of the amendments proposed by the committee on Incorporations; and the reading of the amendments being called for and ordered, they were read by the Secretary and the Council concurred therein.

"No. 3 (C. F.) A memorial to Congress for the improvement of certain roads therein named."

Coming up in order of business, and

The question recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Burkleo:

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the further consideration of

"No. 18 (C. F.) A bill to establish and maintain Common Schools."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

On motion of Mr. McLeod,

The Council adjourned until two o'clock, P. M.,

*Two O'clock, P. M.*

The Sergeant-at-Arms reported a quorum in their seats.

The question then recurring on ordering

"No. 18 (C. F.) A bill to establish and maintain Common Schools,"

To be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed,

On motion of Mr. Norris,

"No. 4 (C. F.) Memorial to Congress relative to School lands,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the memorial back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative; and the memorial was ordered to be engrossed,

On motion of Mr. Loomis,

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build a dam across Rum river,"

Was taken up; and having been amended by the committee on Incorporations, which amendments were concurred in by the Council, the bill was read the second time by its title under the rules.

Mr. Boal, from the committee on the Judiciary, reported back to the Council without amendment,

"No. 30 (H. of R.) A bill to divorce Eleazer F. Ring from his wife Elzora G. Ring."

The report was accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Rollins,

"No. 31 (H. of R.) A bill fixing the time of the meeting of the Legislative Assembly,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time,

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill, it was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

"No. 5 (C. F.) Memorial to Congress for additional mail facilities,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, having said bill under consideration.

During the session of the committee, W. D. Phillips, Esq., chief Clerk of the House of Representatives delivered the following message from the House, when the President *pro tem.* took the Chair for its reception, viz:

"MR. PRESIDENT:—The House of Representatives have passed

"'No. 34 (H. of R.) A bill granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river;' and

"'No. 33 (H. of R.) A bill granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river.'

"In which the concurrence of the Council is requested."

The chief Clerk then withdrew; and the committee of the whole resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported the memorial back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative. So the memorial was ordered to be engrossed.

On motion of Mr. Norris,

The message from the House of Representatives was taken up, and the following bills were severally read the first and second times and placed on file for the action of the committee of the whole, viz:

"No. 33 (H. of R.) A bill granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river;" and

"No. 34 (H. of R.) A bill granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river."

On motion of Mr. Sturgis,

"No. 37 (H. of R.) A bill granting to John Banfil the right to establish a ferry across the Mississippi river near the mouth of Rice river,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative. So the bill was read the third time.

The question then recurring on the passage of the bill,

Mr. Norris asked and obtained the unanimous consent of the Council to fill the blank with the word "Ramsey."

The question then being taken on the passage of the bill,

It was decided in the negative—Ayes 4, Noes 4.

So the Council refused to pass the bill.

Mr. Burkleo moved that the Council adjourn;

Which motion prevailed—Ayes 4; Noes 3.

So the Council adjourned until Monday at ten o'clock, A. M.

COUNCIL, Monday, October 22, 1849.

Prayer by the Rev. Mr. Parsons.

The Journal of the proceedings of Saturday was read.

Mr. Norris gave notice that on to-morrow, or some future day, he would ask leave to introduce a bill to provide for the permanent location of the seat of government by the people.

On motion of Mr. Loomis,

"No. 10 (H. of R.) Joint resolution relative to the public printing,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the joint resolution to a third reading; pending the question, W. D. Phillips, Esq., chief Clerk of the House of Representatives delivered the following message from the House, viz:

"MR. PRESIDENT:—The House of Representatives have passed the following bills, viz:

"No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company."

"No. 40 (H. of R.) A bill granting to James Purinton and his associates the right to establish and maintain a ferry across Lake St. Croix near Greely's Landing."

"No. 28 (H. of R.) A bill laying out a Territorial road from Stillwater to the mouth of Rum river;" and

"No. 27 (H. of R.) A bill concerning debtors and their securities."

"In all which the concurrence of the Council is requested.

"The House have declined to concur in the first and third amendments of the Council to

"No. 19 (H. of R.) A bill for the election of Commissioners to prepare a code of laws for the Territory of Minnesota;"

"And have concurred in the second amendment to said bill."

And then he withdrew.

The question then recurring on ordering to a third reading,

"No. 4 (H. of R.) Joint resolution relative to the public printing,"

Mr. Norris moved that the joint resolution be laid on the table;

Which motion prevailed—Ayes 4, Noes 3.

On motion of Mr. Loomis,

The message from the House of Representatives was taken up; and

"No. 19 (H. of R.) A bill for the election of Commissioners to prepare a code of laws for the Territory of Minnesota,"

Which was returned from the House of Representatives with the first and third amendments of the Council non-concurred in by the House, being under consideration; and the question recurring,

"Will the Council recede from its first and third amendments to the bill?"

And the reading of the amendments, and division of the question being called for and ordered,

The first amendment was read; and the Council refused to recede therefrom.

The third amendment of the Council, being the second non-concurred in by the House, being then read, the Council refused to recede therefrom.

So the Council refused to recede from its amendments to said bill.

The Hon. C. K. Smith, Secretary of the Territory, being announced, delivered a message in writing from his Excellency, the Governor;

And then he withdrew.

The following House bills were then read a first and second times, and placed on file for the action of the Council in committee of the whole, viz:

"No. 27 (H. of R.) A bill concerning debtors and their securities."

"No. 28 (H. of R.) A bill for laying out a Territorial road from Stillwater to the mouth of Rum river."

"No. 40 (H. of R.) A bill granting to James Purinton and his associates a right to establish and maintain a ferry across Lake St. Croix, near Greely's landing;" and

"No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company."

Mr. Loomis moved that a committee of two be appointed to confer with a similar committee on the part of the House of Representatives on the disagreeing vote of the two Houses on

"No. 19 (H. of R.) A bill for the election of Commissioners to prepare a code of laws for the Territory of Minnesota;"

Which motion was decided in the negative.

On motion of Mr. McLeod,

The message from his Excellency, the Governor, was then taken up and read by the Secretary, as follows, viz :

" TERRITORY OF MINNESOTA, }  
EXECUTIVE DEPARTMENT, ST. PAUL, OCT. 22, 1849. }

"To the Hon. the President of the Council:

"Sir:—I have approved and signed the following acts and memorials, viz :

"An Act to provide against the traffic in ardent spirits with the Indians."

"An Act granting to Franklin Steele the right to establish and maintain a ferry across the Mississippi river."

"An Act granting a divorce to Louis Laramie from Wa-kan-ye-ke-win, his wife."

"Memorial to Congress for an appropriation to construct a road from Point Douglas to the St. Louis river."

"Memorial to Congress for an appropriation to construct a military road from Fort Snelling to the mouth of the Sioux river on the Missouri."

"ALEX. RAMSEY."

On motion of Mr. Burkleo,

"No. 24 (C. F.) A bill to amend an act entitled An 'Act concerning the time for commencing actions,'"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the bill to be engrossed for a third reading, It was decided in the affirmative. So the bill was ordered to be engrossed.

Mr. Sturgis moved a reconsideration of the vote by which the Council refused to pass

"No. 37 (H. of R.) A bill granting to John Banfil the right to establish and maintain a ferry across the Mississippi near the mouth of Rice river,"

Which motion prevailed.

The question then recurring on the passage of the bill, and the Ayes and Noes being called for by Mr. Loomis, and ordered,

Those who voted in the affirmative were Messrs. Boal, McLeod, Norris, Rollins, Sturgis and Forbes, *President*—6.

Those who voted in the negative were Messrs. Burkleo and Loomis—2.

So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Sturgis moved that the Council resolve itself into a committee of the whole for the consideration of

"No. 28 (C. F.) A bill for laying out a Territorial road from Stillwater to the mouth of Rum river,"

Which motion he subsequently, by leave, withdrew; when  
On motion of Mr. Loomis,  
The Council adjourned until two o'clock this afternoon.

*Two O'clock, P. M.*

Mr. Norris moved a reconsideration of the vote by which the Council refused to recede from its amendments to

"No. 19 (H. of R.) A bill for the election of Commissioners to prepare a code of laws for the Territory of Minnesota,"

Which was decided in the affirmative; and the question then recurring

"Will the Council recede from its first and third amendments to the bill?"

It was decided in the affirmative. So the Council receded from its amendments to the bill which were non-concurred in by the House of Representatives.

On motion of Mr. Burkleo,

"No. 17 (H. of R.) A bill to incorporate the Minnesota Mutual Fire Insurance Company,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and

On motion of Mr. McLeod,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. McLeod,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of

"No. 33 (H. of R.) A bill granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river," and

"No. 34 (H. of R.) A bill granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

After some time passed therein, the committee rose, and by the Chairman, reported the bills back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole to said bills,

It was decided in the affirmative.

The question then recurring on ordering to a third reading

"No. 33 (H. of R.) A bill granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river,"

It was decided in the affirmative; and

On motion of Mr. McLeod,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

The question then recurring on ordering to a third reading

"No. 34 (H. of R.) A bill granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river,"

It was decided in the affirmative; and,  
 On motion of Mr. McLeod,  
 The bill was read the third time by its title.  
 The question then recurring on the passage of the bill,  
 It was decided in the affirmative. So the bill passed.  
 The question then recurring on agreeing to the title of the bill,  
 It was decided in the affirmative. So the title was agreed to.  
 On motion of Mr. Norris,  
 "No. 4 (H. of R.) Joint resolution relative to the public printing,"  
 Was taken from the table; and,  
 On motion of Mr. Norris,  
 The consideration of said bill was postponed until the tenth day of November next.  
 On motion of Mr. Rollins,  
 "No. 21 (H. of R.) A bill in relation to the public printing,"  
 Was taken up; when  
 Mr. Rollins moved that the enacting clause be stricken from the bill;  
 Which was decided in the affirmative.  
 Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed:  
 "No. 18 (C. F.) A bill to establish and maintain Common Schools."  
 "No. 24 (C. F.) A bill to amend an act entitled 'An Act concerning the time of commencing actions.'"  
 "No. 4 (C. F.) Memorial to Congress relative to School lands;" and  
 "No. 5 (C. F.) Memorial to Congress for additional mail facilities."  
 Mr. Norris moved a suspension of the rule requiring bills to lie on the table one day after being printed to permit the consideration now of  
 "No. 26 (C. F.) A bill to regulate the public printing;"  
 Which motion prevailed by a two-thirds vote; when  
 On motion of Mr. McLeod,  
 The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said bill.  
 After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.  
 The question then recurring on the adoption by the Council of the amendments proposed to said bill by the committee of the whole,  
 It was decided in the affirmative.  
 The question then recurring on ordering the bill to be engrossed for a third reading,  
 It was decided in the affirmative. So the bill was ordered to be engrossed.  
 On motion of Mr. Norris,  
 The Council adjourned.

COUNCIL, Tuesday, October 23, 1849.

Prayer by the Rev. Mr. Parsons.  
 The Journal of the proceedings of yesterday was read.  
 Mr. Norris, pursuant to previous notice, asked and obtained leave to introduce  
 "No. 28 (C. F.) A bill providing for the permanent location of the seat of government by a vote of the people, and for other purposes;"  
 Which was read the first and second times, and laid on the table to be printed.  
 Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had compared and found correctly engrossed:  
 "No. 21 (C. F.) A bill authorizing the election of Sheriffs and defining their duties;" and  
 "No. 26 (C. F.) A bill to regulate the public printing."

COUNCIL, 14

Mr. Boal, from the committee on the Judiciary, to which was referred  
 "No. 20 (H. of R.) A bill concerning Justices of the Peace, and the action of forcible entry and detainer,"

Reported the same back to the Council with amendments.

The report was accepted, and the committee discharged from the further consideration of the subject.

The question then recurring on the adoption by the Council of the amendments proposed by the committee, and the reading of the amendments having been called for and ordered, were read by the Secretary; when

The question being then taken on their adoption, it was decided in the affirmative; and the rules requiring the bill to return to a second reading,

On motion of Mr. McLeod,

The bill was read the second time by its title.

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration of

"No. 20 (H. of R.) A bill concerning Justices of the Peace, and the action of forcible entry and detainer."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and,

On motion of Mr. Rollins,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. McLeod,

"No. 18 (C. F.) A bill to establish and maintain Common Schools,"

Was taken up; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and pending the third reading thereof,

On motion of Mr. Norris,

The bill was referred to the committee on Schools.

On motion of Mr. Sturgis,

"No. 21 (C. F.) A bill authorizing the election of Sheriffs and defining their duties,"

Was taken up; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative; and the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Norris,

"No. 26 (C. F.) A bill to regulate the public printing,"

Was taken up; and

The question then recurring on ordering the bill to a third reading, and the Ayes and Noes being called for by Mr. Burkleo, were ordered, when

Those who voted in the affirmative were Messrs. Boal, McLeod, Norris, Rollins, Sturgis, and Forbes, *President*—6.

Mr. Burkleo voted in the negative—1.

And the bill was read the third time.

The question then recurring on the passage of the bill,

Mr. McLeod asked the unanimous consent of the Council to amend the bill.

Mr. Burkleo objected.

The question then being taken on the passage of the bill, and the Ayes and Noes being called for by Mr. Burkleo, and ordered; when

Those who voted in the affirmative were Messrs. Boal, McLeod, Norris, Rollins, Sturgis, and Forbes, *President*—6.

Mr. Burkleo voted in the negative—1.

So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

"No. 4 (C. F.) Memorial to Congress relative to School lands,"

Was taken up; and

The question then recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Boal,

Leave of absence was granted to the Sergeant-at-Arms for the remainder of the day.

On motion of Mr. Sturgis,

"No. 5 (C. F.) Memorial to Congress for additional mail facilities,"

Was taken up; and

The question recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative; and the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Burkleo,

"No. 24 (C. F.) A bill to amend an act entitled 'An Act concerning the time of commencing actions,'"

Was then taken up; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative; and the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative; and the title was agreed to.

On motion of Mr. Norris,

"No. 19 (C. F.) A bill to provide for the appointment of a Librarian, and for other purposes,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. McLeod,

The Council adjourned until two o'clock this afternoon.

*Two O'clock, P. M.*

On motion of Mr. Sturgis,

The Council resumed its session in committee of the whole, Mr. Loomis in the Chair, for the further consideration of

"No. 19 (C. F.) A bill to provide for the appointment of a Librarian, and for other purposes."

During the session of the committee of the whole, a message was received from the House of Representatives, by W. D. Phillips, Esq., the chief Clerk, when the President *pro tem.* resumed the Chair for its reception, as follows, viz :

"MR. PRESIDENT :—The House of Representatives have passed

"No. 16 (H. of R.) A bill to locate the temporary seat of Government for the Territory of Minnesota, and for other purpose,"

"In which the concurrence of the Council is requested."

The chief Clerk having withdrawn, the committee of the whole resumed its session. After some further time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Loomis called for the reading of the amendments, and asked that the question may be taken on each separately; which being ordered,

The first amendment was read by the Secretary.

Mr. Sturgis moved a call of the Council, which being ordered, the roll was called, when Messrs. Olmsted and Rollins did not answer to their names.

The Messenger was directed to report the absentees in their seats.

Mr. McLeod moved that further proceedings under the call of the Council be dispensed with,

Which was decided in the negative.

The Messenger reported Mr. Rollins in his seat.

On motion of Mr. Loomis,

Leave of absence was granted to Mr. Olmsted.

The question then being taken on concurring in the first amendment, the Council refused to concur therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

The fourth amendment being then read, the Council concurred therein—Ayes 5, Noes 2.

The fifth amendment being then read, the Council concurred therein.

The sixth amendment being then read, the Council concurred therein—Ayes 5, Noes 2.

The seventh amendment being then read, the Council concurred therein.

The eighth amendment being then read, the Council concurred therein.

The ninth amendment being then read, the Council refused to concur therein.

So the Council concurred in the second, third, fourth, fifth, sixth, seventh and eighth amendments, and refused to concur in the first and ninth amendments proposed by the committee of the whole to said bill.

The question then recurring on ordering the bill to be engrossed for a third reading,

Mr. Norris moved to amend the bill by striking out all after the word "others" in the sixth line of the fourth section and the whole of the fifth section, and inserting in lieu thereof as follows, viz :

"May take therefrom any books, not exceeding two volumes, of a miscellaneous character and no others, and retain them for four weeks ; but shall be liable to a penalty of twenty-five cents for each day any books may be retained over the time above specified : *Provided*, That all books belonging to the Library shall be returned five days previous to the convening of the Legislature."

Mr. McLeod called for the reading of the amendments proposed in connection with the fourth section, which being ordered, was accordingly read by the Secretary.

The question then recurring on the adoption of the amendment, it was decided in the affirmative.

The question being then taken on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. Burkleo,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, having under consideration

"No. 28 (H. of R.) A bill to provide for laying out a Territorial road from Stillwater to Rum river."

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Sturgis asked for the reading of the amendments and a division of the question, which being ordered, and

The first amendment being read, the Council concurred therein—Ayes 4, Noes 2.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

The fourth amendment being then read, the Council concurred therein.

The fifth amendment being then read, the Council concurred therein.

Mr. Sturgis moved to fill the blank with the word "three," which motion prevailed.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and

On motion of Mr. McLeod,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. McLeod moved to take up the message from the House of Representatives, which motion prevailed, and

"No. 16 (H. of R.) A bill to locate the temporary seat of government for the Territory of Minnesota, and for other purposes."

Was read a first and second time, and laid on the table for the action of the Council in committee of the whole.

On motion of Mr. Norris,

"No. 22 (C. F.) A bill regulating the time of holding the general elections, and for other purposes,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendment.

The report of the committee was accepted.

The question then recurring on ordering the bill to be engrossed for a third reading,

Mr. Loomis moved to amend the bill by striking out in the first line of the first section, the word "second," and inserting in lieu thereof the word "fourth," which motion prevailed.

The question being then taken on ordering the bill to be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

Mr. Sturgis moved that the Council resolve itself into a committee of the whole for the consideration of

"No. 36 (H. of R.) A bill authorizing the Governor to issue his proclamation for the holding of a Court in the county of Wabashaw, and for other purposes."

Mr. Loomis moved the Council do now adjourn,

Which was decided in the negative—Ayes 3, Noes 4.

The question then recurring on the motion of Mr. Sturgis,

It was decided in the affirmative, and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of

"No. 36 (H. of R.) A bill authorizing the Governor to issue his proclamation for the holding of a Court in the county of Wabashaw, and for other purposes."

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendment.

The report of the committee of the whole was accepted.  
 The question then recurring on ordering the bill to a third reading,  
 It was decided in the affirmative, and  
 On motion of Mr. Rollins,  
 The bill was read the third time by its title.  
 The question then recurring on the passage of the bill,  
 It was decided in the affirmative. So the bill passed.  
 The question then recurring on agreeing to the title of the bill,  
 It was decided in the affirmative. So the title was agreed to.  
 Mr. Loomis moved a call of the Council, which being ordered and the roll being  
 called by the Secretary, Mr. Burkleo did not answer to his name, and  
 The Messenger was directed to report the absentee in his seat.  
 The Messenger having reported Mr. Burkleo present,  
 Mr. Loomis moved to take up  
 "No. 30 (H. of R.) A bill to divorce Eleazer F. Ring from his wife Elzorah, G.  
 Ring."  
 Mr. Burkleo moved that the Council do now adjourn,  
 Which motion was negatived.  
 The question then recurring on the motion of Mr. Loomis,  
 It was decided in the negative—Ayes 3, Noes 5.  
 On motion of Mr. Rollins,  
 The Council adjourned.

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COUNCIL, *Wednesday, October 24, 1849.*

Prayer by the Rev. Mr. Parsons.  
 The Journal of yesterday was read and corrected.  
 Mr. Rollins, from the committee on Engrossed Bills, reported as correctly en-  
 grossed  
 "No. 19 (C. F.) A bill to provide for the appointment of a Librarian, and for oth-  
 er purposes," and  
 "No. 22 (C. F.) A bill regulating the time of holding the general elections, and  
 for other purposes."  
 Mr. McLeod, from the committee on Schools, to which was referred  
 "No. 18 (C. F.) A bill to establish and maintain common Schools,"  
 Reported the same back to the Council with amendments.  
 The report was accepted and the committee discharged from the further consid-  
 eration of the subject.  
 The question then recurring on the adoption by the Council of the amendments  
 proposed by the committee on Schools, and  
 The first amendment being read by the Secretary, the Council concurred therein.  
 The second amendment being then read, the Council concurred therein.  
 A message was received from the House of Representatives, by L. B. Wait, Esq.,  
 assistant Clerk, as follows, viz :  
 "MR. PRESIDENT :—The Governor on the 22d inst. notified the House of Repre-  
 sentatives that he did on the 20th of October, approve and sign  
 "An Act to incorporate the Historical Society of Minnesota."  
 "An Act granting a charter to Elam Greely, his heirs, &c., to construct a dam  
 across Snake river near the outlet of Cross Lake."  
 "An Act for the relief of B. W. Lott and P. P. Bishop."  
 "Memorial to Congress relative to the purchase of the Sioux Indian lands west  
 of the Mississippi river," and  
 "Memorial to Congress for the improvement of the Mississippi river above the  
 Falls of St. Anthony."  
 "The House of Representatives have passed  
 "No. 39 (H. of R.) A bill to authorize the Registers of Deeds of Ramsey and Ben-

ten counties to procure certain copies of records in the office of the Register of Deeds of Washington county.'

"No. 43 (H. of R.) A bill to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes.'

"And have concurred in the first and second amendments of the Council to

"No. 34 (H. of R.) A bill granting to J. R. Irvine the right to establish and maintain a ferry across the Mississippi river.'

"And non-concurred in the third amendment of the Council to said bill.

"And have concurred in the amendments of the Council to

"No. 17 (H. of R.) A bill to incorporate the Minnesota Mutual Fire Insurance Company.'

"And in the amendments of the Council to

"No. 31 (H. of R.) A bill fixing the time of the annual meeting of the Legislative Assembly.'

"In which the concurrence of the Council is requested."

The Assistant Clerk having withdrawn,

"No. 18 (C. F.) A bill to establish and maintain common Schools,"

Was read a second time under the rules, and laid on the table for the action of the Council in committee of the whole.

Mr. Norris, from the committee on Enrolled Bills, reported that the joint committee had examined and found correctly enrolled

"No. 2 (C. F.) A bill regulating grocery licenses."

"No. 14 (C. F.) A bill providing for laying out and establishing a Territorial road from Rum river to Crow Wing;" and

"No. 3 (H. of R.) Memorial to Congress in relation to establishing mail routes therein named."

Mr. McLeod moved that the message from the House of Representatives be now taken up for the action of the Council;

Which motion prevailed, and the following bills from the House were severally read a first and second times, and laid on the table for the action of the Council in committee of the whole, viz :

"No. 43 (H. of R.) A bill to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes;'" and

"No. 39 (H. of R.) A bill to authorize the Registers of Deeds of Ramsey and Benton counties to procure certain copies of records in the office of the Register of Deeds of Washington county."

"No. 34 (H. of R.) A bill granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river."

To which the Council made sundry amendments, in the third of which amendments the House of Representatives refused to concur; and

The question recurring "Will the Council recede from its third amendment to the bill,"

It was decided in the negative; and

On motion of Mr. Norris,

A committee, consisting of Messrs. Norris and Loomis, was appointed to confer with a similar committee on the part of the House of Representatives, on the disagreeing vote of the two Houses on said bill.

Mr. McLeod moved a temporary suspension of the rule requiring one day's notice previous to asking leave to introduce bills, to permit him to ask leave to introduce a bill now,

Which motion prevailed by a two-thirds vote, and

Mr. McLeod asked and obtained leave to introduce

"No. 29 (C. F.) A bill granting to Francois Gamelle the right to establish and maintain a ferry across the St. Peters river, near the mouth of said river;"

Which was read a first and second times.

Mr. Loomis moved that the printing of said bill be dispensed with;

Which motion prevailed by a two-thirds vote.

"No. 22 (C. F.) A bill to provide for holding general elections, and for other purposes,"

Then coming up in order; and  
 The question recurring on ordering the bill to a third reading,  
 It was decided in the affirmative; and the bill was read the third time; when,  
 On motion of Mr. Loomis,  
 The bill was ordered to be recommitted to the committee of the whole.  
 "No. 19 (C. F.) A bill to provide for the appointment of a Librarian, and for other purposes,"

Then coming up in order; and  
 The question recurring on ordering the bill to a third reading,  
 It was decided in the affirmative; and,  
 On motion of Mr. Rollins,  
 The said bill was read the third time by its title.  
 The question then recurring on the passage of the bill,  
 It was decided in the affirmative. So the bill passed.  
 The question then recurring on agreeing to the title of the bill,  
 It was decided in the affirmative. So the title was agreed to.

Mr. Boal moved to take up

"No. 16 (H. of R.) A bill to locate the temporary seat of government for the Territory of Minnesota;"

And pending the question,

Mr. Rollins moved a call of the Council; which being ordered, the roll was called by the Secretary, when Mr. Sturgis did not answer to his name.

The Sergeant-at-Arms was sent after the absentee.

Mr. Boal moved a suspension of further proceedings under the call of the Council;

Which was decided in the negative.

Mr. Rollins moved that the Council do now adjourn until two o'clock, P. M.;

Which was decided in the negative—Ayes 3—Noes 3.

The Sergeant-at-Arms reported Mr. Sturgis in his seat.

The question then recurring on the motion of Mr. Boal to take up

"No. 16 (H. of R.) A bill to locate the temporary seat of Government for the Territory of Minnesota,"

It was passed in the affirmative; and,

On motion of Mr. Boal,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. McLeod called for the reading of the amendments, and a division of the question; which was ordered, and

The first amendment being read by the Secretary,

Mr. Rollins called for the Ayes and Noes on its adoption; which being ordered,

Those who voted in the affirmative were Messrs. Burkleo, Loomis, McLeod, Norris, Rollins, and Sturgis—6.

Those who voted in the negative were Messrs. Boal and Forbes, *President*—2.

So the first amendment was adopted.

The second amendment being then read,

Mr. McLeod called for the Ayes and Noes on its adoption;

Which being ordered,

Those who voted in the affirmative were Messrs. Burkleo, Norris, Rollins, and Sturgis—4.

Those who voted in the negative were Messrs. Boal, Loomis, McLeod, and Forbes, *President*—4.

So the Council refused to adopt the second amendment proposed by the committee of the whole.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; when

Mr. McLeod moved that the bill be read the third time by its title;

Which motion prevailed—Ayes 4—Noes 3.

So the bill was read the third time by its title.

The question then recurring on the passage of the bill; and the Ayes and Noes being called for by Mr. Burkleo, were ordered; when

Those who voted in the affirmative were Messrs. Boal, McLeod, Norris, and Forbes, *President*—4.

Those who voted in the negative were Messrs. Burkleo, Loomis, Rollins, and Sturgis—4.

So the Council refused to pass the bill.

On motion of Mr. Loomis,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

On motion of Mr. McLeod,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of

"No. 18 (C. F.) A bill to establish and maintain Common Schools."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

Mr. Norris asked and obtained the unanimous consent of the Council to amend the bill as follows, viz:

Insert in the second line of the seventh section, after the word "school," the word "house." Insert in the third line of the same section, the word "years" after the words "twenty-one."

The question then being taken on ordering the bill to a third reading,

It was decided in the affirmative; and,

On motion of Mr. McLeod,

The bill was read the third time by its title.

The question then recurring on the passing of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of

"No. 30 (H. of R.) A bill to divorce Eleazer F. Ring from his wife, Elzora G. Ring."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted; and

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

"No. 32 (H. of R.) A bill to locate a Territorial road from Point Douglass to St. Paul."

Was taken from the table; and

COUNCIL, 15

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the consideration thereof.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. Loomis called for the reading of the amendments, and a division of the question; which being ordered, and

The first amendment being read by the Secretary, the Council concurred therein.

The second amendment being then read,

Mr. Burkleo moved to amend the amendment proposed by the committee of the whole, by striking out the name of "Col. Hughes," and inserting in lieu thereof the name of "B. W. Brunson;"

Which was decided in the negative—Ayes 4—Noes 4.

The question then being taken on the adoption of the amendment, it was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

Mr. Loomis moved to amend the title as follows, viz: Strike out the words "a Territorial road," and insert in lieu thereof the words "Territorial roads;"

Which amendment to the title of the bill was adopted by the Council.

The question then being taken on agreeing to the title as amended,

It was decided in the affirmative; and the title was agreed to.

On motion of Mr. Loomis,

The Council adjourned.

COUNCIL, Thursday, October 25, 1849,

Prayer by the Rev. Mr. Boutwell.

Mr. Loomis moved a call of the Council; which being ordered, the roll was called by the Secretary, when Messrs. Norris, Rollins, and Sturgis did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

Mr. Norris having taken his seat,

On motion of Mr. McLeod,

Further proceedings under the call of the Council were dispensed with.

The Journal of the proceedings of yesterday was read.

Mr. McLeod, in pursuance of previous notice, asked and obtained leave to introduce

"No. 8 (C. F.) Joint resolution relative to the Military Reservation at Fort Snelling;"

Which was read a first and second times; when

Mr. Loomis moved that the printing of the joint resolution be dispensed with;

Which motion prevailed by a two-thirds vote.

The Sergeant-at-Arms reported the members in their seats.

"No. 4 (C. F.) Joint resolution relative to the temporary location of the seat of Government,"

Having been made the special order of the day for this day,

On motion of Mr. Boal,

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the further consideration of said joint resolution.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council without amendment.

The report of the committee of the whole was accepted; when,  
 On motion of Mr. Norris,  
 The joint resolution was laid on the table.  
 On motion of Mr. McLeod,  
 "No. 8 (C. F.) Joint resolution relative to the Military Reservation at Fort Snelling."

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said joint resolution.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council, without amendment.

The report of the committee of the whole was accepted.

The question then recurring on ordering the joint resolution to be engrossed for a third reading,

It was decided in the affirmative. So the joint resolution was ordered to be engrossed.

On motion of Mr. Rollins,

"No. 28 (C. F.) A bill to provide for the permanent location of the seat of Government by a vote of the people, and for other purposes,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. McLeod,

"No. 43 (H. of R.) A bill to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes,'"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted; and,

On motion of Mr. Loomis,

The bill was laid on the table.

On motion of Mr. McLeod,

The Council adjourned until two o'clock, P. M.

*Two O'clock, P. M.*

Mr. McLeod, from the committee on Engrossed Bills, reported as having been examined and found correctly engrossed:

"No. 8 (C. F.) Joint resolution relative to the Military Reservation at Fort Snelling."

Mr. McLeod moved a temporary suspension of the rule prohibiting bills, &c., from being read the second and third time on the same day, to permit said joint resolution to be ordered to a third reading now;

Which motion prevailed by a two-thirds vote; and,

On motion of Mr. McLeod,

"No. 8 (C. F.) Joint resolution relative to the Military Reservation at Fort Snelling."

Was ordered to a third reading, and was read a third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title thereof,

It was decided in the affirmative. So the title was agreed to.

The following message was received from the House of Representatives, by L. B. Wait, Esq., Assistant Clerk thereof, viz:

- "MR. PRESIDENT:—The Speaker of the House of Representatives has signed:
- "Memorial to Congress in relation to establishing mail routes therein named, and for other purposes,"
  - "An Act regulating grocery licenses."
  - "An Act organizing a Board of County Commissioners in each county in this Territory."
  - "An Act providing for laying out a Territorial road from Rum river to Crow Wing."
  - "Joint resolution relative to the adjournment of the present Legislative Assembly;" and
  - "Joint resolution relative to the half-breed lands."
- The House of Representatives have passed
- "No. 24 (H. of R.) A bill to locate a Territorial road from the town of St. Paul to Little Canada."
  - "No. 44 (H. of R.) A bill fixing the time for holding District Courts."
  - "No. 4 (H. of R.) Memorial to the Congress of the United States for an appropriation to build a Territorial prison;" and
  - "No. 48 (H. of R.) A bill to dissolve the marriage contract between Catharine Hathaway and her husband, Isaac Hathaway."
- And transmit with the latter bill accompanying testimony.
- In all which the concurrence of the Council is requested.
- The House have concurred in the amendments of the Council to
- "No. 37 (H. of R.) A bill granting to John Banfil the right to establish a ferry across the Mississippi river, near the mouth of Rice river;"
  - And have concurred in the first amendment of the Council to
  - "No. 20 (H. of R.) A bill concerning Justices of the Peace, and the action of Forcible Entry and Detainer;"
  - And have refused to concur in the second amendment of the Council to said bill."
- The Assistant Clerk of the House of Representatives having withdrawn,
- Mr. Rollins moved a temporary suspension of the rule requiring one day's notice previous to asking leave to introduce bills, &c., to permit him to ask leave to introduce a memorial now;
- Which motion prevailed by a two-thirds vote; and
- Mr. Rollins asked and obtained leave to introduce
- "No. 6 (C. F.) Memorial to Congress for an appropriation of land for the construction of a road from Stillwater to Fort Winnebago in Wisconsin;"
- Which was read a first and second times, and laid on the table to be printed.
- Mr. Loomis moved a call of the Council; and the roll being called, Mr. Boal did not answer to his name; and
- The Sergeant-at-Arms was sent after the absentee.
- On motion of Mr. Burkleo,
- Further proceedings under the call of the Council were dispensed with.
- On motion of Mr. Norris,
- The message from the House of Representatives was taken up for the action of the Council; when
- The President *pro tem.* of the Council, signed the following bills, memorial, and joint resolutions, viz:
- A bill entitled "An Act regulating grocery licenses."
  - A bill entitled "An Act organizing a Board of County Commissioners in each county in this Territory."
  - A bill entitled "An Act providing for laying out a Territorial road from Rum river to Crow Wing."
  - "Memorial to Congress in relation to establishing mail routes therein named, and for other purposes."
  - "Joint resolution relative to the adjournment of the present Legislative Assembly;" and
  - "Joint resolution relative to the half-breed lands."

"No. 48 (H. of R.) A bill to divorce Catharine Hathaway from her husband, Isaac Hathaway,"

Was then read a first and second times.

On motion of Mr. Loomis,

The documents accompanying said bill was read by the Secretary; when,

On motion of Mr. Rollins,

The bill and accompanying documents were referred to the committee on Territorial Affairs.

"No. 4 (H. of R.) Memorial to the Congress of the United States, for an appropriation to build a Territorial prison;"

"No. 44 (H. of R.) A bill fixing the time of holding District Courts;" and

"No. 24 (H. of R.) A bill to locate a Territorial road from the town of St. Paul to Little Canada,"

Were severally read a first and second times, and laid on the table for the action of the Council in committee of the whole.

"No. 20 (H. of R.) A bill concerning Justices of the Peace, and the action of Forcible Entry and Detainer,"

Which was amended by the Council, and the bill returned with the second amendment non-concurred in by the House of Representatives; and

The question now recurring, "Will the Council recede from its second amendment to the bill?"

It was decided in the affirmative. So the Council receded from its second amendment.

The message from the House of Representatives having been disposed of,

Mr. Rollins moved a temporary suspension of the rule requiring notice of one day previous to asking leave to introduce bills, &c., that he may ask leave now to introduce a bill,

Which motion prevailed by a two-thirds vote; when

Mr. Rollins asked and obtained leave to introduce

"No. 29 (C. F.) A bill regulating the assessment of taxes;"

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

On motion of Mr. McLeod,

The following bills were taken up, and the Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for their consideration, viz:

"No. 30 (C. F.) A bill authorizing Francois Gamelle to establish and maintain a ferry across the St. Peters river near the mouth of said river."

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build and maintain a dam across Rum river;" and

"No. 40 (H. of R.) A bill granting to James Purinton and his associates the right to establish and maintain a ferry across Lake St. Croix near Greely's landing."

After some time passed therein, the committee rose, and by the Chairman, reported the said bills back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole to said bills,

It was decided in the affirmative.

The question being then taken on ordering

"No. 30 (C. F.) A bill authorizing Francois Gamelle to establish and maintain a ferry across the St. Peters river near the mouth of said river,"

To be engrossed for a third reading,

It was decided in the affirmative. So the bill was ordered to be engrossed.

The question being then taken on ordering to a third reading

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build and maintain a dam across Rum river,"

It was decided in the affirmative; and

On motion of Mr. Rollins,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

- The question then recurring on agreeing to the title of the bill,  
 It was decided in the affirmative. So the title was agreed to.  
 The question then recurring on ordering to a third reading  
 "No. 40 (H. of R.) A bill granting to James Purinton and his associates the right to establish and maintain a ferry across Lake St. Croix near Greely's landing,"  
 It was decided in the affirmative; and  
 On motion of Mr. Rollins,  
 The bill was read the third time by its title.  
 The question then recurring on the passage of the bill,  
 Mr. Norris moved the question be laid on the table; which motion prevailed—  
 Ayes 5, Noes 3.  
 On motion of Mr. Rollins,  
 "No. 27 (C. F.) A bill granting to Charles E. Dole and others the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and the mouth of Crow Wing river,"  
 Was taken up; and  
 The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of said bill.  
 After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with amendments.  
 The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole, it was decided in the affirmative.  
 The question then recurring on ordering the bill to be engrossed for a third reading;  
 It was decided in the affirmative. So the bill was ordered to be engrossed.  
 On motion of Mr. Sturgis,  
 The Council adjourned.

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COUNCIL, Friday, October 26, 1849.

- Prayer by the Rev. Mr. Boutwell.  
 The Journal of the proceeding of yesterday was then read.  
 Mr. Rollins moved a call of the Council, which being ordered, the roll was called by the Secretary, when Messrs. Boal and Sturgis did not answer to their names.  
 The Sergeant-at-Arms was sent after the absentees.  
 On motion of Mr. Rollins,  
 Further proceedings under the call of the Council were dispensed with.  
 Mr. Rollins, from the committee on Engrossed Bills, reported as having been examined and found correctly engrossed.  
 "No. 27 (C. F.) A bill granting to Charles E. Dole and others the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and the mouth of Crow Wing river."  
 "No. 30 (C. F.) A bill granting to Francois Gamelle the right to establish and maintain a ferry across the St. Peters river near the mouth of said river."  
 Mr. Norris, from the joint committee on Enrolled Bills, reported as having been examined and found correctly enrolled,  
 "No. 31 (H. of R.) A bill fixing the time of the annual meeting of the Legislative Assembly."  
 "No. 19 (H. of R.) A bill for the election of Commissioners to prepare a code of laws for the Territory of Minnesota."  
 "No. 10 (C. F.) A bill providing for the erection of certain counties therein named, and for other purposes."  
 "No. 5 (C. F.) Memorial to Congress for additional mail facilities;" and  
 "No. 4 (C. F.) Memorial to Congress relative to School lands."  
 The Sergeant-at-Arms reported that the absentees could not be found in town.  
 Mr. Burkleo, from the committee on Territorial Affairs, to which was referred  
 "No. 48 (H. of R.) A bill to dissolve the marriage contract between Catharine Hathaway and her husband Isaac Hathaway;"

Together with the testimony relative thereto,  
Reported the same back to the Council with a recommendation of the committee  
that the bill be passed.

The report was accepted and the committee discharged from the further consideration of the subject.

"No. 30 (C. F.) A bill granting to Francois Gamelle the right to establish and maintain a ferry across the St. Peters river near the mouth of said river,"

Then coming up in order of business, and

The question recurring on ordering said bill to a third reading,  
It was decided in the affirmative; and

On motion of Mr. Rollins,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

"No. 27 (C. F.) A bill granting to Charles E. Dole and others the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and the mouth of Crow Wing river,"

Then coming up in the order of business; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

The following message was received from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have concurred in the first amendment of the Council to

"No. 28 (H. of R.) A bill for laying out a Territorial road from Stillwater to the mouth of Rum river,"

"With an amendment in which the concurrence of the Council is requested.

"And have concurred in the second amendment of the Council to said bill.

"The House have non-concurred in the first amendment, and concurred in the second and third amendments of the Council to

"No. 32 (H. of R.) A bill to locate a Territorial road from Point Douglass to St. Paul."

"Also concurred in the third amendment of the Council to

"No. 34 (H. of R.) A bill granting to J. R. Irvine the right to establish and maintain a ferry across the Mississippi river."

"And the House have negatived

"No. 19 (H. of R.) A bill to provide for the appointment of a Librarian, and for other purposes."

The assistant Clerk then withdrew; when

On motion of Mr. Norris,

The message from the House of Representatives was taken up for the action of the Council; and

"No. 28 (H. of R.) A bill to provide for laying out a Territorial road from Stillwater to the mouth of Rum river,"

Which was amended by the Council, and the amendments concurred in by the House of Representatives with an amendment to the first of said amendments, being under consideration, and

The question recurring on the concurrence of the Council in the amendment of the House to the first amendment of the Council to said bill,

It was decided in the affirmative. So the amendment to the amendment was concurred in.

"No. 32 (C. F.) A bill to locate a Territorial road from Point Douglass to St. Paul,"

To which the Council made sundry amendments, in the first of which the House Representatives refused to concur, being under consideration, and  
The question recurring, "Will the Council recede from its first amendment to the bill,"

It was decided in the affirmative. So the Council receded from its first amendment.

The message from the House of Representatives having been disposed of,

On motion of Mr. McLeod,

The House file of bills was taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, having said file under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported

"No. 44 (H. of R.) A bill fixing the time of holding District Courts."

"No. 48 (H. of R.) A bill to dissolve the marriage contract between Catharine Hathaway and her husband Isaac Hathaway."

"No. 27 (H. of R.) A bill concerning debtors and their securities;" and

"No. 39 (H. of R.) A bill to authorize the Registers of Deeds of Ramsey and Benton counties to procure certain copies of records in the office of the Register of Deeds of Washington county,"

Back to the Council without amendment; and

"No. 4 (H. of R.) Memorial to the Congress of the United States for an appropriation to build a Territorial prison;" and

"No. 24 (H. of R.) A bill to locate a Territorial road from the town of St. Paul to Little Canada,"

With amendments; also reported progress and asked leave to sit again on

"No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company."

The committee also recommended the indefinite postponement by the Council of

"No. 22 (H. of R.) A bill concerning divorces."

On motion of Mr. Loomis,

The Council adjourned until two o'clock this afternoon.

### *Two O'clock, P. M.*

The report of the committee of the whole was taken up; and

The question recurring on the acceptance of the report of said committee on

"No. 44 (H. of R.) A bill fixing the time of holding District Courts;"

"No. 48 (H. of R.) A bill to dissolve the marriage contract between Catharine Hathaway and her husband Isaac Hathaway;"

"No. 27 (H. of R.) A bill concerning debtors and their securities;" and

"No. 39 (H. of R.) A bill to authorize the Registers of Deeds of Ramsey and Benton counties to procure certain copies of records in the office of the Register of Deeds of Washington county,"

Which were reported back to the Council by the committee without amendment,

It was decided in the affirmative; and

Said bills were severally read a third time, passed, and their titles agreed to

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole to

"No. 24 (H. of R.) A bill to locate a Territorial road from St. Paul to Little Canada;" and

"No. 4 (H. of R.) A memorial to the Congress of the United States for an appropriation to build a Territorial prison;"

It was decided in the affirmative.

The said bill and memorial were then severally read the third time, passed, and the titles thereof agreed to.

The question then recurring on the confirmation by the Council of the recommendation made by the committee of the whole on

"No. 22 (H. of R.) A bill concerning divorces,"

It was decided in the affirmative. So the bill was indefinitely postponed.

The question then recurring on granting the committee of the whole leave to sit again on

"No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company,"

Leave was granted.

Mr. Norris, from the joint committee on Enrolled Bills, made the following report, viz :

"The joint committee on Enrolled Bills did, on the twenty-sixth day of October, present to his Excellency, the Governor, for examination and approval, the following bills, joint resolutions and memorials, viz :

"A bill entitled 'An Act providing for laying out a Territorial road from Rum river to Crow Wing,'

"A bill entitled 'An Act regulating grocery licenses,'

"A bill entitled 'An Act organizing a board of County Commissioners in the several counties in this Territory,'

"A bill entitled 'An Act for the relief of Charles M. Berg,'

"Memorial to Congress in relation to establishing mail routes therein named, and for other purposes,"

"Joint resolution relative to the half-breed lands;" and

"Joint resolution relative to the adjournment of the present Legislative Assembly."

The joint committee on Enrolled Bills have examined and found correctly enrolled

"No. 24 (C. F.) A bill to amend an act entitled 'An Act concerning the time for commencing actions.'"

Mr. McLeod moved a call of the Council, which being ordered, the roll was called by the Secretary, when Messrs. Boal and Sturgis did not answer to their names.

The Sergeant-at-Arms was sent after the absentees.

Mr. Sturgis having taken his seat,

On motion of Mr. Rollins,

Further proceedings under the call of the Council were dispensed with.

On motion of Mr. McLeod,

"No. 16 (C. F.) A bill creating the offices of Auditor of public accounts, Territorial Treasurer and Attorney General for Minnesota Territory."

"No. 17 (C. F.) A bill to provide for the election of Registers of Deeds and to define their duties and powers;" and

"No. 20 (C. F.) A bill to provide for the election of county Treasurers, and defining their duties,"

Were severally taken up; and

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, having said bills under consideration.

After some time passed therein, the committee rose, and by the Chairman, reported that a quorum not being present, the committee could not continue their deliberations.

Mr. Loomis moved a call of the Council, which being ordered, the roll was called by the Secretary, when Messrs. Boal, McLeod and Sturgis did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

Mr. McLeod took his seat, when a quorum being present,

On motion of Mr. Loomis,

Further proceedings under the call of the Council were dispensed with.

On motion of Mr. Loomis,

Mr. Boal was excused from attendance on the Council during the afternoon.

The Sergeant-at-Arms reported that Mr. Sturgis could not be found.

On motion of Mr. Burkleo,

The committee of the whole resumed its session.

During the continuance thereof, the President *pro tem.* assumed the Chair for the reception of the following message from the House of Representatives, delivered by L. B. Wait, Esq., assistant Clerk thereof, viz :

COUNCIL, 16

"MR. PRESIDENT :—The Speaker of the House of Representatives has signed the following acts and memorials, viz :

"An act for the election of Commissioners to prepare a code of laws for the Territory of Minnesota."

"An act fixing the time of the annual meeting of the Legislative Assembly."

"An act providing for the erection of certain counties therein named, and for other purposes."

"Memorial to Congress relative to School lands;" and

"Memorial to Congress for additional mail facilities."

"The House have passed

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river, in the county of Benton."

"No. 50 (H. of R.) A bill concerning seals;" and

"No. 7 (H. of R.) Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota;"

"In all which the concurrence of the Council is requested."

"The House have concurred in the first and fifth amendments made by the Council to

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build and maintain a dam across Rum river."

"And have refused to concur in the second, third and fourth amendments of the Council to said bill."

"And have concurred in the first amendment of the Council to

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters and of holding office."

"And have adopted the substitute recommended by the committee of conference for the second amendment of the Council as amended by the House."

The assistant Clerk having withdrawn, the committee of the whole again resumed its session.

After some time passed therein, the committee rose, and by the Chairman, reported the bills back to the Council, as follows :

"No. 16 (C. F.) A bill creating the office of Auditor of public accounts, Territorial Treasurer and Attorney General for Minnesota Territory,"

With the recommendation of the committee, that said bill be indefinitely postponed.

"No. 17 (C. F.) A bill to provide for the election of Registers of Deeds, and to define their duties and powers;" and

"No. 20 (C. F.) A bill to authorize the election of county Treasurers, and define their duties,"

With amendments.

The question then recurring on the adoption by the Council of the amendments proposed to said bills by the committee of the whole;

It was decided in the affirmative.

Said bills were then severally ordered to be engrossed for a third reading.

The question then recurring on the adoption by the Council of the recommendation of the committee of the whole relative to

"No. 16 (C. F.) A bill creating the office of Auditor of public accounts, Territorial Treasurer and Attorney General for Minnesota Territory;"

It was decided in the affirmative. So the said bill was indefinitely postponed.

On motion of Mr. McLeod,

The message from the House of Representatives was taken up; when

The President *pro tem.* signed the following bills and memorials which were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, viz :

"A bill entitled 'An Act for the election of Commissioners to prepare a code of laws for the Territory of Minnesota.'"

"A bill entitled 'An Act fixing the time of the annual meeting of the Legislative Assembly.'"

"A bill entitled 'An Act providing for the erection of certain counties therein named, and for other purposes.'"

"'Memorial to Congress for additional mail facilities;' and  
 "'Memorial to Congress relative to School lands.'"  
 On motion of Mr. Loomis,  
 The Council adjourned—Ayes 4, Noes 2.

COUNCIL, *Saturday, October 27, 1849.*

Prayer by the Rev. Mr. Neill at the request of the Chaplain.

The Journal of the proceedings of yesterday was read.

Mr. Sturgis, from the select committee, to whom was referred the message of his Excellency, the Governor, and the petition of various citizens of the Pembina settlement, relative to the encroachments of the servants of the Hudson's Bay Company on the rights of the citizens of this Territory; and the request of said citizens to be placed under the civil jurisdiction of the Territory, reported

"No. 7 (C. F.) Memorial to Congress relative to the Pembina settlement;"

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

Mr. Rollins, from the committee on Engrossed Bills, reported as having been examined and found correctly engrossed

"No. 20 (C. F.) A bill to authorize the election of county Treasurers, and defining their duties;" and

"No. 17 (C. F.) A bill to provide for the election of Registers of Deeds, and defining their duties and powers."

Mr. Norris, from the committee appointed to confer with a committee of the House of Representatives, on the disagreeing vote of the two Houses on

"No. 11 (H. of R.) A bill to prescribe the qualifications of voters and of holding office;" reported

That the committee recommend the House of Representatives to concur in the first amendment of the Council to said bill; and they recommend to the two Houses the adoption of the following substitute for the second amendment of the Council, as amended by the House, viz:

"That all persons of a mixture of white and Indian blood, and who shall have adopted the habits and customs of civilized men, are hereby declared to be entitled to all the rights and privileges granted by the provisions of this act."

The report of the committee of conference was accepted, and the committee discharged from the further consideration of the subject.

Mr. Norris, from the joint committee on Enrolled Bills, reported as having been examined and found correctly enrolled,

"No. 36 (H. of R.) A bill authorizing the Governor to issue his proclamation for the holding of a court in the county of Wabashaw, and for other purposes."

"No. 30 (H. of R.) A bill to divorce Eleazer F. Ring from his wife Elzora G. Ring;" and

"No. 3 (C. F.) Memorial to Congress for certain roads therein named."

The message of yesterday from the House of Representatives then coming up in order, and

The question being taken on the adoption by the Council of the substitute for the second amendment of the Council as amended by the House, recommended by the committee of conference on

"No. 11 (H. of R.) A bill to prescribe the qualification of voters and of holding office;"

It was decided in the affirmative. So the Council adopted the report of the committee of conference on said bill.

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build and maintain a dam across Rum river,"

Returned from the House of Representatives with the second, third and fourth amendments of the Council to said bill non-concurred in by the House of Representatives, now coming up for the action of the Council, and the question recurring,

"Will the Council recede from its said amendments to the bill,"

Mr. Rollins called for the reading of the amendments and a division of the question, which being ordered,

The second amendment of the Council, being the first non-concurred in by the House, was then read by the Secretary; when

The Council receded therefrom.

The third amendment of the Council, being the second non-concurred in by the House, being then read,

The Council refused to recede therefrom.

The fourth amendment of the Council, being the third non-concurred in by the House, being then read,

The Council refused to recede therefrom.

The following bills and memorial were then read the first and second times, and laid on the table for the action of the Council in committee of the whole.

"No. 50 (H. of R.) A bill concerning seals."

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river in the county of Benton;" and

"No. 7 (H. of R.) Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota."

"No. 20 (C. F.) A bill to authorize the election of county Treasurers, and to define their duties,"

Then coming up in order of business; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

"No. 17 (C. F.) A bill to authorize the election of Registers of Deeds, and to define their duties and powers,"

Then coming up in order; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Norris,

The Council now resolved itself into a committee of the whole, Mr. Sturgis in the Chair, for the re-consideration of

"No. 22 (C. F.) A bill regulating the time of holding the general elections, and for other purposes."

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole;

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Norris moved that the Council do now resolve itself into a committee of the whole for the further consideration of

"No. 28 (C. F.) A bill to provide for the location of the permanent seat of Government by a vote of the people, and for other purposes;" and

Pending the question,

Mr. Norris moved a call of the Council, which being ordered, the roll was called by the Secretary, and Mr. Loomis did not answer to his name.

The Sergeant-at-Arms was directed to report the absentee in his seat.

On motion of Mr. Burkleo,

The Council adjourned until two o'clock, P. M.

Two O'clock, P. M.

The Hon. C. K. Smith, Secretary of the Territory, being announced, delivered a message in writing from his Excellency, the Governor, and then he withdrew.

On motion of Mr. Sturgis,

The message from his Excellency, the Governor, was read by the Secretary, as follows, viz :

“ TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, OCT. 27, 1849. }

“ To the Hon. the President of the Council :

“ SIR :—I have approved and signed the following acts and resolutions, viz :

“ ‘An act organizing a board of county Commissioners in each county in this Territory.’

“ ‘An act regulating grocery licenses.’

“ ‘An act providing for laying out a Territorial road from Rum river to Crow Wing.’

“ ‘Joint resolution relative to the half-breed lands.’

“ ‘Joint resolution relative to the adjournment of the present Legislative Assembly.’

“ ALEX. RAMSEY.”

Mr. Loomis moved a call of the Council, which being ordered, and the roll being called by the Secretary, Messrs. Boal and McLeod did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

A committee from the House of Representatives being announced,

Messrs. Babcock and Bailly informed the Council that the House was now prepared to meet the Council in the Representatives' Hall, for the purpose of electing by joint ballot three Commissioners to prepare a code of laws for Minnesota Territory, and one Clerk to said Commissioners; and then the committee withdrew.

On motion of Mr. Norris,

The Council then repaired to the Hall of the House of Representatives, for the purpose of electing by joint ballot, three Commissioners to prepare a code of laws for Minnesota Territory, and one Clerk to said Commissioners.

After an absence of some time, the Council returned to the Council Hall and resumed its session; when

The President *pro tem.* announced to the Council that the two Houses in convention had elected by joint ballot M. S. Wilkinson, Alexis Bailly and Edmund Rice, Commissioners to prepare a code of laws for Minnesota Territory; and A. V. Fryer Clerk to said Commissioners; and that the proceedings and ballottings in convention had been as follows, viz :

Messrs. Marshall and McLeod having been appointed tellers, the following was the result of the first ballot :

FOR COMMISSIONERS TO PREPARE A CODE OF LAWS.

M. S. Wilkinson	had	.....	fifteen votes.
Alexis Bailly	“	.....	fourteen do.
D. B. Loomis	“	.....	eleven do.
B. W. Lott	“	.....	ten do.
Edmund Rice	“	.....	ten do.
L. A. Babcock	“	.....	ten do.
W. R. Marshall	“	.....	one do.
Alexander Wilkin	“	.....	one do.
Blank	“	.....	one do.

## FOR CLERK TO THE COMMISSIONERS.

A. V. Fryer had	nine votes.
L. B. Wait "	six do.
H. A. Lambert "	five do.
P. P. Bishop "	three do.
C. M. Berg "	one do.

Thirteen votes being necessary to a choice, the Speaker announced that M. S. Wilkinson and Alexis Bailly had been duly elected Commissioners to prepare a code of laws for Minnesota Territory; and that the convention would now proceed to ballot for one Commissioner to prepare a code of laws and one Clerk to said Commissioners.

The convention having accordingly balloted, the tellers announced the following result, viz :

## FOR COMMISSIONER TO PREPARE A CODE OF LAWS.

L. A. Babcock had	seven votes.
D. B. Loomis "	seven do.
B. W. Lott "	five do.
Edmund Rice "	five do.

## FOR CLERK TO THE COMMISSIONERS.

A. V. Fryer had	eleven votes.
H. A. Lambert "	seven do.
L. B. Wait "	five do.
C. M. Berg "	two do.
Blank "	one do.

Thirteen votes being necessary to a choice, no election was had on the second ballot, and the Speaker announced that the convention would proceed to ballot again for one Commissioner to prepare a code of laws for Minnesota Territory, and one Clerk to said Commissioner.

The convention having again balloted, the tellers announced the following result, viz :

## FOR COMMISSIONER TO PREPARE A CODE OF LAWS.

Edmund Rice had	thirteen votes.
L. A. Babcock "	eight do.
D. B. Loomis "	four do.

## FOR CLERK TO THE COMMISSIONERS.

A. V. Fryer had	thirteen votes.
H. A. Lambert "	five do.
L. B. Wait "	six do.
Blank "	one do.

Thirteen votes being necessary to choice, the Speaker announced that Edmund Rice had been duly elected Commissioner to prepare a code of laws for Minnesota Territory; and that A. V. Fryer had been duly elected Clerk to said Commission.

The duties for which the convention of the two Houses had convened having been performed,

The convention was dissolved.

The President *pro tem.* having announced the proceedings of the convention of the two Houses,

On motion of Mr. Rollins,

The Council adjourned.

COUNCIL, Monday, October 29, 1849.

Prayer by the Rev. Mr. Neill.

The Journal of the proceedings of Saturday was read.

Mr. McLeod, by leave, presented the account of Louis M. Oliver, Esq., for translating the message of his Excellency, the Governor, into the French language; Which was referred to the committee on Legislative Expenditures.

Mr. Norris moved a temporary suspension of the rule providing for giving notice of one day previous to asking leave to introduce bills, &c., that he may be permitted to ask leave to introduce a memorial now;

Which motion was sustained by a two-thirds vote; when

Mr. Norris asked and obtained leave to introduce

"No. 8 (C. F.) Memorial to Congress relative to a mail route therein named,"

Which was read a first and second times; and

On motion of Mr. Norris,

The rule requiring the printing of bills, &c., after their second reading, was temporarily suspended by a two-thirds vote; and

The said memorial was laid on the table for the action of the Council in committee of the whole.

Mr. Boal moved a temporary suspension of the rule requiring notice of one day previous to asking leave to introduce bills, &c., to permit him to ask leave to introduce a joint resolution now;

Which motion prevailed by a two-thirds vote; when

Mr. Boal asked and obtained leave to introduce

"No. 9 (C. F.) Joint resolution relative to an illegal election by joint ballot;"

Which was read the first and second times; when

On motion of Mr. McLeod,

The rule providing for the printing of bills, &c., after the second reading was temporarily suspended by a two-thirds vote; and

Said joint resolution was laid on the table for the action of the Council in committee of the whole,

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the further consideration of

"No. 28 (C. F.) A bill to provide for the location of the permanent seat of Government by a vote of the people, and for other purposes."

After some time passed therein, the committee rose, and by the Chairman, reported said bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole, it was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading, it was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. Loomis,

"No. 23 (C. F.) A bill to encourage wool-growing in Minnesota,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading, it was decided in the affirmative. So the bill was ordered to be engrossed.

On motion of Mr. Sturgis,

"No. 25 (C. F.) A bill authorizing the Governor to appoint Commissioners to take acknowledgments of deeds for land lying in this Territory, and for other purposes,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading, and the Ayes and Noes being called for by Mr. Loomis,

Those who voted in the affirmative were Messrs. Boal Loomis and Forbes, *President*—3.

Those who voted in the negative were Messrs. Burkleo, McLeod, Norris, Rollins and Sturgis—5.

So the Council refused to order the bill to be engrossed.

Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed,

"No. 28 (C. F.) A bill to provide for the location of the permanent seat of Government by a vote of the people, and for other purposes."

Mr. Norris moved that said bill be now taken up for the action of the Council; which motion prevailed, and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative; and the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

"No. 6 (C. F.) Memorial to Congress for an appropriation of land to construct a road from Stillwater to Fort Winnebago,"

Was taken up; and

On motion of Mr. Norris,

Said memorial was indefinitely postponed.

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of the House file of bills.

After some time passed therein, the committee rose, and by the Chairman, reported the said file of bills back to the Council, as follows, viz:

"No. 50 (H. of R.) A bill concerning seals,"

Without amendment; and

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river in the county of Benton;" and

"No. 7 (H. of R.) Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota,"

With progress made, and the committee asked leave to sit again on said bill and memorial.

Leave was granted by the Council.

The question then recurring on accepting the report of the committee of the whole on

"No. 50 (H. of R.) A bill concerning seals,"

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and

On motion of Mr. Rollins,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed,

"No. 25 (C. F.) A bill to encourage wool-growing in Minnesota."

On motion of Mr. McLeod,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee had examined and found duly enrolled, the following bills, viz :

"No. 37 (H. of R.) A bill granting to John Banfill the right to establish and maintain a ferry across the Mississippi river near the mouth of Rice river."

"No. 38 (H. of R.) A bill laying out a Territorial road from Stillwater to the mouth of Rum river."

"No. 32 (H. of R.) A bill to locate Territorial roads from Point Douglass to St. Paul."

"No. 34 (H. of R.) A bill granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river;" and

"No. 21 (C. F.) A bill authorizing the election of Sheriffs, and defining their duties."

Mr. Norris, from the joint committee on Enrolled Bills, also reported as follows, viz :

"The joint committee on Enrolled Bills did, on the 27th day of October instant, present to his Excellency, the Governor, for examination and approval, the following bills and memorials, viz :

"A bill entitled 'An Act for the election of Commissioners to prepare a code of laws for Minnesota Territory.'

"A bill entitled 'An Act fixing the time of the annual meeting of the Legislative Assembly.'

"A bill entitled 'An Act providing for the erection of certain counties therein named, and for other purposes.'

"Memorial to Congress for additional mail facilities;" and

"Memorial to Congress relative to School lands."

"J. S. NORRIS, Chairman."

On motion of Mr. Sturgis,

"No. 25 (C. F.) A bill to encourage wool-growing in Minnesota,"

Was taken up; and

The question recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

Mr. Loomis moved to amend the title by striking out the word "growing" and inserting in lieu thereof the word "pulling;"

Which was decided in the negative.

The question being then taken on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Loomis,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the further consideration of

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river, in the county of Benton;" and

"No. 7 (H. of R.) Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota."

During the session of the committee, the President *pro tem.* assumed the Chair for the reception of the following message from the House of Representatives, delivered by L. B. Wait, Esq., assistant Clerk thereof, viz :

"MR. PRESIDENT:—The House of Representatives have passed

"No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river in the county of Ramsey."

"No. 52 (H. of R.) A bill providing for the proper observance of the Sabbath."

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"No. 18 (C. F.) A bill to establish and maintain common Schools;"

"With amendments, in all which the concurrence of the Council is requested; also

"No. 27 (C. F.) A bill granting to Charles E. Dole and others the exclusive right to navigate the Mississippi river with steamboats, between the Falls of St. Anthony and the mouth of Crow Wing river."

"And have negatively by postponing until the tenth day of November,

"No. 39 (C. F.) A bill granting to Francois Gamelle the right to establish and maintain a ferry across the St. Peters river near the mouth of said river."

"The Speaker of the House of Representatives has signed

"An act to amend an act entitled 'An Act concerning the time of commencing actions.'"

"An act authorizing the Governor to issue his proclamation for the holding of a Court in the county of Wabashaw, and for other purposes."

"An act to divorce Eleazer F. Ring from his wife Elzora G. Ring;" and

"A memorial to Congress for the improvement of certain roads therein named,"

"The House of Representatives have passed

"No. 26 (H. of R.) A bill to exempt from execution the homestead."

"No. 39 (H. of R.) A bill concerning courts of record."

"No. 5 (H. of R.) Memorial to Congress praying for an amendment of the law granting pre-emption rights;" and

"No. 8 (C. F.) Joint resolution relative to the military reservation at Fort Snelling;"

"With amendments; in all which the concurrence of the Council is requested.

"And have concurred in the amendment of the Council to

"No. 33 (H. R.) A bill granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

"The Governor on Saturday last notified the House of Representatives that he had approved and signed the following act and memorial, viz :

"An act for the relief of Charles M. Berg;" and

"Memorial to Congress in relation to establishing mail routes therein named." "

The assistant Clerk then withdrew, and the committee of the whole resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported back to the Council,

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river, in the county of Benton,"

With an amendment; and

"No. 7 (H. of R.) A memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota,"

Without amendment.

The question being then taken on the adoption by the Council of the amendment proposed by the committee of the whole to

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river in the county of Benton;"

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

Mr. McLeod moved to amend the title by striking out all after the word "Beatty," and inserting in lieu thereof the words "and others, to establish and maintain ferries across the Mississippi river in the county of Benton,"

Which motion prevailed; and

The question then recurring on agreeing to the title of the bill as amended,

It was decided in the affirmative. So the title was agreed to.

The question then recurring on the acceptance by the Council of the report of the committee of the whole on

"No. 7 (H. of R.) A memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota;"

It was decided in the affirmative.

The question then recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, for the further consideration of

"No. 40 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company."

After some time passed therein, the committee rose, and by the Chairman, reported progress and asked leave to sit again.

Leave was granted.

On motion of Mr. Sturgis,

"No. 9 (C. F.) Joint resolution relative to an illegal election by joint ballot,"

Was taken up; and

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration thereof.

After some time passed therein, the committee rose, and by the Chairman, reported the joint resolution back to the Council with a recommendation that it be laid on the table until to-morrow morning.

The question then recurring on the adoption by the Council of the recommendation of the committee of the whole,

Mr. Loomis moved to amend by striking out "to-morrow morning," and inserting in lieu thereof the words "the tenth day of November next,"

Which motion was negatived.

The question being then taken on the adoption of the report of the committee of the whole,

It was decided in the affirmative. So the joint resolution was laid on the table until to-morrow morning.

On motion of Mr. Norris,

"No. 8 (C. F.) Memorial to Congress relative to a mail route therein named,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the consideration of said memorial.

After some time passed therein, the committee rose, and by the Chairman, reported the memorial back to the Council without amendment.

The report of the committee of the whole was accepted; and

The question then recurring on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative; and the memorial was ordered to be engrossed.

On motion of Mr. McLeod,

The message from the House of Representatives was taken up; when

The President *pro tem.* signed the following bills and memorial, and they were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval, viz:

"A bill entitled 'An Act to divorce Eleazer F. Ring from his wife Elzora G. Ring,'

"A bill entitled 'An Act authorizing the Governor to issue his proclamation for the holding of a court in the county of Wabashaw, and for other purposes,'

"A bill entitled 'An Act to amend an act entitled an act concerning the time of commencing actions;' and

"Memorial to Congress for the improvement of certain roads therein named."

On motion of Mr. McLeod,  
The Council adjourned.

COUNCIL, Tuesday, October 30, 1849.

Prayer by the Rev. Mr. Pond.

The Journal of the proceedings of yesterday was read.

Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had compared and found correctly engrossed,

"No. 8 (C. F.) Memorial to Congress relative to a mail route therein named."

Mr. Norris, from the committee appointed to confer with a similar committee on the part of the House of Representatives, on the disagreeing vote of the two Houses on

"No. 18 (H. of R.) A bill providing for laying out Territorial roads in the Territory of Minnesota, and for other purposes;"

Reported that the joint committee has had the matter referred to them under consideration, and recommend that the Council recede from the fourth, fifth and seventh amendments made by the Council to said bill.

The report was read and accepted by the Council, and the committee discharged from the further consideration of the subject.

The message of yesterday from the House of Representatives coming up in order; and

"No. 18 (C. F.) A bill to establish and maintain common Schools,"

Which was returned from the House of Representatives with amendments, being under consideration, and

The question recurring on the concurrence of the Council in the amendments made to said bill by the House of Representatives; and

The first amendment having been read by the Secretary, the Council concurred therein.

The second amendment being then read, the Council concurred therein.

On motion of Mr. Norris,

The vote by which the second amendment of the House was concurred in by the Council was reconsidered; and

The question again recurring on the concurrence of the Council in the second amendment of the House,

Mr. Loomis moved to amend the second amendment, by including in the words proposed to be stricken out of the bill, all between "district" in the second line and "provide" in the fourth line;

Which motion prevailed.

The question then being taken on the adoption of the second amendment as amended; it was decided in the affirmative.

The third amendment being then read, the Council concurred therein.

The fourth amendment being then read, the Council concurred therein.

The fifth amendment being then read, the Council concurred therein.

The sixth amendment being then read, the Council concurred therein.

The seventh amendment being then read,

Mr. Loomis moved to strike out the two last lines thereof, which motion prevailed.

The question being then taken on the adoption of the seventh amendment as amended, it was decided in the affirmative.

So the Council concurred in all the amendments made to said bill by the House of Representatives, with amendments to the second and seventh of said amendments.

"No. 8 (C. F.) Joint resolution relative to the military reservation at Fort Snelling,"

Which was returned from the House of Representatives with an amendment, being under consideration, and the amendment being then read; and

The question recurring on the concurrence of Council in the amendment by the House

Mr. McLeod moved to amend the amendment by striking out the words "bona fide," and inserting in lieu thereof the words "claim on," which motion prevailed; and

The question being then taken on the concurrence of the Council in said amendment as amended, it was decided in the affirmative.

The following bills and memorial were then read the first and second times, and laid on the table for the action of the Council in committee of the whole, viz:

"No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river in the county of Ramsey."

"No. 5 (H. of R.) Memorial to Congress praying for an amendment to the law granting pre-emption rights;" and

"No. 52 (H. of R.) A bill providing for a proper observance of the Sabbath."

"No. 26 (H. of R.) A bill to exempt from sale by execution the homestead,"

Was read a first and second times; when

Mr. Loomis moved that the bill be made the special order of the day for the tenth day of November next; and the Ayes and Noes being called for by Mr. Sturgis, on the adoption of the motion.

Those who voted in the affirmative were Messrs. Burkleo, Loomis, and Forbes, *President*—3.

Those who voted in the negative were Messrs. Boal, Norris, Rollins, and Sturgis—4.

So the Council refused to adopt the motion, and the bill was laid on the table for the action of the Council in committee of the whole.

"No. 39 (H. of R.) A bill concerning Courts of Record,"

On motion of Mr. Loomis,

Was read the first and second times by its title, and was laid on the table for the action of the Council in committee of the whole.

The message of the House of Representatives having been disposed of,

"No. 8 (C. F.) Memorial to Congress relative to a mail route therein named,"

Was taken up in order of business; and

The question recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Burkleo,

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the further consideration of

"No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company."

After some time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with amendments.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and,

On motion of Mr. Loomis,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

The Council adjourned until two o'clock this afternoon.

Two O'clock, P. M.

The Sergeant-at-Arms reported a quorum in their seats; when,

On motion of Mr. Norris,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the consideration of the House file of bills.

During the session of the committee of the whole, the President *pro tem.* assumed the Chair for the reception of the following message from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz:

"MR. PRESIDENT:—The Speaker of the House of Representatives has signed the following acts:

"An act for laying out a Territorial road from Stillwater to the mouth of Rum river."

"An act to locate Territorial roads from Point Douglass to St. Paul."

"An act granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river."

"An act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river, near the mouth of Rice river;" and

"An act authorizing the election of Sheriffs, and defining their duties."

The House of Representatives have passed

"No. 41 (H. of R.) A bill to incorporate the town of St. Paul in the county of Ramsey."

"No. 26 (C. F.) A bill to regulate the public printing and building,"

"With amendments; in all which the concurrence of the Council is requested."

The assistant Clerk having withdrawn, the committee of the whole resumed its session.

After some time passed therein, the committee rose, and by the Chairman, report-back to the Council:

"No. 27 (H. of R.) A bill concerning debtors and their sureties."

"No. 5 (H. of R.) Memorial to Congress praying for an amendment to the law granting pre-emption rights;" and

"No. 52 (H. of R.) A bill providing for the proper observance of the Sabbath,"

Without amendments; and

"No. 43 (H. of R.) A bill to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes;'" and

"No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river, in the county of Ramsey,"

With amendments; also

"No. 26 (H. of R.) A bill to exempt from execution the homestead,"

With progress made; and the committee asked leave to sit again on said bill.

The question being first taken on accepting the report of the committee of the whole on

"No. 27 (H. of R.) A bill concerning debtors and their sureties;"

"No. 5 (H. of R.) Memorial to Congress praying for an amendment to the law granting pre-emption rights;" and

"No. 52 (H. of R.) A bill providing for the proper observance of the Sabbath,"

It was decided in the affirmative.

The question being then taken on the adoption by the Council of the amendments proposed by the committee of the whole to

"No. 43 (H. of R.) A bill to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes;'" and

"No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river, in the county of Ramsey,"

It was decided in the affirmative.

The question then being put on granting the committee leave to sit again on

"No. 26 (H. of R.) A bill to exempt from execution the homestead,"

Pending the question,

Mr. Loomis moved that the committee have leave to sit again on said bill on the tenth day of November next; and the Ayes and noes being called for by Mr. Loomis, on the adoption of said motion, and ordered,

Those who voted in the affirmative were Messrs. Burkleo, Loomis, and Forbes,  
*President*—3.

Those who voted in the negative were Messrs. Boal, Norris, Rollins, and Sturgis—4.

So the motion was negatived.

The question then being taken on granting the committee leave to sit again on said bill,

It was decided in the affirmative. So leave was granted.

The question then being taken on ordering to a third reading,

"No. 27 (H. of R.) A bill concerning debtors and their securities,"

It was decided in the affirmative; and,

On motion of Mr. Norris,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

The question then being taken on ordering to a third reading,

"No. 43 (H. of R.) A bill to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes,'"

It was decided in the affirmative; and,

On motion of Mr. Norris,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

Mr. Norris moved to strike out all after the word "bill," and insert in lieu thereof the words "to provide a Territorial revenue;"

Which motion prevailed; and

The question then being taken on agreeing to the title as amended,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Rollins,

The rule providing that bills, &c., shall not be read the second and third times on the same day, was temporarily suspended; and

"No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river, in the county of Ramsey;" and

"No. 5 (H. of R.) Memorial to Congress praying for an amendment to the law granting pre-emption rights,"

Were severally read the third time by their titles, passed, and their titles agreed to.

The question then being put on ordering to a third reading,

"No. 52 (H. of R.) A bill providing for the proper observance of the Sabbath,"

Pending the question,

On motion of Mr. Norris,

Said bill was laid on the table, and made the special order of the day for the tenth day of November next.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee had examined and found correctly enrolled,

"No. 27 (C. F.) A bill granting to Charles E. Dole and others the exclusive right to navigate the Mississippi river with steamboats between the Falls of St. Anthony and the mouth of Crow Wing river."

On motion of Mr. McLeod,

The message from the House of Representatives was taken up; when

The President *pro tem.* signed the following bills, and they were placed in the

hands of the Chairman of the committee on Enrolled Bills, for presentation to his Excellency, the Governor, for examination and approval, viz:

A bill entitled "An Act authorizing the election of Sheriffs and defining their duties."

A bill entitled "An Act for laying out a Territorial road from Stillwater to the mouth of Rum river."

A bill entitled "An Act granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river;" and

A bill entitled "An Act granting to John Penfill the right to establish and maintain a ferry across the Mississippi river, near the mouth of Rice river."

On motion of Mr. Rollins,

The Council adjourned until half-past six o'clock this evening.

*Half-past six O'clock, P. M.*

On motion of Mr. Norris,

"No. 39 (H. of R.) A bill concerning Courts of Record,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. McLeod in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported that a quorum not being present, the committee could not proceed with the business before it.

Mr. Norris moved a call of the Council; which being ordered, the roll was called, when Messrs. Boal, Burkleo, and Loomis did not answer to their names.

The Sergeant-at-Arms being absent, the Messenger was despatched in search of him.

Mr. Burkleo having taken his seat,

On motion of Mr. Rollins,

Further proceedings under the call of the Council were dispensed with.

On motion of Mr. Norris,

The committee of the whole resumed its session.

After some further time passed therein, the committee rose, and by the Chairman, reported the bill back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

It was decided in the affirmative.

On motion of Mr. Loomis,

The rule prohibiting the reading of bills, &c., the second and third times on the same day, was temporarily suspended by a two-thirds vote; and

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and,

On motion of Mr. Loomis,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Sturgis moved that the Council resolve itself into a committee of the whole for the consideration of—

"No. 7. (C. F.) Memorial to Congress relative to the Pembina settlement."

Pending the question,

Mr. Loomis moved the Council do now adjourn;

Which motion was negatived—Ayes 3—Noes 4.

The question then recurring on the motion of Mr. Sturgis,

It was decided in the affirmative; and

The Council resolved itself into a committee of the whole, Mr. Burkleo in the Chair, having under consideration,

• "No. 7 (C. F.) Memorial to Congress relative to the Pembina settlement."

After some time passed therein, the committee rose, and by the Chairman, reported that a quorum not being in attendance, the committee could not proceed with the business before it.

Mr. Norris moved a call of the Council; which being ordered, the roll was called, when Messrs. Boal and Loomis did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

Mr. Loomis having taken his seat,

On motion of Mr. Rollins,

Further proceedings under the call of the Council were dispensed with; and,

On motion of Mr. Norris,

The committee of the whole resumed its deliberations.

After some time passed therein, the committee rose, and by the Chairman, reported

"No. 7 (C. F.) Memorial to Congress relative to the Pembina settlement,"

Back to the Council with an amendment.

The question then recurring on the adoption by the Council of the amendment proposed by the committee of the whole,

It was decided in the negative.

The question then recurring on ordering the memorial to be engrossed for a third reading,

It was decided in the affirmative. So the memorial was ordered to be engrossed.

On motion of Mr. McLeod,

The Council adjourned.

COUNCIL, *Wednesday*, October 31, 1849.

Prayer by the Rev. Mr. Neill,

The Journal of yesterday to half-past six o'clock was read; when,

On motion of Mr. Sturgis,

The further reading of the Journal was suspended.

Mr. Loomis presented an account of James M. Goodhue, for papers furnished the Legislative Assembly; which,

On motion of Mr. Loomis,

Was referred to the joint committee on Legislative Expenditures.

On motion of Mr. McLeod,

The rule providing for one day's notice for leave to introduce bills, &c., was temporarily suspended by a two-thirds vote; and

Mr. McLeod asked and obtained leave to introduce

"No. 10 (C. F.) Joint resolution relative to Commissioners to revise the laws, and a Clerk to said commission;"

Which was read the first and second times; when,

On motion of Mr. McLeod,

The rule requiring the printing of bills, &c., &c., after their second reading, was suspended in regard to said joint resolution, by a two-thirds vote; and it was laid on the table for the action of the Council in committee of the whole.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee did, on this thirty-first day of October, present to his Excellency, the Governor, for examination and approval:

A bill entitled "An Act authorizing the Governor to issue his proclamation for the holding of a Court in the county of Wabashaw, and for other purposes."

A bill entitled "An Act to amend an act entitled 'An Act concerning the time of commencing actions.'"

A bill entitled "An Act to divorce Eleazer F. Ring from his wife, Elzora G. Ring."

A bill entitled "An Act granting to John Banfill the right to establish and maintain a ferry across the Mississippi river, near the mouth of Rice river."

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A bill entitled "An Act to locate Territorial roads from Point Douglass to St. Paul."

A bill entitled "An Act granting to John R. Irvine the right to establish and maintain a ferry across the Mississippi river."

A bill entitled "An Act for laying out a Territorial road from Stillwater to the mouth of Rum river."

A bill entitled "An Act authorizing the election of Sheriffs and defining their duties;" and

"Memorial to Congress for the improvement of certain roads therein named."

Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed,

"No. 7 (C. F.) Memorial to Congress relative to the Pembina settlement.

Mr. Boal, from the select committee appointed to draft a device for a Territorial seal, made the following

#### REPORT :

"The Select Committee appointed to draft a device for a Territorial seal, have had the subject under consideration, and herewith report a device which your committee hope will meet the approbation of the Legislative Assembly.

"A device tending to perpetuate the early history of our Territory, your committee considered desirable; and no subject appears more appropriate than that of the friendly relations existing between the white and the red man.

"The wisdom and sound policy which governs our intercourse with the Indian tribes on our frontier, is a subject which must call forth a feeling of pride in the breast of every American citizen; and the fact that the white settlements, which in their progress, drives the red man from his home, from the graves of his ancestors, and from the lakes and streams which witnessed his early feats in the chase, in love, or in war; although in many instances, isolated and unprotected, still the most friendly relations exist, and the Indian meets his white neighbor with an out-stretched hand, in token of friendship. This your committee considered a subject deserving official commemoration.

"Your committee have, therefore, adopted for a device an every-day scene, consisting of an Indian family, with their lodge, canoe, &c., &c., in their encampment on the wild lands of our Territory, and a single white man visiting them, with no other protection than the feeling of hospitality and friendship existing between the two people, so different in all the manners, customs and habits of life. The white man is receiving from the Indian the 'pipe of peace,' a sure symbol of eternal friendship.

"Your committee would respectfully suggest that a copy of the device, if adopted by the Legislature, should be filed in the office of the Secretary of the Territory, and another furnished to his Excellency, the Governor, to be by him caused to be engraved on the Great Seal of the Territory.

"All of which is respectfully submitted.

"JAMES Mc. BOAL, Chairman."

The report was read and accepted, and the committee discharged from the further consideration of the subject.

The message from the House of Representatives of yesterday then coming up in order; and

"No. 26 (C. F.) A bill to regulate the public printing,"

Which was returned from the House of Representatives with amendments, being up for the action of the Council; and

The question recurring on the concurrence of the Council in the amendments made by the House of Representatives to said bill;

Mr. Norris called for the reading of the amendments and a division of the question, which being ordered,

The first amendment was read, and the Council concurred therein—Ayes 4, Noes 2.

Mr. Norris moved a call of the Council, which being ordered, the roll was called by the Secretary, when Mr. Sturgis did not answer to his name.

The Sergeant-at-Arms was sent after the absentee.

Mr. Loomis moved that further proceedings under the call of the Council be dispensed with; and

Pending the question, the Sergeant-at-Arms reported Mr. Sturgis in his seat.

The second amendment being then read,

Mr. Norris moved to amend the amendment by adding thereto the words—"Provided, That said standard shall apply only to the size of the Laws and Journals of this Territory;"

Pending the question, the following message was received from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have passed

"No. 56 (H. of R.) A bill to incorporate the St. Anthony Library Association."

"No. 8 (H. of R.) Memorial to Congress for a mail route from the Falls of St. Croix to Fond du Lac."

"No. 3 (C. F.) Memorial to Congress relative to a mail route therein named."

"No. 20 (C. F.) A bill to authorize the election of county Treasurers, and to define their duties;" and

"No. 17 (C. F.) A bill to provide for the election of Registers of Deeds, and to define their duties and powers."

"With an amendment; and the House have concurred in the second, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh amendments of the Council to

"No. 4. (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company."

"And have adopted substitutes for the first and third amendments of the Council to said bill.

"In all which the concurrence of the Council is requested.

"The House have concurred in the amendments of the Council to the following bills and memorial, viz :

"No. 24 (H. of R.) A bill to locate a Territorial road from the town of St. Paul to Little Canada."

"No. 42 (H. of R.) A bill granting to James Beatty the right to establish and maintain a ferry across the Mississippi river in the county of Benton."

"No. 13 (C. F.) A bill to establish and maintain common Schools;" and

"No. 4 (H. of R.) A memorial to the Congress of the United States for an appropriation to build a Territorial prison."

"The House refuse to recede from their non-concurrence in the third and fourth amendments of the Council to

"No. 29 (H. of R.) A bill to authorize Calvin A. Tuttle to build and maintain a dam across Rum river."

"And have non-concurred in the amendment of the Council to the second amendment of the House to

"No. 3 (C. F.) Joint resolution relative to the military reservation at Fort Snelling."

"And have postponed until the tenth day of November,

"No. 23 (C. F.) A bill to encourage wool-growing in Minnesota."

"The House have also passed

"No. 22 (C. F.) A bill regulating the time of holding the general elections, and for other purposes."

"And have passed

"No. 23 (C. F.) A bill to provide for the location of the permanent seat of Government by a vote of the people, and for other purposes."

"With an amendment, and an amendment to the title of the bill ; in all which the concurrence of the Council is requested."

The assistant Clerk then withdrew; and

The question being taken on the adoption of the amendment proposed to the second amendment of the House to

"No. 26 (C. F.) A bill to regulate the public printing;"

And the Ayes and Noes being called for by Mr. Loomis and ordered,

Those who voted in the affirmative were Messrs. Boal, Norris, Rollins, Sturgis and Forbes, *President*—5.

Those who voted in the negative were Messrs. Burkleo, Loomis and McLeod—3.

So the amendment to the amendment was adopted.

The question then recurring on the concurrence of the Council, in the second amendment of the House, as amended by the Council,

It was decided in the affirmative—Ayes 4, Noes 3.

The third amendment being then read,

Mr. Rollins moved to amend the third amendment by striking out all after the words "duty of the" in the first line of said amendment, and insert in lieu thereof the words, "person or persons so elected to do the printing of the Laws and Journals of the Territory, to furnish paper in size, weight, color and quality, as near as may be according to the size, weight, color and quality of the paper on which the United States' statutes at large are printed;"

Which motion prevailed; and

The question then recurring on the adoption by the Council of the third amendment as amended, it was decided in the affirmative.

The fourth amendment being then read, the Council concurred therein.

The fifth amendment being then read,

Mr. Burkleo moved to amend the amendment by striking out all after the word "shall" in the first line, and insert the words "not exceed one dollar per thousand ems, and one dollar per token for press work;" and the Ayes and Noes being called for by Mr. Burkleo, and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo and Loomis—3.

Those who voted in the negative were Messrs. McLeod, Norris, Rollins, Sturgis and Forbes, *President*—5.

So the amendment proposed to the fifth amendment was not adopted.

The question then being taken on the adoption of the fifth amendment, it was decided in the affirmative.

The sixth amendment being then read, the Council concurred therein.

The seventh amendment being then read, the Council concurred therein.

The eighth amendment being then read, the Council concurred therein.

So the Council concurred in all the amendments of the House to

"No. 26 (C. F.) A bill to regulate the public printing,"

With amendments to the second and third of said amendments.

Mr. Rollins moved that the vote by which the Council on yesterday ordered

"No. 52 (H. of R.) A bill providing for the proper observance of the Sabbath,"

To be laid on the table and made the special order of the day for the tenth day of November next, be re-considered; and the Ayes and Noes being called for by Mr. Sturgis on the motion, and ordered,

Those who voted in the affirmative were Messrs. Burkleo, Loomis, McLeod, Rollins, Sturgis and Forbes, *President*—6.

Those who voted in the negative were Messrs. Boal and Norris—2.

So the vote to lay on the table until the tenth day of November next, was re-considered; and

The question then recurring on ordering the bill to be laid on the table and made the special order of the day for the tenth day of November next, it was decided in the negative.

Mr. Loomis moved to recommit the bill to the committee of the whole,

Which was decided in the negative—Ayes 4, Noes 4.

The question then recurring on ordering the bill to a third reading,

It was decided in the affirmative; and

Mr. Rollins moved that the bill be read the third time by its title,

Which was decided in the affirmative—Ayes 4, Noes 3.

And the bill was read the third time by its title.

Mr. Loomis called for the reading of the bill at length, which being ordered,

The bill was read the third time.

The question then recurring on the passage of the bill, and the Ayes and Noes being called for by Mr. Loomis, and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Loomis, Rollins, Sturgis and Forbes, *President*—6.

Mr. Norris voted in the negative—1.

So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. McLeod,

"No. 10 (C. F.) Joint resolution relative to Commissioners to revise the laws, and a Clerk to said commission,"

Was taken up; when

On motion of Mr. McLeod,

The rule was temporarily suspended requiring bills, &c., to be considered in committee of the whole after the second reading; and

On motion of Mr. Rollins,

The bill was read for information by the Secretary.

Mr. Rollins moved to amend the joint resolution by striking out the words "one hundred" where they occur, and inserting in lieu the word "sixty;"

Which was decided in the negative—Ayes 3, Noes 3.

Mr. Rollins moved to amend the joint resolution by striking out the words "one hundred" where they occur, and inserting in lieu thereof the words "seventy-five;" which was decided in the affirmative.

Mr. McLeod moved a suspension of the rule providing that bills, &c., shall be read the second and third times on the same day, to permit the joint resolution to be read the third time now;

Which was decided in the affirmative by a two-thirds vote; and

On motion of Mr. Burkleo,

The joint resolution was read a third time by its title.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative; and the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Burkleo,

The Council adjourned until two o'clock this afternoon.

*Two O'clock, P. M.*

On motion of Mr. McLeod,

"No. 7 (C. F.) Memorial to Congress relative to the Pembina settlement,"

Was taken up; and

The question recurring on ordering the memorial to a third reading,

It was decided in the affirmative; and the memorial was read the third time.

The question then recurring on the passage of the memorial,

It was decided in the affirmative. So the memorial passed.

The question then recurring on agreeing to the title of the memorial,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. McLeod,

The message from the House of Representatives was taken up; and

"No. 8 (C. F.) Joint resolution relative to the Military Reservation at Fort Snelling,"

Being up for consideration; and the House of Representatives having refused to concur in the amendment of the Council to an amendment of the House; and

The question recurring, "Will the Council recede from its amendment to an amendment of the House to this joint resolution?"

It was decided in the affirmative.

The question then recurring on the adoption of the amendment of the House to said joint resolution,

It was decided in the affirmative.

"No. 29 (H. of R.) A bill to authorise Calvin A. Tuttle to build and maintain a dam across Rum river;"

Which was amended by the Council, and two of said amendments were non-con-

curred in by the House, the Council refused to recede, and the House adhered to their disagreement,

The bill being again before the Council; and

The question recurring, "Will the Council adhere to their disagreement?"

Mr. Norris moved that the question be taken on the amendments separately after reading; which being ordered,

The first amendment non-concurred in by the House was read, and the Council refused to adhere to its disagreement thereto.

The second amendment non-concurred in by the House being then read, the Council adhered to its disagreement thereto—Ayes 5—Noes 2.

"No. 17 (C. F.) A bill to provide for the election of Registers of Deeds, and to define their duties and powers."

Being then under consideration; and

The question recurring on the concurrence of the Council in the amendments made by the House of Representatives to said bill; and

The amendments being read, the Council concurred therein.

"No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company;"

Which was amended by the Council, and the amendments concurred in by the House, with a substitute for the first, and an amendment to the second of said amendments; and the substitute for the first amendment being read,

Mr. Loomis moved to amend the substitute, so as to strike out the word "each" where it occurs in the second line of the seventh section; which motion prevailed.

The question then recurring on the adoption by the Council of the substitute of the House for the first amendment, as amended by the Council,

It was decided in the affirmative.

The amendment to the second amendment of the Council being then read, the Council concurred therein.

"No. 28 (C. F.) A bill providing for the permanent location of the seat of Government by a vote of the people, and for other purposes."

Returned from the House of Representatives with an amendment, being up for consideration; and

The question recurring on the concurrence of the Council in the amendment made by the House of Representatives to said bill; and the Ayes and Noes being called for by Mr. Burkleo on the question, and ordered,

Those who voted in the affirmative were Messrs. Boal, McLeod, Norris, and Forbes, *President*—4.

Those who voted in the negative were Messrs. Burkleo, Loomis, Rollins, and Sturgis—4.

So the Council refused to concur in the amendment.

"No. 41 (H. of R.) A bill to incorporate the town of St. Paul;"

"No. 56 (H. of R.) A bill to incorporate the St. Anthony Library Association;" and

"No. 8 (H. of R.) Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac,"

Were then severally read the first and second times, and laid on the table for the action of the Council in committee of the whole.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee had examined and found correctly enrolled:

"No. 39 (H. of R.) A bill authorizing the Registers of Deeds of Ramsey and Benton counties to procure certain copies of Records in the office of the Register of Deeds of Washington county."

"No. 44 (H. of R.) A bill fixing the time of holding District Courts."

"No. 11 (H. of R.) A bill to prescribe the qualification of voters and of holding office."

"No. 48 (H. of R.) A bill to dissolve the marriage contract between Catharine Hathaway and her husband, Isaac Hathaway."

"No. 24 (H. of R.) A bill to locate a Territorial road from the town of St. Paul to J. Canada."

"No. 7 (H. of R.) Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota;" and

"No. 17 (H. of R.) A bill to incorporate the Minnesota Mutual Fire Insurance Company."

Mr. Norris moved a temporary suspension of the rules providing for the consideration of bills, &c., in committee of the whole after their second reading, and prohibiting bills from being read the second and third times on the same day; which motion prevailed by a two-thirds vote; and,

On motion of Mr. Norris,

"No. 56 (H. of R.) A bill to incorporate the St. Anthony Library Association;" and

"No. 8 (H. of R.) Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac,"

Were severally ordered to a third reading, passed, and their titles agreed to.

On motion of Mr. Rollins,

"No. 40 (H. of R.) A bill granting to James Purrinton and his associates a right to establish and maintain a ferry across Lake St. Croix, near Greely's Landing,"

Was taken from the table; and

The question recurring on the passage of the bill,

Mr. Rollins moved that the bill be laid on the table, and made the special order of the day for the tenth day of November next; and pending the question, Wm. H. Nobles, Esq., was called upon and testified before the Council, relative to the existence of a charter from the Legislature of the Territory of Wisconsin, for a ferry across Lake St. Croix, at or near the point designated in the present bill, and for one mile above and below said ferry.

The question being then taken on the motion to lay the bill on the table until the tenth day of November next,

It was decided in the affirmative.

On motion of Mr. Burkleo,

"No. 41 (H. of R.) A bill to incorporate the town of St. Paul in the county of Ramsey,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Norris in the Chair, for the consideration of said bill.

After some time passed thereon, the committee rose, and by the Chairman, reported the bill back to the Council without amendment.

The report of the committee of the whole was accepted.

The Honorable, the Secretary of the Territory, then delivered to the Council a message in writing from his Excellency, the Governor; and then he withdrew.

On motion of Mr. Rollins,

The rule providing that bills, &c., &c., shall not be read the second and third times on the same day, was temporarily suspended by a two-thirds vote; and,

On motion of Mr. Rollins,

"No. 41 (H. of R.) A bill to incorporate the town of St. Paul in the county of Ramsey,"

Was ordered to a third reading, and read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative; and the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Loomis,

The message from his Excellency, the Governor, was then taken up, and read as follows, viz:

" TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, Oct. 31, 1849. }

"To the Honorable the President of the Council:

"SIR:—I have approved and signed the following acts and memorials, viz:

"An Act providing for the erection of certain counties therein named,"

- “ ‘ Memorial to Congress for additional mail facilities.’
- “ ‘ Memorial to Congress relative to school lands.’
- “ ‘ An Act authorizing the election of Sheriffs, and defining their duties.’
- “ ‘ An Act to amend an act entitled An Act concerning the time of commencing actions;’ and
- “ ‘ Memorial to Congress for the improvement of certain roads therein named.’

“ALEX. RAMSEY.”

On motion of Mr. McLeod,

“ No. 26 (H. of R.) A bill to exempt from sale by execution the homestead,”

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Rollins in the Chair, for the further consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council with a recommendation that it be postponed until the next session of the Legislative Assembly.

The question then recurring on the adoption by the Council of the postponement recommended by the committee of the whole,

It was decided in the affirmative; and the bill was referred to the next session of the Legislative Assembly.

On motion of Mr. Burkleo,

The Council adjourned until half-past six o'clock this evening.

*Half-past six O'clock, P. M.*

The Sergeant-at-Arms reported he could not find a quorum.

Mr. McLeod moved a call of the Council; which being ordered, the roll was called, and Messrs. Burkleo, Rollins, and Sturgis did not answer to their names.

The Sergeant-at-Arms was sent after the absentees.

Mr. Norris moved the Council do now adjourn;

Which was decided in the negative.

The Sergeant-at-Arms reported that the absentees could not be found.

The following message was received from the House of Representatives, by L. B. Walt, Esq., assistant Clerk thereof, viz:

“ MR. PRESIDENT:—The House of Representatives have refused to recede from their amendments to

“ ‘ No. 28 (C. F.) A bill to provide for the location of the permanent seat of Government by a vote of the people, and for other purposes;’

“ ‘ And have appointed Messrs. Jackson and Wilkinson a committee of conference on said bill; and the Council is requested to appoint a committee to confer with that of the House of Representatives on the disagreeing vote of the two Houses.

“ ‘ The House have refused to concur in the amendments of the Council to

“ ‘ No. 43 (H. of R.) A bill to amend an act entitled An Act to provide the means to pay the public Debt of the Territory, and for other purposes;’

“ ‘ And have concurred in the amendment of the Council to the third amendment of the House, and refused to concur in the amendment of the Council to the second amendment of the House to

“ ‘ No. 26 (C. F.) A bill to regulate the public printing;’

“ ‘ And have concurred in the amendments of the Council to the following bills, viz:

“ ‘ No. 4 (H. of R.) A bill to incorporate the St. Paul and St. Anthony Plank Road Company.’

“ ‘ No. 38 (H. of R.) A bill concerning Courts of Record.’

“ ‘ No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river in the county of Ramsey.’

“ The Speaker of the House of Representatives has signed:

“ ‘ An Act to authorize the Registers of Deeds of Ramsey and Benton counties to procure certain copies of records in the office of the Register of Deeds of Washington county.’

- "An act to incorporate the Minnesota Mutual Fire Insurance Company."
  - "An act to prescribe the qualifications of voters, and of holding office."
  - "An act fixing the time for holding District Courts."
  - "An act to dissolve the marriage contract between Catharine Hathaway and her husband, Isaac Hathaway."
  - "An act to locate a Territorial road from the town of St. Paul to Little Canada;"
  - and
  - "Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota."
- The assistant Clerk then withdrew; and  
 Mr. Loomis moved the Council adjourn;  
 Which was negatived—Ayes 2—Noes 3.  
 Mr. Norris moved a call of the Council; which was ordered; and the roll being called, Messrs. Burkleo, Rollins, and Sturgis did not answer to their names.  
 The Sergeant-at-arms and Messenger were sent after the absentees.  
 The Messenger reported he could not find the absent members.  
 On motion of Mr. Norris,  
 The Council adjourned.

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COUNCIL, Thursday, November 1, 1849.

- Prayer by the Rev. Mr. Neill.  
 The Journal of Tuesday evening and yesterday was read.  
 Pending the reading of the Journal,  
 Mr. Loomis moved that the Secretary omit the reading of the report of the committee to draft a device for a Territorial seal;  
 Which motion prevailed; and  
 Mr. McLeod moved that the Secretary also omit the reading of the message from the House of Representatives;  
 Which motion prevailed. So, in reading the Journal, the report and message were accordingly omitted.  
 Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee had compared and found correctly enrolled:
- "No. 50 (H. of R.) A bill concerning seals."
  - "No. 52 (H. of R.) A bill providing for the proper observance of the Sabbath."
  - "No. 27 (H. of R.) A bill concerning debtors and their securities."
  - "No. 56 (H. of R.) A bill to incorporate the St. Anthony Library Association."
  - "No. 22 (C. F.) A bill regulating the time of holding the general elections, and for other purposes."
  - "No. 20 (C. F.) A bill to authorize the election of County Treasurers, and to define their duties."
  - "No. 8 (C. F.) Joint resolution relative to the Military Reservation at Fort Snelling."
  - "No. 8 (C. F.) Memorial to Congress relative to a mail route therein named."
  - "No. 5 (H. of R.) Memorial to Congress praying for an amendment to the law granting pre-emption rights."
  - "No. 8 (H. of R.) Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac."
  - "No. 51 (H. of R.) A bill granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river in the county of Ramsey;" and
  - "No. 17 (C. F.) A bill to provide for the election of Registers of Deeds, and to define their duties and powers."
- On motion of Mr. Loomis,  
 The report of the committee to draft a design for the Territorial seal, was adopted by the Council.

COUNCIL, 13

On motion of Mr. Norris,

The report of the committee of conference on the disagreeing vote of the two houses on

"No. 18 (H. of R.) A bill to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes,"

Was read by the Secretary, and adopted by the Council.

The message from the House of Representatives of yesterday now coming up in order, the President *pro tem.* signed the following bills and memorial; and they were severally placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval, viz:

A bill entitled "An Act to authorize the Registers of Deeds of Ramsey and Benton counties to procure certain copies of records in the office of the Register of Deeds of Washington county."

A bill entitled "An Act to incorporate the Minnesota Mutual Fire Insurance Company."

A bill entitled "An Act to prescribe the qualifications of voters, and of holding office."

A bill entitled "An Act fixing the time for holding District Courts."

A bill entitled "An Act to dissolve the marriage contract between Catharine Hathaway and her husband, Isaac Hathaway."

A bill entitled "An Act to locate a Territorial road from the town of St. Paul to Little Canada;" and

"Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota."

"No. 28 (C. F.) A bill providing for the location of the permanent seat of Government by a vote of the people, and for other purposes;"

Which was amended by the House of Representatives, the amendment non-concurred in by the Council, from which amendment the House refused to recede, and appointed a committee to confer with a committee of the Council on the disagreeing vote of the two houses on said bill, being before the Council,

The President *pro tem.* appointed Messrs. Boal and Norris a committee to meet and confer with said committee of the House.

On motion of Mr. Rollins,

Mr. Norris was excused from serving on said committee; when

Mr. Loomis was appointed to serve with Mr. Boal,

"No. 26 (C. F.) A bill to regulate the public printing,"

Which had been amended by the House of Representatives, to one of which amendments the Council made an amendment, in which the House refused to concur, being now under consideration; and

The question recurring, "Will the Council recede from its amendment to the amendment?"

It was decided in the negative—Ayes 2—Noes 4.

On motion of Mr. McLeod,

A committee, consisting of Messrs. Norris and Burkleo, was appointed to confer with a similar committee on the part of the House of Representatives on the disagreeing vote of the two houses on said bill.

On motion of Mr. Rollins,

The message from the House of Representatives was laid aside for the present; and

"No. 30 (C. F.) A bill regulating the assessment of taxes,"

Was taken up; and

The Council resolved itself into a committee of the whole, Mr. Boal in the Chair, for the consideration of said bill.

After some time passed therein, the committee rose, and by the Chairman, reported the same back to the Council without amendment.

The question then recurring on the acceptance of the report of the committee of the whole,

It was decided in the affirmative.

The question then recurring on ordering the bill to be engrossed for a third reading.

Mr. Burkleo moved to amend the bill by striking out the word "oath" wherever it occurs in the bill;

Which motion was negative—Ayes 4—Noes 4.

Mr. McLeod moved to add after the word "oath," wherever it occurs in the bill, the words "or affirmation;"

Which was decided in the negative.

On motion of Mr. Norris,

The bill was referred to the next Legislative Assembly.

On motion of Mr. McLeod,

The Council adjourned until two o'clock this afternoon.

*Two O'clock, P. M.*

On motion of Mr. Sturgis,

The message from the House of Representatives was again taken up; and

"No. 43 (H. of R.) A bill to amend an act entitled "An Act to provide the means to pay the public debt of the Territory, and for other purposes;"

Which was amended by the Council, and the amendment non-concurred in by the House, being up for consideration; and

The question recurring, "Will the Council recede from its amendment to this bill?"

It was decided in the affirmative.

The Council having also amended the title of the bill; and

The question recurring, "Will the Council recede from its amendment to the title to the bill?"

It was decided in the affirmative. So the Council receded from its amendment to the bill, and its amendment to the title thereof.

On motion of Mr. McLeod,

"No. 9 (C. F.) Joint resolution relative to an illegal election by joint ballot,"

Was taken up; and,

On motion of Mr. McLeod,

Said joint resolution was indefinitely postponed.

Mr. Loomis, from the committee appointed to confer on the disagreeing vote of the two houses on

"No. 28 (C. F.) A bill to provide for the location of the permanent seat of Government by a vote of the people,"

Reported that the committee, after deliberation on the subject referred to it, had agreed to disagree.

The report was accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Rollins,

The report of the committee was adopted—Ayes 4—Noes 3.

On motion of Mr. McLeod,

"No. 4 (C. F.) Joint resolution relative to the temporary location of the seat of Government,"

Was taken up; and

The question recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

It was decided in the negative—Ayes 4—Noes 4.

A message in writing was received from his Excellency, the Governor, by Hugh Tyler, Esq., his private Secretary.

The following message was received from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz:

"MR. PRESIDENT:—The Governor, on yesterday, notified the House of Representatives, that he did, on the 31st day of October, approve and sign:

"An act fixing the time of the annual meeting of the Legislative Assembly."

"An act to locate Territorial roads from Point Douglass to St. Paul."

"An act to provide for laying out a Territorial road from Stillwater to the mouth of Rum river;" and

"An act authorizing the Governor to issue his proclamation for the holding of a Court in the county of Wabashaw, and for other purposes."

"The Governor also returned to the House of Representatives, with his objections thereto

"A bill entitled 'An Act for the election of Commissioners to prepare a code of laws for the Territory of Minnesota;' and

"The House of Representatives refused to pass said bill, after its return."

"The Speaker of the House of Representatives has signed:

"An Act concerning seals."

"An act concerning debtors and their securities."

"An act to incorporate the St. Anthony Library Association."

"An act providing for the proper observance of the Sabbath."

"An act granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river in the county of Ramsey."

"An act to provide for the election of Registers of Deeds, and to define their duties and powers."

"An act to authorize the election of County Treasurers, and to define their duties."

"An act regulating the time of holding the general elections, and for other purposes."

"Memorial to Congress relative to a mail route therein named."

"Memorial to Congress praying for an amendment to the law granting pre-emption rights."

"Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac;" and

"Joint resolution relative to the Military Reservation at Fort Snelling."

"The House of Representatives have appointed Messrs. Babcock and Black a committee to confer with that of the Council on the disagreeing vote of the two houses on

"No. 26 (C. F.) A bill to regulate the public printing."

The assistant Clerk of the House then withdrew; when

The question recurring on ordering to be engrossed for a third reading,

"No. 4 (C. F.) Joint resolution relative to the temporary location of the seat of Government."

Mr. Rollins offered the following amendment thereto, viz: "Add the following words to the joint resolution—'But nothing herein contained shall be so construed as to authorize the expenditure of the money appropriated by Congress for the erection of public buildings at the seat of Government.'"

The question being taken on the adoption of the amendment,

It was decided in the negative—Ayes 4—Noes 4.

Mr. Rollins moved to amend the joint resolution by adding thereto the words "until the next session of the Legislative Assembly;"

Which was also negatived—Ayes 4—Noes 4.

Mr. Loomis moved to strike out the words "St. Paul," and insert in lieu thereof the word "Pokagemon;" and the Ayes and Noes being called for by Mr. Loomis, were ordered; when

Those voting in the affirmative were Messrs. Boal, Burkleo, Loomis, Rollins, and Sturgis—5.

Those voting in the negative were Messrs. McLeod, Norris, and Forbes, *President*—3.

So the amendment was adopted.

On motion of Mr. Burkleo,

The vote by which the joint resolution was amended by striking out "St. Paul," and inserting "Pokagemon," was reconsidered; when

The question again recurring on the adoption of the amendment, It was decided in the negative.

Mr. Loomis moved to add to the joint resolution as follows : " And the Governor of the Territory is hereby authorized to rent suitable buildings for the accommodation of the Legislative Assembly, until they shall be otherwise provided for."

Mr. Rollins moved to amend the amendment by inserting before the amendment the words " Strike out all after the words ' St. Paul,' and insert the words."

Mr. Loomis, by leave, accepted the amendment.

Mr. Norris moved further to amend the amendment by adding thereto the words " to be paid for out of the moneys appropriated by Congress for Legislative expenses ;"

Which motion prevailed.

The question then being put on the adoption of the amendment as amended ;

It was decided in the affirmative.

The question then recurring on ordering the joint resolution to be engrossed for a third reading,

It was decided in the affirmative. So the joint resolution was ordered to be engrossed.

On motion of Mr. McLeod,

The message from the House of Representatives was taken up ; when

The President *pro tem.* of the Council signed the following bills, memorials, and joint resolution ; and they were severally placed in the hands of the Chairman of the committee on Enrolled Bills, for presentation to his Excellency, the Governor, for examination and approval, viz :

A bill entitled " An Act concerning seals."

A bill entitled " An Act concerning debtors and their securities."

A bill entitled " An Act to incorporate the St. Anthony Library Association."

A bill entitled " An Act providing for the proper observance of the Sabbath."

A bill entitled " An Act granting to William J. Lewis and Anson Northrop the right to establish and maintain a ferry across the Mississippi river in the county of Ramsey."

A bill entitled " An Act to provide for the election of Registers of Deeds, and to define their duties and powers."

A bill entitled " An Act to authorize the election of County Treasurers, and to define their duties."

A bill entitled " An Act regulating the time of holding the general elections, and for other purposes."

" Memorial to Congress praying for an amendment to the law granting pre-emption rights."

" Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac."

" Memorial to Congress relative to a mail route therein named ;" and

" Joint resolution relative to the Military Reservation at Fort Snelling."

Mr. Norris, from the joint committee on Enrolled Bills, made the following report :

" The joint committee on Enrolled Bills did, on this first day of November, present to his Excellency, the Governor, for examination and approval, the following bills and memorial :

" A bill entitled ' An Act to incorporate the Minnesota Mutual Fire Insurance Company.'

" A bill entitled ' An Act to prescribe the qualifications of voters and of holding office.'

" A bill entitled ' An Act fixing the time of holding District Courts.'

" A bill entitled ' An Act to dissolve the marriage contract between Catharine Hathaway and her husband, Isaac Hathaway.'

" A bill entitled ' An Act to locate a Territorial road from the town of St. Paul to Little Canada.'

" A bill entitled ' An Act to authorize the Registers of Deeds of Ramsey and Benton counties to procure certain copies of records in the office of the Register of Deeds of Washington county ;' and

"Memorial to Congress for an appropriation to lay out and construct a road from the Iowa line to Mendota."

On motion of Mr. McLeod,

The message in writing from his Excellency, the Governor, was taken up and read by the Secretary as follows, viz :

"TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, NOV. 1, 1849."

"To the Honorable Council of the Territory of Minnesota :

"I nominate Calvin A. Tuttle, of the county of Ramsey, as Territorial Treasurer for the Territory of Minnesota.

"I also nominate Lorenzo A. Babcock, of the county of Benton, as Attorney General for the Territory of Minnesota.

"I also nominate Jonathan E. McKusick, of the county of Washington, to be Territorial Auditor for the Territory of Minnesota.

"ALEX. RAMSEY."

Mr. Rollins, from the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed.

"No. 4 (C. F.) Joint resolution relative to the temporary location of the seat of Government."

On motion of Mr. Norris,

The said joint resolution was now taken up; and

The question recurring on ordering said joint resolution to a third reading.

It was decided in the affirmative; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Norris,

The Council went into Executive session on the nominations made by his Excellency, the Governor.

After some time passed therein, the Council resumed its Legislative session; when,

On motion of Mr. Loomis,

The Secretary was directed to notify his Excellency, the Governor, that the Council has advised and consented to the appointment of

Calvin A. Tuttle, of Ramsey county, as Territorial Treasurer;

Lorenzo A. Babcock, of Benton county, as Attorney General of Minnesota Territory;

Jonathan E. McKusick, of Washington county, as Auditor of Minnesota Territory.

Mr. Rollins asked and obtained leave to introduce a resolution, which was read as follows, viz :

"Resolved, That the thanks of the Council are due, and are hereby tendered to the Hon. William Henry Forbes, for the dignified and impartial manner in which he has presided over the deliberations of the Council, as President *pro tem.* during the absence of the Hon. D. Olmsted."

The Secretary having put the question, the resolution was adopted unanimously.

Mr. Sturgis asked and obtained leave to introduce a resolution, which was read as follows, viz :

"Resolved, That the Secretary of the Council procure a list of the titles of acts, memorials, and joint resolutions, which have originated in the Council; and that he be required to transmit one copy of the same to each member."

The question being put on the adoption of the resolution,

It was decided in the negative.

Mr. Norris asked and obtained leave to introduce a resolution, which was read as follows :

"Resolved, That the thanks of the Council are due, and are hereby tendered to the Hon. David Olmsted, for the able and impartial manner in which he discharged the duties of presiding officer of the Council, while President."

The question being taken on the adoption of the resolution,  
It was decided in the affirmative.

Mr. McLeod asked and obtained leave to introduce the following resolution, which was read and adopted, viz :

"Resolved, That the thanks of the Council are due, and are hereby tendered to Joseph R. Brown and Henry A. Lambert, Esqrs., for the able manner in which they have discharged their duties as Secretary and assistant Secretary to the Council."

On motion of Mr. Sturgis,

The Council adjourned until six o'clock this evening.

*Six O'clock, P. M.*

Mr. Norris, from the committee appointed to confer with a committee of the House of Representatives, on the disagreeing vote of the two houses on

"No. 26 (C. F.) A bill to regulate the public printing,"

Reported that the joint committee of conference had taken the matter referred to them under consideration ; and had agreed to recommend that the Council recede from its amendment to the amendment of the House, and concur in the amendment made by the House to said bill.

The report was read and accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Norris,

"No. 26 (C. F.) A bill to regulate the public printing,"

Was taken up ; and the second amendment of the House, as amended by the Council, being read, the Council receded from its amendment to the amendment of the House, and adopted said amendment of the House of Representatives.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee had examined and found correctly enrolled :

A bill entitled "An Act to incorporate the St. Paul and St. Anthony Plank Road Company."

A bill entitled "An Act granting to James Beatty and others the right to establish and maintain ferries across the Mississippi river in the county of Benton."

A bill entitled "An Act granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

A bill entitled "An Act to provide for laying out Territorial Roads in the Territory of Minnesota, and for other purposes."

A bill entitled "An Act to incorporate the town of St. Paul in the county of Ramsey."

A bill entitled "An Act concerning Courts of Record."

A bill entitled "An Act concerning Justices of the Peace, and the action of forcible entry and detainer."

A bill entitled "An Act to establish and maintain Common Schools."

A bill entitled "An Act to amend an act entitled 'An Act to provide the means to pay the public debt of the Territory, and for other purposes ;'" and

"Memorial to the Congress of the United States for an appropriation to build a Territorial prison."

The following message was received from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have passed

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota ;"

"In which the concurrence of the Council is requested."

The assistant Clerk having withdrawn,

On motion of Mr. Loomis,

The message from the House of Representatives was taken up ; and,

On motion of Mr. Norris,

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

Was read the first and second times by its title, and laid on the table for the action of the Council in committee of the whole.

A message in writing was received from his Excellency, the Governor, by Hugh Tyler, Esq., his private Secretary.

On motion of Mr. Rollins,

The Council resolved itself into a committee of the whole, Mr. Loomis in the Chair, for the consideration of

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

During the deliberation of the committee, the President *pro tem.* assumed the Chair for the reception of the following message from the House of Representatives by L. B. Wait, Esq., assistant Clerk, viz :

"MR. PRESIDENT :—The Speaker of the House of Representatives has signed :

" 'An act to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes.'

" 'An act to incorporate the town of St. Paul in the county of Ramsey.'

" 'An act concerning Justices of the Peace, and the action of forcible entry and detainer.'

" 'An act to establish and maintain Common Schools.'

" 'An act granting to James Beatty and others the right to establish and maintain ferries across the Mississippi river in the county of Benton.'

" 'An act granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river;' and

" Memorial to the Congress of the United States for an appropriation to build a Territorial prison."

The following message was also received from the House of Representatives during the session of the committee of the whole, by W. D. Phillips, Esq., chief Clerk thereof; and the President *pro tem.* again took the Chair for its reception, viz :

"MR. PRESIDENT :—The Speaker of the House of Representatives has signed

" 'An act concerning Courts of Record;' and

" 'An act to incorporate the St. Paul and St. Anthony Plank Road Company.' "

The Clerks having withdrawn, the committee continued its session; and

After some time passed therein, the committee rose, and by the Chairman, reported

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

Back to the Council with amendments.

A message in writing was received from his Excellency, the Governor, by Hugh Tyler, Esq., his private Secretary.

The question then recurring on the adoption by the Council of the amendments proposed by the committee of the whole,

Mr. McLeod called for the reading of the amendments, and a division of the question; which being ordered, and

The first amendment being then read by the Secretary, the Council concurred therein.

The second amendment being then read, and the Ayes and Noes being called for by Mr. Loomis, on its adoption, and ordered,

Those who voted in the affirmative were Messrs. Norris, Rollins, Sturgis, and Forbes, *President*—4.

Those who voted in the negative were Messrs. Boal, Burkleo, Loomis, and McLeod—4.

So the second amendment was not concurred in by the Council.

The third amendment being then read, the Council concurred therein.

The chief Clerk of the House of Representatives, by message, delivered to the Council the report of a committee of the House of Representatives, made to the House, on the subject of the appropriation for printing; which was read and laid on the table.

On motion of Mr. Loomis,

The rule prohibiting bills from being read the second and third times on the same day, was temporarily suspended, to permit the third reading now of

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

The question therefore recurring on ordering the bill to a third reading,

Mr. Loomis moved to amend the bill by adding thereto as follows, viz:

"To Joseph R. Brown, for engrossing and enrolling bills, one hundred dollars ;

"To Henry A. Lambert, for engrossing and enrolling bills, one hundred dollars ;"

Which motion was passed in the affirmative.

The question being then taken on ordering the bill to a third reading,

It was decided in the affirmative ; and,

On motion of Mr. Burkleo,

The bill was read the third time by its title.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Sturgis,

The messages from the House of Representatives were then taken up ; when

The President *pro tem.* of the Council signed the following bills and memorial ; and they were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for his examination and approval, viz :

A bill entitled "An Act to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes."

A bill entitled "An Act to incorporate the town of St. Paul in the county of Ramsey."

A bill entitled "An Act granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

A bill entitled "An Act granting to James Beatty and others the right to establish and maintain ferries across the Mississippi river in the county of Benton."

A bill entitled "An Act concerning Courts of Record."

A bill entitled "An Act concerning Justices of the Peace, and the action of forcible entry and detainer."

A bill entitled "An Act to incorporate the St. Paul and St. Anthony Plank Road Company."

A bill entitled "An Act to establish and maintain Common Schools ;" and

"Memorial to the Congress of the United States for an appropriation to build a Territorial prison."

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee did, on this first day of November, present to his Excellency, the Governor, for examination and approval, the following bills, memorials, and joint resolution, viz :

A bill entitled "An Act to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes."

"Memorial to the Congress of the United States for an appropriation to build a Territorial prison."

A bill entitled "An Act granting to Isaac N. Goodhue the right to establish and maintain a ferry across the Mississippi river."

A bill entitled "An Act granting to James Beatty and others the right to establish and maintain ferries across the Mississippi river in the county of Benton."

A bill entitled "An Act to incorporate the town of St. Paul in the county of Ramsey."

A bill entitled "An Act concerning seals."

A bill entitled "An Act concerning debtors and their securities."

A bill entitled "An Act to incorporate the St. Anthony Library Association."

A bill entitled "An Act providing for the proper observance of the Sabbath."

A bill entitled "An Act granting to William J. Lewis and Anson Northrop the

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right to establish and maintain a ferry across the Mississippi river in the county of Ramsey."

A bill entitled "An Act to provide for the election of Registers of Deeds, and to define their duties and powers."

A bill entitled "An Act regulating the time of holding the general election, and for other purposes."

A bill entitled "An Act to authorize the election of County Treasurers, and to define their duties."

"Memorial to Congress praying for an amendment to the law granting pre-emption rights."

"Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac."

"Memorial to Congress relative to a mail route therein named;" and

"Joint resolution relative to the Military Reservation at Fort Snelling."

On motion of Mr. Sturgis,

The messages from his Excellency, the Governor, were taken up and read by the Secretary as follows, viz :

" TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, NOV. 1, 1849. }

" *To the Honorable Council of the Territory of Minnesota :*

" I nominate the following persons for Notaries Public for their respective counties, viz :

" Allan Morrisson and James Beatty for the county of Benton ;

" Harvey Wilson, for the county of Washington ;

" David Lambert, William R. Marshall, Ellis G. Whittall, P. P. Bishop, for the county of Ramsey. "ALEX. RAMSEY."

" TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, NOV. 1, 1849. }

" *To the President of the Council :*

" SIR :—I have approved and signed the following acts, resolutions, and memorials, viz :

" "An act to provide for the election of Registers of Deeds, and to define their duties and powers."

" "Joint resolution relative to the Military Reservation at Fort Snelling."

" "Memorial to Congress relative to a mail route therein named."

" "An act to authorize the election of County Treasurers, and to define their duties;" and

" "An act regulating the time of holding the general elections, and for other purposes."

"ALEX. RAMSEY."

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee did, on this first day of November, deliver to his Excellency, the Governor, for examination and approval, the following bills, viz :

A bill entitled "An act concerning Justices of the Peace, and the action of forcible entry and detainer."

A bill entitled "An act to establish and maintain Common Schools;" and

A bill entitled "An act to incorporate the St. Paul and St. Anthony Plank Road Company."

On motion of Mr. Sturgis,

The Council went into executive session on the nominations of his Excellency, the Governor, and after some time passed therein, resumed its Legislative session ; when,

On motion of Mr. Loomis,

The Secretary was instructed to notify his Excellency, the Governor, that the Council has advised and consented to the appointment of the following persons to be Notaries Public in their respective counties, viz :

Allan Morrisson and James Beatty, for the county of Benton ;

Harvey Wilson, for the county of Washington ;

David Lambert, William R. Marshall, Ellis G. Whittall, and P. P. Bishop, for the county of Ramsey.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

" Mr. PRESIDENT :—The Governor has returned to the House of Representatives

" " An act to incorporate the town of St. Paul in the county of Ramsey,"

" For the purpose of affording the Territorial Assembly an opportunity of inserting a date in the blanks left in the second section ; and the House of Representatives have filled the first blank with the words ' the sixth,' and the second with the word ' May ;'

" In which the concurrence of the Council is requested.

" The Speaker of the House of Representatives has signed

" " An act to amend An act to provide for the payment of the public debt of the Territory, and for other purposes."

The chief Clerk having withdrawn,

On motion of Mr. Burkleo,

The message from the House of Representatives was taken up ; when

The President *pro tem.* signed

A bill entitled " An act to amend An act to provide for the payment of the public debt of the Territory, and for other purposes ;"

Which was then placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval.

On motion of Mr. Burkleo,

The Council concurred in the words inserted by the House of Representatives in the blanks left in

A bill entitled " An act to incorporate the town of St. Paul in the county of Ramsey ;"

And the bill was placed in the hands of the Chairman of the Committee on Enrolled Bills, to be again presented to his Excellency, the Governor, for examination and approval.

The following message was received from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz :

" Mr. PRESIDENT :—The House of Representatives have concurred in the first and third amendments of the Council to

" " No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota ;"

" And have concurred in the second amendment of the Council to said bill, with an amendment in which the concurrence of the Council is requested.

" The Governor has notified the House of Representatives that he, this day, signed the following acts and memorials, viz :

" " An act concerning seals."

" " An act providing for the proper observance of the Sabbath."

" " An act to provide for laying out Territorial roads in the Territory of Minnesota, and for other purposes."

" " An act concerning debtors and their securities."

" " An act to incorporate the St. Anthony Library Association."

" " Memorial to Congress praying for an amendment of the law granting pre-emption rights."

" " Memorial to Congress for a mail route from the Falls of St. Croix to Fond-du-Lac ;" and

" " A memorial to the Congress of the United States for an appropriation to build a Territorial prison."

And then the assistant Clerk withdrew ; and,

On motion of Mr. Loomis,

The message was taken up ; and

The question recurring on the concurrence of the Council in the amendments made by the House to the second amendment of the Council to

" No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota ;" and

The first amendment being read, the Council concurred therein.

The second amendment being then read, the Council concurred therein.

The third amendment being then read, the Council concurred therein.

The fourth amendment being then read,

Mr. McLeod moved to amend by adding as follows, viz :

"To Joseph R. Brown, for preparing the Journals of the Council for the press, and affixing an index thereto, one hundred and fifty dollars ;

"To Henry A. Lambert, for bringing up the Council Record of Bills, one hundred dollars.

"To Wm. D. Phillips, for preparing the Journal of the House of Representatives for the press, and affixing an index thereto, one hundred and fifty dollars ;"

And the Ayes and Noes being called for on the adoption of the amendment, and ordered,

Those who voted in the affirmative were Messrs. Burkleo, McLeod, Norris, Rollins, Sturgis, and Forbes, *President*—6.

Those who voted in the negative were Messrs. Boal and Loomis—2.

So the amendment to the amendment was adopted.

The question then recurring on the adoption of the fourth amendment of the House as amended by the Council to the second amendment of the Council to

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

It was decided in the affirmative.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee did, on this first day of November, present to his Excellency, the Governor, for examination and approval,

A bill entitled "An act to amend An act to provide for the payment of the public debt of the Territory, and for other purposes ;" and

A bill entitled "An act concerning Courts of Record."

Mr. Loomis moved a temporary suspension of all rules governing the introduction and passage of bills, &c., &c. ;

Which motion prevailed by a two-thirds vote ; when

Mr. Loomis asked and obtained leave to introduce

"No. 11 (C. F.) Joint resolution relative to the number of copies of the Laws and Journals to be printed ;"

Which was read the first and second times.

On motion of Mr. Norris,

The vote by which the Council adopted the fourth amendment of the House of Representatives, as amended by the Council, to the second amendment made by the Council to

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

Was reconsidered ; and

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

Mr. Norris moved further to amend the amendment by adding thereto the words,

"To James M. Goodhue, for publishing the Proclamation of the Governor, and other documents, in the 'Minnesota Pioneer,' previous to the meeting of the Legislative Assembly, two hundred and thirty-eight dollars ;"

Which motion prevailed.

Mr. Norris moved further to amend the amendment by adding thereto the words,

"There shall be printed by the person or persons selected to print the Laws and Journals of the present session, fifteen hundred copies of the Laws, and one thousand copies of the Journals of each house ; and there shall be distributed to the Registers of Deeds of the several counties, fifty copies of the Laws and thirty copies of the Journals for the use of the officers of the respective counties, as provided by law ; and the remainder shall be deposited in the Territorial Library.

"It shall be the duty of the Secretary of the Council and the chief Clerk of the House of Representatives, at the close of the present session of the Legislative Assembly, to take an inventory of the property in and belonging to their chambers re-

spectively, and file a copy of the same in the office of the Secretary of the Territory; and they shall pack or secure the said property carefully, and store the same in safety for the use of the next Legislature. And it shall be the duty of said Secretary of the Council and chief Clerk of the House of Representatives, to cause their respective chambers to be properly prepared previous to the meeting of the next Legislature.

"It shall also be the duty of the said Secretary of the Council and chief Clerk of the House of Representatives, on the first day of May next, to issue proposals for the delivery to the next session of the Legislative Assembly, of the necessary stationery and other articles for the use of the members and officers of the Legislature; and the said proposals shall be published in the newspapers printed in this Territory, one paper in Dubuque, one in Galena, and two in St. Louis, four weeks in succession, describing the quantity and quality of each article required, and appointing the first day of July following as the time for opening the bids, and the said Secretary and chief Clerk shall contract with the person or persons offering to furnish the said articles at the time of the meeting of the said Legislature, on the most reasonable terms, to be paid out of the money that may be appropriated by Congress to defray the expenses of the next Legislative Assembly, and requiring a bond to the Territory of Minnesota in the penal sum of two thousand dollars, conditioned that the contract shall be strictly complied with."

Which motion to amend was decided in the negative.

The question being then taken on the adoption of the fourth amendment of the House, as amended by the Council, to the second amendment made by the Council to

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

It was decided in the affirmative.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the committee had examined and found duly enrolled,

"No. 26 (C. F.) A bill to regulate the public printing;" and

"No. 7 (C. F.) A memorial to Congress relative to the Pembina settlement."

Mr. Loomis moved that

"No. 11 (C. F.) Joint resolution relative to the number of copies of the Laws and Journals to be printed,"

Be now ordered to a third reading;

Which motion prevailed; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

Mr. McLeod moved to amend by adding the following words, viz:

"And that fifty copies of the Laws, and ten copies of the Journal of each house, be distributed by the Secretary of the Territory, to the Register of Deeds of each county, and that the balance remain in the Public Library;"

Which was adopted unanimously.

The question being then taken on the passage of the joint resolution,

It was decided in the affirmative. So the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

On motion of Mr. Loomis,

The Council took a recess until nine o'clock this evening.

*Nine O'clock, P. M.*

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz:

"MR. PRESIDENT:—The Speaker of the House of Representatives has signed

"An act to regulate the public printing;" and

"A memorial to Congress relative to the Pembina settlement."

"I am instructed to return to the Council,

"No. 57 (H. of R.) An act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

"With the decision of the House of Representatives, that the amendment is unparliamentary, and that the amendment requires no action on the part of the House.

"The House of Representatives have passed

"No. 11 (C. F.) Joint resolution relative to the number of copies of the Laws and Journals to be printed,"

"With an amendment, in which the concurrence of the Council is requested."

The chief Clerk having withdrawn,

On motion of Mr. Rollins,

The message from the House of Representatives was taken up; when

The President *pro tem.* of the Council signed

A bill entitled "An act to regulate the public printing;" and

"A memorial to Congress relative to the Pembina settlement;"

And they were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval.

"No. 11 (C. F.) Joint resolution relative to the number of copies of the Laws and Journals to be printed;"

Which was amended by the House of Representatives, being under consideration; and

The question recurring on the concurrence of the Council in the amendment made thereto by the House of Representatives,

It was decided in the affirmative.

Mr. Burkleo moved a reconsideration of the vote by which the Council adopted an amendment to the fourth amendment of the House of Representatives to the second amendment of the Council to

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;"

Which motion prevailed; and

The question then recurring on the adoption of the amendment to the second amendment of the Council as amended by the House of Representatives to

"No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota,"

It was decided in the negative.

The question then recurring on the concurrence of the Council in the fourth amendment of the House of Representatives, to the second amendment made by the Council to said bill, it was decided in the affirmative.

Mr. Loomis moved a temporary suspension of all rules governing the introduction of and proceedings on bills, &c.,

Which motion prevailed by a two-thirds vote; when

Mr. Loomis, by leave, introduced

"No. 31 (C. F.) A bill for the relief of James M. Goodhue,"

Which was read the first and second times; when

Mr. Loomis moved the bill be ordered to a third reading now.

Mr. Norris moved to amend the bill by adding a section as follows, viz:

"Sec. 2. To Joseph R. Brown for preparing the Journal of the Council for the press, and affixing an index thereto, one hundred and fifty dollars.

"To Henry A. Lambert for bringing up the Council record of bills, one hundred dollars.

"To W. D. Phillips for preparing the Journal of the House of Representatives for the press and affixing an index thereto, one hundred and fifty dollars;"

Which amendment was adopted.

The question then being taken on ordering the bill to a third reading,

It was decided in the affirmative; and the bill was read the third time.

The question then recurring on the passage of the bill,

It was decided in the affirmative. So the bill passed.

The question then recurring on agreeing to the title of the bill,

It was decided in the affirmative. So the title was agreed to.

Mr. Loomis moved a call of the Council, which being ordered, the roll was called by the Secretary, when Messrs. Burkleo and McLeod did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

Mr. McLeod took his seat; when

Mr. Rollins moved that further proceedings under the call of the Council be dispensed with; and the Ayes and Noes being called for on the question and ordered, Those who voted in the affirmative were Messrs. Hoal and Rollins—2.

Those who voted in the negative were Messrs. Loomis, McLeod, Norris, Sturgis and Forbes *President*—5.

The Sergeant-at-Arms reported Mr. Burkleo in his seat.

On motion of Mr. Norris,

The rules regulating the introduction of and proceedings on bills, &c., &c., were temporarily suspended by a two-thirds vote; when

Mr. Norris, by leave, introduced

“No. 12 (C. F.) Joint resolution relative to the temporary seat of Government,”

Which was read the first and second times; when

Mr. Norris moved the joint resolution be ordered to a third reading now;

Which motion prevailed; and the joint resolution was read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative, and the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee did, on this first day of November, present to his Excellency, the Governor, for examination and approval,

A bill entitled “An Act to regulate the public printing;” and

“A memorial to Congress relative to the Pembina settlement.”

The following message was received from the House of Representatives, by L. B. Wait, Esq., assistant Clerk thereof, viz:

“MR. PRESIDENT:—The House of Representatives have passed

“No. 12 (C. F.) Joint resolution relative to the temporary seat of Government;”

“And have refused to order to a second reading,

“No. 31 (C. F.) A bill for the relief of James M. Goodhue.””

The chief Clerk then withdrew.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee had examined and found correctly enrolled,

“No. 57 (H. of R.) A bill to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;” and

“No. 11 (C. F.) Joint resolution relative to the number of copies of the Laws and Journals to be printed.”

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz:

“MR. PRESIDENT:—The Speaker of the House of Representatives has signed

“An Act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;” and

“Joint resolution relative to the number of copies of the Laws and Journals to be printed.””

The chief Clerk then withdrew.

The President *pro tem.* of the Council then signed

A bill entitled “An Act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;” and

“Joint resolution relative to the number of copies of the Laws and Journals to be printed.”

And they were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval.

A message in writing was received from his Excellency, the Governor, by Hugh Tyler, Esq., his private Secretary.

On motion of Mr. Norris,

The message from his Excellency, the Governor, was taken up and read, as follows, viz:

" TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, NOV. 1, 1849. }

" *To the Hon. President of the Council :*

" SIR :—I have approved and signed the following acts, viz ;

" 'An Act to regulate the public printing;' and

" 'An Act to establish and maintain common Schools.'

" ALEX. RAMSEY."

Mr. Norris, from the committee on Enrolled Bills, reported that the joint committee did, on this first day of November, present to his Excellency, the Governor, for examination and approval.

A bill entitled "An Act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota;" and

"Joint resolution relative to the number of copies of the Laws and Journals to be printed."

Mr. Norris moved that a committee of two be appointed to act in connection with a similar committee to be appointed by the House of Representatives, to wait upon his Excellency, the Governor, and inform him that the two Houses have completed the business before them, and enquire if he had any further communications to make to either of the two Houses;

Which motion prevailed, and Messrs. Norris and McLeod were appointed said committee.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

"MR. PRESIDENT :—The House of Representatives have passed

"Joint resolution relative to election districts for members of the Legislative Assembly;"

"In which the concurrence of the Council is requested."

The chief Clerk then withdrew.

Mr. Loomis moved a call of the Council, and the roll being called, Messrs. Boal and Burkleo did not answer to their names.

The Sergeant-at-Arms was sent after the absent members.

The Sergeant-at-Arms reported Mr. Burkleo in his seat, and that Mr. Boal could not be found.

Mr. Loomis moved that further proceedings under the call of the Council be dispensed with, which motion prevailed.

On motion of Mr. Loomis,

The message from the House of Representatives was taken up; and

"Joint resolution relative to election districts for members of the Legislative Assembly,"

Was read the first and second times; when

On motion of Mr. Sturgis,

The rules regulating the action of the Council in the passage of bills, &c., &c., were temporarily suspended by a two-thirds vote; and

On motion of Mr. McLeod,

The joint resolution was ordered to a third reading, and read the third time.

The question then recurring on the passage of the joint resolution,

It was decided in the affirmative, and the joint resolution passed.

The question then recurring on agreeing to the title of the joint resolution,

It was decided in the affirmative. So the title was agreed to.

The following message was received from the House of Representatives, by W. D. Phillips, Esq., chief Clerk thereof, viz :

"MR. PRESIDENT :—The Governor has notified the House of Representatives that he this day signed,

"An Act to provide for the payment of the expenses of the Legislative Assembly of the Territory of Minnesota."

The chief Clerk then withdrew.

On motion of Mr. Sturgis,

A committee of two, consisting of Messrs. Sturgis and Loomis, were appointed to

inform the House of Representatives that the Council, having no further business before it, is now prepared to adjourn *sine die*.

Mr. Norris, from the committee on Enrolled Bills, reported that the joint committee had examined and found correctly enrolled,

"No. 12 (C. F.) Joint resolution relative to the temporary seat of Government;" and  
 "Joint resolution relative to election districts for members of the Legislative Assembly."

W. D. Phillips, Esq., delivered the following message from the House of Representatives, viz :

"MR. PRESIDENT :—The House of Representatives have appointed Messrs. Babcock and Black a committee to act with a similar committee of the Council, to wait on his Excellency, the Governor, and enquire if he has any further communications to make to either branch of the Legislative Assembly during its present session.

"The Speaker of the House of Representatives has signed

"Joint resolution relative to the temporary seat of Government;" and

"Joint resolution relative to election districts for members of the Legislative Assembly."

And then he withdrew.

The President *pro tem.* of the Council then signed

"Joint resolution relative to the temporary seat of Government;" and

"Joint resolution relative to election districts for members of the Legislative Assembly."

And they were placed in the hands of the Chairman of the committee on Enrolled Bills for presentation to his Excellency, the Governor, for examination and approval.

Mr. Norris, from the joint committee on Enrolled Bills, reported that the joint committee did, on this first day of November, present to his Excellency, the Governor, for examination and approval,

"Joint resolution relative to election districts for members of the Legislative Assembly;" and

"Joint resolution relative to the temporary seat of Government."

A message in writing was received from his Excellency, the Governor, by Hugh Tyler, Esq., his private Secretary.

On motion of Mr. Sturgis,

The message from his Excellency, the Governor, was taken up and read as follows, viz :

"TERRITORY OF MINNESOTA, EXECUTIVE }  
 DEPARTMENT, ST. PAUL, NOV. 1, 1849. }

"To the Hon. President of the Council :

"SIR :—I have approved and signed the following resolutions and memorial, viz :

"Joint resolution relative to the temporary seat of Government."

"Joint resolution relative to the number of copies of the Laws and Journals to be printed;" and

"Memorial to Congress relative to the Pembina settlement.

"ALEX. RAMSEY."

W. D. Phillips, Esq., delivered the following message from the House of Representatives, viz :

"MR. PRESIDENT :—The Governor has notified the House of Representatives that he this day signed

"Joint resolution relative to election districts for members of the Legislative Assembly."

And then he withdrew.

Mr. Norris, from the committee appointed to act in conjunction with a similar committee of the House of Representatives, to wait upon his Excellency, the Governor, and inform him that the two Houses had completed the business before them, and enquire if he had any further communications to make to either,

Reported, that the joint committee had performed that duty, and were informed by his Excellency, the Governor, that he had no further communications to make ;

Which report was accepted and the committee discharged.

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Mr. Sturgis, from the committee appointed to inform the House of Representatives that the Council, having finished the business before it, was now ready to adjourn *sine die*,

Reported that the committee had performed that duty ;

Which report was also accepted and the committee discharged.

Mr. McLeod moved that the Council do now adjourn *sine die*,

When the President *pro tem.* made the following remarks, viz :

GENTLEMEN OF THE COUNCIL :—The motion just made shows that the time has arrived when our session must close, and we are now on the eve of departure, once more to resume the routine of our domestic relations. I cannot leave you, gentlemen, without expressing my gratitude for the honor you conferred on me, by calling me to preside over your deliberations during the prolonged absence of our worthy President. Neither can I omit this favorable opportunity of returning you my sincere thanks for the indulgence with which you have borne with my many errors ; which in justice to myself however I may say, are incidental to a voice in public life. All praise is due to you for the industry and energy you have evinced since we came together towards advancing the interests of your constituents, and the good of the Territory at large. Many good laws have been passed which emanated in this branch of the Legislature, and will be a credit to you in future days. I would also mention with pride, the general exemplary good conduct and gentlemanly behavior of the members of this body, although residents of a wild frontier, which will cause you to be remembered as an example to coming Legislators. I cannot close without expressing the delight with which I have watched the uniform courtesy and good feeling which has ever existed among us, and I believe in no instance, not even when in the heat of debate, have any departed from that course.

Gentlemen, it would be useless for me to prolong this subject, as I trust you will take the "will for the deed" and allow me to bid you farewell, and wish you all, from the bottom of my heart, every prosperity and success in your course through life, and that we may all live to meet at the next session in the same spirit of kindness which has characterized this.

The question then being put, " That the Council do now adjourn *sine die*,"

It was decided in the affirmative, and the Council was declared to be adjourned *sine die*.

# APPENDIX

TO THE

## JOURNAL OF THE COUNCIL.

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### DOCUMENTS ACCOMPANYING THE GOVERNOR'S MESSAGE

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A.

#### A PROCLAMATION,

BY ALEXANDER RAMSEY, GOVERNOR OF THE TERRITORY OF MINNESOTA.

*To all whom it may concern :*

WHEREAS, By an act of Congress of the United States of America, entitled "*An act to establish the Territorial Government of Minnesota*," approved March 3, 1849, a true copy whereof is hereto annexed, a Government was created over all the country described in said act, to be called the "TERRITORY OF MINNESOTA," and whereas, the following named officers have been duly appointed and commissioned under said act as officers of said Government, viz :

ALEXANDER RAMSEY, Governor of said Territory, and commander-in-chief of the militia thereof, and Superintendent of Indian Affairs therein ;

CHARLES K. SMITH, Secretary of said Territory ;

AARON GOODRICH, Chief Justice ; and DAVID COOPER and BRADLEY B. MEEKER, Associate Justices of the Supreme Court of said Territory, and to act as Judges of the District Court for said Territory ;

JOSHUA L. TAYLOR, Marshall of the United States for said Territory ;

HENRY L. MOSS, Attorney of the United States for said Territory ;—and said officers having respectively assumed the duties of their said offices, according to law, said Territorial Government is declared to be organized and established, and all persons are enjoined to obey, conform to, and respect the laws thereof accordingly.

Given under my hand and the seal of said Territory, this first day of June, A. D. 1849, and of the Independence of the United States of America the seventy-third.

ALEX. RAMSEY.

By the Governor,  
C. K. SMITH, Sec'y.

## B.

## A PROCLAMATION,

BY ALEXANDER RAMSEY, GOVERNOR OF THE TERRITORY OF MINNESOTA.

*To all whom it may concern :*

WHEREAS, In and by the 9th section of the act of the Congress of the United States, creating the Territory of Minnesota, it is, among other things, provided, "That the said Territory shall be divided into three Judicial Districts, and a District Court shall be held in each of said Districts, by one of the Justices of the Supreme Court, at such times and places as may be prescribed by law;" and by the 19th section of the same act, it is further provided, "That temporarily, and until otherwise provided by law, the Governor of said Territory may define the Judicial Districts of said Territory, and assign the Judges who may be appointed for said Territory, to the several districts, and also appoint the times and places for holding Courts in the several counties or sub-divisions in each of said Judicial Districts, by proclamation to be issued by him." Now, in virtue of the aforesaid enactment, I do hereby order and direct, that until otherwise provided by the Territorial Legislature, the Territory shall be districted, the Judges assigned, and the Courts held, as follows, viz :

The County of St. Croix shall constitute one District, and be known as the First Judicial District.

The County of La Pointe, and the country north and west of the Mississippi, and north of the river Minnesota or St. Peters, and of a line running due west from the head waters of said river to the Missouri river, shall constitute one District, and be known as the Second Judicial District.

The country west of the Mississippi river, between the line of the State of Iowa and the river Minnesota or St. Peters, and south of a due west line drawn from the head waters of said river to the Missouri river, shall constitute one District, and be known as the Third Judicial District.

The Honorable AARON GOODRICH, is assigned to the First Judicial District, and will hold the Courts therein.

The Honorable BRADLEY B. MEEKER, is assigned to the Second Judicial District, and will hold the Courts therein.

The Honorable DAVID COOPER, is assigned to the Third Judicial District, and will hold the Courts therein.

In the first Judicial District, a District Court of the United States for the County of St. Croix, shall commence and be held at Stillwater, in said County, on the second Monday of August next, to continue one week; and a second Term of said Court shall be held at the same place on the second Monday of February, A. D. 1850; to continue one week.

In the Second Judicial District, a District Court of the United States, shall be held at the Falls of St. Anthony, on the third Monday of August next, to continue one week; and a second Term of the said Court shall be held at the same place on the third Monday of February, A. D. 1850, to continue one week.

In the Third Judicial District, a District Court of the United States, shall be held at Mendota, on the fourth Monday of August next, to continue one week; and a second Term of the said Court shall be held at the same place on the fourth Monday of February, A. D. 1850, to continue one week.

Given under my hand and the seal of said Territory, at Saint Paul, this eleventh day of June, A. D. 1849, and of the Independence of the United States of America, the seventy-third.

ALEX. RAMSEY.

By the Governor,  
C. K. SMITH, Sec'y.

## C.

## ORDER TO TAKE THE CENSUS.

*To JOHN MORGAN, Sheriff of the County of St. Croix, Minnesota Territory:*

SIR: Whereas, By the act of Congress erecting the Territory of Minnesota, approved March 3d, 1849, in the 19th section thereof it is among other things directed that the Governor, previous to the first election, shall direct a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken. Now, in pursuance of said enactment, I hereby authorize and direct you and such assistants as you may see fit to employ in said duty, after you and they shall have first taken an oath or affirmation, before some officer of the Territory competent to administer oaths, faithfully to perform your duty in the premises, to proceed to take an accurate enumeration of all the inhabitants of the Territory of Minnesota, Indians excepted, and make a true return of such enumeration into the office of the Secretary of the Territory, on or before the fourth day of July next. In your return, you will have in view the following districts, and designate particularly in which of said districts said inhabitants reside, viz:

1. The county of St. Croix.
2. The county of La Pointe.
3. The country on the west of the Mississippi from the south line to the Osakis Rapids.
4. The country on the west of the Mississippi north of said Rapids.
5. The country on the Red River of the North.
6. The country on the Missouri.

In your return for the county of St. Croix you will designate in which of the election precincts of the county said inhabitants reside.

In the districts west and north of the Mississippi and the Rapids, you will give such further information in your return as will enable me to know more particularly the location of population. The eleventh day of June, 1849, will be the date to which your enumeration and return will have reference. For your services you will receive such compensation as the Territorial Legislature, at its first session, may allow.

ALEX. RAMSEY,

Gov. M. T.

ST. PAUL, MINNESOTA, June 11, 1849.

## D.

## CENSUS OF MINNESOTA TERRITORY.

JUNE 11, 1849.

## STILLWATER PRECINCT, SAINT CROIX COUNTY.

NAMES OF PERSONS.						MALES.	FEMALES.	TOTAL.
R. B. Johnson,	-	-	-	-	-	1	3	4
Fedo S. Sotman,	-	-	-	-	-	24	1	25
George Fulmer,	-	-	-	-	-	1	2	3
Samuel Groff,	-	-	-	-	-	6	3	9
H. K. McKinstry,	-	-	-	-	-	17	5	22
Geo. Bennet,	-	-	-	-	-	2	2	4

STILLWATER PRECINCT.—*Continued.*

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
John M. Day,	3	1	4
C. Carli,	3	5	8
H. Kottenburg,	3	2	5
Abraham Smith,	1	0	1
H. Shultz,	7	0	7
F. Roberts,	10	1	11
John Collier,	1	3	4
John Hutchins,	2	2	4
Peter Poncin,	1	3	4
Richard Farmer,	2	1	3
C. Brown,	2	1	3
A. B. Subbit,	1	0	1
Lewis Carbo,	1	4	5
John H. Brewster,	8	0	8
P. H. Edwards,	36	5	41
John McKusick,	63	2	65
John Tanner,	4	2	6
C. E. Leonard,	4	1	5
William Willise,	4	1	5
A. Marterman,	1	1	2
A. Harris,	2	3	5
A. Eldridge,	1	1	2
Adam Martin,	4	1	5
Jonathan E. McKusick,	6	4	10
Samuel Burkleo,	5	1	6
Wm. Stinchfield,	3	3	6
C. Penny,	2	1	3
John Morgan,	2	2	4
Wm. Cove,	2	2	4
Jacob Shrade,	3	0	3
B. B. Cyphurs,	3	3	6
Mathew Tacy,	3	4	7
Jesse Taylor,	3	2	5
S. Nelson,	34	5	39
Wm. Holcomb,	3	1	4
H. Curtis,	60	15	75
M. S. Wilkinson,	2	1	3
H. Crosby,	2	2	4
Henry Dubas,	1	3	4
Norris Roi,	1	2	3
Wm. Gauley,	18	0	18
Simon Reed,	1	0	1
Joseph Bean,	1	0	1
John Sargeant,	2	0	2
J. N. Harnish,	4	3	7
Joseph Keller,	3	1	4
Wm. Leath,	5	3	8
John Falstrong,	3	1	4
Jacob Falstrong,	3	3	6
Batten Furnia,	1	2	3
Lewis Brunell,	3	3	6
Felix Brunell,	3	1	4
Wm. S. Boutwell,	3	3	6

## STILLWATER PRECINCT,--Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Wm. Rutherford, . . . . .	1	0	1
Augustus Bruce, . . . . .	1	2	3
Joseph Grigridge . . . . .	3	5	8
Wm. H. River, . . . . .	3	2	5
John Greeley, . . . . .	4	3	7
George Leach, . . . . .	6	2	8
H. F. McAlister, . . . . .	3	2	5
Gideon Clove, . . . . .	3	1	4
Aaron Williams, . . . . .	3	1	4
A. C. Bates, . . . . .	2	0	2
D. H. Fisk, . . . . .	6	4	10
John Day, . . . . .	1	3	4
George Illeson, . . . . .	1	0	2
Stores Lyman, . . . . .	6	3	9
Wm. ———, . . . . .	2	2	4
Wm. Scott, . . . . .	1	0	1
Robert Simpson, . . . . .	1	0	1
C. Goold, . . . . .	1	0	1
L. Goold, . . . . .	1	0	1
Ward W. Folsom, . . . . .	1	0	1
James Bishop, . . . . .	1	0	1
Thomas Gheen, . . . . .	1	0	1
Eben Greeley, . . . . .	1	0	1
John Bush, . . . . .	1	0	1
William Wilkhemer, . . . . .	1	0	1
	455	154	609

## LAKE ST. CROIX PRECINCT.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Oscar Burrows, . . . . .	1	1	2
Levi Hurtzell, . . . . .	1	3	4
David Hone, . . . . .	7	3	10
C. Truax, . . . . .	4	2	6
Wm. Dibble, . . . . .	2	2	4
Wm. Levitt, . . . . .	3	2	5
H. D. White, . . . . .	3	1	4
Wm. Dobs, . . . . .	3	1	4
Martin Conley, . . . . .	5	1	6
John McNeff, . . . . .	2	3	5
Thomas McDonald, . . . . .	5	2	7
Wm. Altonburg, . . . . .	2	3	5
Robert Jackson, . . . . .	4	0	4
George Dugwell, . . . . .	2	0	2
John Bassett, . . . . .	2	2	4
M. Patters, . . . . .	2	2	4
Robert Kennedy, . . . . .	7	2	9
John Kinney, . . . . .	2	1	3

## LAKE ST. CROIX PRECINCT.—Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. W. Furber,	2	1	3
J. R. Lyfard,	1	0	1
J. S. Norris,	1	1	2
L. Cummings,	2	0	2
James Middleton,	3	2	5
John cMHatty,	1	3	4
Alexander cMHatty,	1	2	3
Samuel Middleton,	2	0	2
Mrs. Welch,	3	3	6
Wm. Johnson,	1	3	4
Lemuel Boales,	1	1	2
Andrew McKey,	2	1	3
Joseph Haskill,	2	1	3
Joseph Bassett,	3	1	4
Francis McCoy, jr.,	2	1	3
Francis McCoy, sen.,	3	2	5
Joseph Brunell,	4	3	7
Peter Billoage,	3	2	5
Peter Felix,	5	4	9
David Vanworth,	3	3	6
John Brown,	3	2	5
John Atkinson,	5	3	8
Wm. R. Brown,	3	4	7
Francis Denton,	6	1	7
Bashien Mayer,	3	4	7
James Higbee,	3	1	4
John A. Ford,	3	1	4
John Holton,	1	1	2
	129	82	211

## MARINE MILLS PRECINCT.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
James Meredith,	1	3	4
Stephen Shields,	1	3	4
John Howard,	1	1	2
Martin Mower,	11	3	14
Orange Walker,	104	1	105
B. F. Otis,	5	3	8
J. Welcher,	1	1	2
James Moore,	1	1	2
Samuel Wells,	1	1	2
M. H. Cartmill,	1	2	3
C. Lyman,	9	4	13
W. C. D. Hanaughton,	3	4	7
Wilson Parker,	1	2	3
James Brown,	1	2	3
Seth Sawyer,	1	0	1
	142	31	173

## ST. PAUL PRECINCT.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Batteve Twepen,	2	4	6
Charles Rola,	5	3	8
Hyat Twepen,	4	1	5
John Bellow,	5	5	10
Bathan Canya,	1	4	5
George Canya,	2	3	5
Joseph Burga,	3	1	4
Joseph Allen,	4	3	7
Jack La Fare,	5	3	8
Joseph Mercer,	6	3	9
M. H. La Clare,	5	2	7
Battuice Bushman,	1	1	2
Joseph Tanbott,	2	1	3
Mab Murran,	1	2	3
B. Baldwin,	2	1	3
E. Weld,	2	0	2
Wm. Ebins,	4	3	7
Lewis Denoy,	7	3	10
S. Bellanski,	2	5	7
A. McLeod,	2	3	5
Peter Croffa,	3	3	6
A. L. Larpenteur,	6	3	9
Alexander La French,	5	2	7
Henry Jackson,	20	3	23
Mrs. Freeman,	15	4	19
Francis Patwell,	2	3	5
H. L. Bevans,	2	1	3
Kirkpatrick,	4	3	7
Wm. H. Nobles,	9	2	11
Lott Moffat,	28	5	33
T. A. Holmes,	2	1	3
L. N. Keach,	7	0	7
Henry Rhodes,	10	4	14
A. R. French,	4	5	9
W. H. Forbes,	5	7	12
Daniel Hopkins,	3	3	6
Ostin Depue,	8	4	12
W. G. Carter,	5	1	6
Wm. Dugas,	4	1	5
Simeon Powers,	4	3	7
Joshua Henry,	5	0	5
W. G. Finker,	3	1	4
Pat Patwell,	4	5	9
Dr. Borup,	4	6	10
S. Kugan,	4	1	5
James Lowell,	9	6	15
J. R. Sepler,	1	1	2
B. W. Brunson,	2	2	4
Aaron Foster,	4	1	5
John Hawley,	2	1	3
D. C. Murry,	4	5	9
T. Sana,	5	4	9
John Lashapel,	1	3	4

COUNCIL, 22

ST. PAUL PRECINCT.—*Continued.*

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. A. Wakefield,	23	4	27
J. W. Simpson,	7	1	8
J. W. Bass,	49	6	55
Thomas Odell,	2	1	3
J. Cota,	4	1	5
C. Smith,	4	5	9
Jacob Foster,	5	4	9
J. B. Huse,	4	0	4
Hiram Downing,	4	1	5
Benjamin F. Hoyt,	6	4	10
John Depeu,	4	2	6
John McGreger,	3	1	4
C. Davis,	3	1	4
James Hoffman,	4	3	7
J. Woodbury,	1	1	2
B. Gaben,	2	2	4
C. P. Scott,	4	2	6
James M. Goodhue,	8	3	11
Michael Peter,	3	2	5
John Glinn,	6	2	8
M. Merrick,	3	3	6
C. B. Sloan,	4	5	9
R. P. Russell,	7	3	10
Joseph Truman,	1	1	2
Levi Sloan,	2	1	3
J. R. Irvine,	20	5	25
A. Northup,	36	5	41
Levi Burgut,	1	1	2
John Snow,	17	2	19
Luther Farnell,	3	2	5
D. C. Taylor,	3	7	10
A. B. Robison,	2	2	4
Charles Macon,	3	3	6
Hiram Williard,	2	1	3
Lewis Roberts,	9	4	13
Charles Bozill,	9	2	11
M. Root,	3	5	8
Vetal Garean,	4	4	8
P. C. Gargeter,	14	3	17
E. Larpenteur,	5	3	8
Wyman Chatman,	2	1	3
Isaac Rose,	6	3	9
Lewis Brisson,	2	2	4
S. P. Folsom,	3	1	4
Stephen Denoyar,	3	1	4
Wyman Baker,	1	2	3
Patrick Frim,	3	1	4
John Bailiff,	3	2	5
Jesse Jackson,	3	2	5
Scott Campbell,	4	3	7
Paskel S. Martin,	13	4	17
Levi Depeu,	3	2	5
W. A. Chever,	6	1	7

## ST. PAUL PRECINCT.—Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
B. Provost,	4	5	9
M. M. Tiñow,	2	2	4
Joseph Brownell,	4	3	7
B. Turner,	4	3	7
	540	300	840

## LITTLE CANADA AND ST. ANTHONY PRECINCTS.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. H. Clues,	4	4	8
David Abare,	3	5	8
Lewis Darusha,	4	2	6
Michael Laha,	9	4	13
Peter Jarvis,	6	2	8
Battuce Dona,	3	1	4
James Dona,	1	4	5
Michael Oza,	2	3	5
Pierre Paul,	5	6	11
Augustus Paul,	4	3	7
Zeng Jarvis,	6	4	10
Alfonse Jarvis,	2	1	3
Pierre Turtosha,	3	3	6
Francis Dupeu,	1	2	3
Polletto Bebeau,	7	4	11
John Vaduan,	2	3	5
John Garceau,	9	4	13
John Moreatt,	10	6	16
Pierre Placa,	5	1	6
Isaac Labessonale,	1	2	3
James Labessonale,	2	6	8
Battuce Farrang,	3	4	7
Denna Plaup,	1	1	2
Frans Clougua,	2	5	7
Abraham Laborte,	4	4	8
J. B. Demars,	4	3	7
Alx. Duchana,	3	2	5
Fabrican Robarge,	3	4	7
Antonio Pepper,	6	3	9
Wm. Nood,	3	1	4
Mrs. Richards,	3	1	4
Antoine Bouchart,	3	2	5
X. Demmirias,	2	1	3
O. S. Martin,	6	3	9
Mrs. Gaubon,	4	4	8
Benj. La Fou,	2	2	4
Fabian Couter,	5	1	6
Peter Desati,	2	4	6
Chas. Perry,	1	0	1

## LITTLE CANADA AND ST. ANTHONY PRECINCTS.—Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Battuce Graveling,	3	3	6
Daniel Lavallee,	1	1	2
Antonio Bavia,	3	1	4
Dennis Chenceau,	4	2	6
James Raudear,	8	4	12
Michael Deloneas,	5	3	8
Benj. Lafou,	2	2	4
T. P. Kesler,	1	4	5
Edward Falin,	1	0	1
Hugh McCann,	5	4	9
Mr. McCullen,	2	2	4
Calvin Tuttle,	4	2	6
E. F. Lewis,	5	3	8
C. A. Lomas,	3	3	6
E. Brisett,	7	4	11
Charles Muso,	7	3	10
John Renolds,	7	3	10
A. Godfrey,	43	7	50
Wm. Marat,	3	3	6
W. D. Gitchel,	5	4	9
S. Huse,	7	5	12
R. Furnell,	10	5	15
John Stinchfield,	2	0	2
D. Stinchfield,	4	0	4
G. W. Lwo,	4	1	5
A. C. Celuta,	7	3	10
Mano,	5	3	8
Joseph Reach,	6	5	11
Peter Reanhino,	17	5	22
M. Reach,	1	2	3
John Banfield,	7	2	9
Wm. Line,	3	1	4
Mr. Freborn,	5	3	8
Alex. Paul,	4	3	7
Lewis Angu,	4	6	10
Samuel Finley,	4	3	7
	352	219	571

## CROW WING AND LONG PRAIRIE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
General Fletcher,	43	4	47
Robert S. Lowry,	5	2	7
S. B. Lowry,	12	0	12
B. S. Claine,	2	1	3
M. L. Claine,	2	2	4
David Olmsted,	10	0	10
Charles Rice,	8	0	8

## CROW WING AND LONG PRAIRIE.—Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Robert Fairbanks, - - - - -	7	3	10
Charles Pair, - - - - -	4	3	7
John Moran, - - - - -	1	1	2
La Curge, - - - - -	1	2	3
Alex. Kender, - - - - -	2	3	5
Peter Maney, - - - - -	2	3	5
B. Emmet, - - - - -	5	2	7
J. Elleck, - - - - -	1	2	3
Chas. Sheffa, - - - - -	4	3	7
John Pelky, - - - - -	4	3	7
M. M. Rice, - - - - -	23	19	42
Wm. Warren, - - - - -	7	8	15
J. W. Lyon, - - - - -	4	3	7
George Bouga, - - - - -	22	17	39
Charles Chilbarley, - - - - -	9	15	24
Viran Roy, jr., - - - - -	14	9	23
S. B. Olmsted, - - - - -	7	5	12
V. Roy, - - - - -	2	1	3
B. B. Harris, - - - - -	34	4	38
	235	115	350

## OSAKIS RAPIDS PRECINCT.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
David Gilman, - - - - -	12	4	16
Antrim Gregnon, - - - - -	3	3	6
Thomas White, - - - - -	2	2	4
Calvin Potter, - - - - -	4	0	4
James Battis, - - - - -	2	0	2
Antrim Roberts, - - - - -	6	4	10
Wm. Sturgis, - - - - -	23	4	27
Asa White, - - - - -	4	0	4
Thomas F. Sloan, - - - - -	7	0	7
M. Balard, - - - - -	3	5	8
Peter Roy, - - - - -	2	1	3
S. Spates, - - - - -	2	2	4
S. G. Spencer, - - - - -	2	1	3
D. S. Louis, - - - - -	2	2	4
S. G. Whitten, - - - - -	2	1	3
F. Cole, - - - - -	2	2	4
A. Barnard, - - - - -	2	2	4
D. Holt, - - - - -	1	1	2
Peter Shumard, - - - - -	3	3	6
F. Shumard, jr., - - - - -	1	1	2
B. Carlton, - - - - -	4	1	5
John Livermore, - - - - -	3	2	5
	92	41	133

COUNCIL, 22\*

## FALLS OF ST. CROIX PRECINCT.

NAMES OF PERSONS.						MALES.	FEMALES.	TOTAL.
Donald Mears,	.	.	.	.	.	1	0	1
John Dobney,	.	.	.	.	.	1	0	1
S. Bush,	.	.	.	.	.	1	1	2
F. Dresser,	.	.	.	.	.	1	0	1
J. Dresser,	.	.	.	.	.	1	0	1
Henry Fuller,	.	.	.	.	.	1	0	1
C. Turner,	.	.	.	.	.	1	0	1
R. Fuller,	.	.	.	.	.	1	0	1
Wm. Bush,	.	.	.	.	.	1	0	1
Moncton,	.	.	.	.	.	1	0	1
Fridley,	.	.	.	.	.	1	0	1
James Porter,	.	.	.	.	.	1	0	1
G. Bush,	.	.	.	.	.	1	0	1
James Youce,	.	.	.	.	.	1	0	1
Adams,	.	.	.	.	.	1	0	1
						15	1	16

## SNAKE RIVER PRECINCT.

NAMES OF PERSONS.						MALES.	FEMALES.	TOTAL.
Levi Clark,	.	.	.	.	.	1	2	3
H. Myers,	.	.	.	.	.	2	1	3
I. Brown,	.	.	.	.	.	1	0	1
T. Shortred,	.	.	.	.	.	1	0	1
D. Porter,	.	.	.	.	.	1	0	1
Wm. Morrison,	.	.	.	.	.	1	0	1
Lewis Jarva,	.	.	.	.	.	1	3	4
E. F. Elley,	.	.	.	.	.	3	3	6
Joseph Laprarie,	.	.	.	.	.	2	2	4
Lewis Laprarie,	.	.	.	.	.	1	2	3
Alexander Laprarie,	.	.	.	.	.	1	2	3
B. Laprarie,	.	.	.	.	.	1	2	3
Philo Cadott,	.	.	.	.	.	3	2	5
James Vanett,	.	.	.	.	.	2	2	4
J. Blackbour,	.	.	.	.	.	1	0	1
J. Russell,	.	.	.	.	.	1	0	1
F. Edley,	.	.	.	.	.	1	0	1
H. Burris,	.	.	.	.	.	1	0	1
Wm. Clark,	.	.	.	.	.	1	0	1
J. B. Walden,	.	.	.	.	.	1	0	1
Wm. Gower,	.	.	.	.	.	1	0	1
J. Dunn,	.	.	.	.	.	1	0	1
C. Fox,	.	.	.	.	.	1	0	1
A. Crey,	.	.	.	.	.	1	0	1
Wm. Blair,	.	.	.	.	.	1	0	1
Wm. Cogley,	.	.	.	.	.	1	0	1
Wm. Holmes,	.	.	.	.	.	1	0	1
T. Bishop,	.	.	.	.	.	2	1	3

## SNAKE RIVER PRECINCT.—Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
F. Foster, - - - - -	1	0	1
Wm. Galaspy, - - - - -	1	0	1
W. Carries, - - - - -	1	0	1
D. M'Lean, - - - - -	1	0	1
G. Holt, - - - - -	1	0	1
A. Warren, - - - - -	1	0	1
F. Balonge, - - - - -	4	3	7
J. Southard, - - - - -	1	0	1
John Biggerstaff, - - - - -	1	0	1
J. Smith, - - - - -	1	0	1
S. G. Wauger, - - - - -	1	0	1
John Cargher, - - - - -	1	0	1
J. H. Reed, - - - - -	1	0	1
H. N. Setzer, - - - - -	1	0	1
Wm. Rice, - - - - -	1	0	1
H. Thomas, - - - - -	1	0	1
James Dunbar, - - - - -	1	0	1
Wm. Barnett, - - - - -	1	0	1
Sheffy, - - - - -	1	0	1
	58	24	82

## LA POINTE COUNTY.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
C. H. Boles, - - - - -	3	2	5
Mr. Carter, - - - - -	2	1	3
Mrs. Hote, - - - - -	1	1	2
Battuce Loudre, - - - - -	2	2	4
Mr. Metegunk, - - - - -	2	2	4
Mr. Severan, - - - - -	1	1	2
John Johnson, - - - - -	1	1	2
	12	10	22

## BIG STONE LAKE AND LAC-QUI-PARLE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
N. Fusimere, - - - - -	1	2	3
A. Fusimere, - - - - -	3	3	6
Joseph Labell, - - - - -	2	2	4
J. Dummire, - - - - -	4	2	6
A. Roi, - - - - -	2	2	4
Levi Bird, - - - - -	1	2	3

BIG STONE LAKE AND LAC-QUI-PARLE.—*Continued.*

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. Rainville, . . . . .	3	6	9
A. Rainville, . . . . .	1	4	5
M. McLeod, . . . . .	2	3	5
Vetal Rayee, . . . . .	2	1	3
Jones Pettijohn, . . . . .	2	2	4
S. R. Riggs, . . . . .	3	4	7
M. M. Adams, . . . . .	1	1	2
J. B. Bouquet, . . . . .	1	0	1
F. Clouthen, . . . . .	1	0	1
Macarou, . . . . .	1	0	1
G. Raneville, . . . . .	1	1	2
M. Raneville, . . . . .	1	0	1
J. Hass, . . . . .	1	0	1
	<u>33</u>	<u>35</u>	<u>68</u>

## LITTLE ROCK.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. Lafromboise, . . . . .	3	4	7
J. Lature, . . . . .	2	0	2
J. Bosorias, . . . . .	1	0	1
H. Hopkins, . . . . .	3	4	7
A. Y. Huggins, . . . . .	3	3	6
J. Potter, . . . . .	3	4	7
J. Provencalla, . . . . .	2	0	2
Alex. Gealian, . . . . .	2	0	2
J. F. Roi, sen., . . . . .	1	0	1
	<u>20</u>	<u>15</u>	<u>35</u>

## CROW WING PRECINCT.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
C. H. Benton, . . . . .	3	2	5
M. Monegar, . . . . .	2	1	3
J. B. Laundre, . . . . .	2	1	3
Joseph Laundre, . . . . .	1	1	2
F. Ransom, . . . . .	3	2	5
J. Chamette, . . . . .	2	1	3
J. Morrison, . . . . .	3	3	6
G. Savage, . . . . .	2	2	4
C. Chaurette, . . . . .	4	1	5
B. Jousdon, . . . . .	2	0	2

CROW WING PRECINCT.—*Continued.*

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. H. Fairbanks,	5	3	8
F. Louis,	2	4	6
J. Jousdon,	1	0	1
P. Jousdon,	3	3	6
E. Jousdon,	1	0	1
B. La Jodden,	7	2	9
J. B. Lafoult,	1	2	3
Joseph Roy,	2	2	4
L. Moutressa,	4	3	7
B. La Grande,	1	0	1
J. La Grande,	1	0	1
J. Cowen,	1	0	1
J. Rupel,	2	1	3
H. Brissett,	2	2	4
M. Bousgrette,	1	1	2
A. Roy,	1	1	2
A. Binon,	1	0	1
A. Defret,	1	0	1
G. Fairbanks,	1	1	2
J. MouterviHe,	2	1	3
P. Beaubean,	3	2	5
J. B. St. John,	1	2	3
D. McDonald,	7	3	10
J. Donette,	3	7	10
J. Sayer,	1	0	1
S. Sayer,	1	1	2
F. Roy,	1	0	1
B. Roy,	2	1	3
A. Cadott,	1	0	1
J. Dufarst,	1	2	3
A. Belonge,	4	5	9
J. B. Belonge,	4	2	6
J. Belonge,	3	0	3
A. Belonge, sen.,	1	0	1
M. Bennis,	2	0	2
Mrs. Dingley,	2	5	7
G. Totosh,	2	1	3
	103	71	174

## PRAIRIEVILLE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. J. Pond,	2	4	6
J. Moora,	2	2	4
Oliver Tanbott,	1	4	5
J. Montreal,	2	3	5
C. Mette,	1	0	1
E. Etier,	1	0	1
	9	13	22

COUNCIL, 23

## APPENDIX.

## OAK GROVE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
G. J. Pond, . . . . .	5	5	10
M. S. Titus, . . . . .	1	0	1
J. A. D. Godfrey, . . . . .	2	2	4
P. Shattelle, . . . . .	1	1	2
Peter Quinn, . . . . .	3	1	4
Oliver Flunie, . . . . .	1	0	1
Jos. Rissatti, . . . . .	1	0	1
	14	9	23

## BLACK DOG VILLAGE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
H. Moore, . . . . .	2	2	4
L. Martin, . . . . .	4	7	11
L. B. McLean, . . . . .	1	2	3
	7	11	18

## CROW WING, EAST SIDE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
John McDallas, . . . . .	3	5	8
F. Brunell, . . . . .	1	2	3
J. Branna, . . . . .	6	3	9
H. St. Clair, . . . . .	2	1	3
F. Agus, . . . . .	1	3	4
Allan Morrison, . . . . .	3	6	9
John McCullens, . . . . .	2	6	8
Wm. Aitkins, . . . . .	9	5	14
J. Lowry, . . . . .	4	4	8
C. Peller, . . . . .	4	0	4
	35	35	70

## MENDOTA.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
F. Gamelle, . . . . .	3	1	4
A. Raveux, . . . . .	1	0	1
E. Lagrande, . . . . .	1	0	1
C. McClellage, . . . . .	1	0	1

## MENDOTA.—Continued.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Menry Belland,	3.	6	9
Wenona,	0	1	1
H. M. Rice,	3	3	6
J. B. Ferribault,	5	1	6
N. Paguene,	1	0	1
Louis Laramie,	2	2	4
H. H. Sibley,	4	7	11
Alex. Ramsey,	2	2	4
Joseph Millard,	2	0	2
Joseph Robenett,	5	4	9
H. Dupeis,	4	6	10
Alex. Bailly,	1	0	1
P. Loulard,	1	0	1
Bagal Beaubien,	1	0	1
George Lenan,	1	0	1
Alex. Ferribault,	5	5	10
Joseph Daganais,	1	0	1
Antonio You,	3	3	6
Lewis Vapare,	1	0	1
Charles St. Antoine,	5	4	9
A. Conoyu,	4	1	5
S. Conoyu,	1	3	4
J. B. Ceudit,	2	1	3
P. Bibiare,	1	0	1
L. Lavala,	1	0	1
Louis Townen,	1	0	1
P. St. Martin,	1	0	1
J. B. Lavalla,	1	0	1
L. Peloqui,	1	0	1
Clement Ladbois,	1	0	1
Louis Furber,	1	0	1
	72	50	122

## CROW VILLAGE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Thos. S. Williamson,	4	4	8
Andrew Robertson,	5	3	8
	9	7	16

## RED WING VILLAGE.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
O. Rascue,	4	3	7
P. Campbell,	4	3	7

RED WING VILLAGE.—*Continued.*

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
J. Frasure, - - - - -	1	0	1
B. Young, - - - - -	2	1	3
Bush, - - - - -	2	1	3
Akins, - - - - -	1	2	3
Handcock, - - - - -	1	2	3
B. Campbell, - - - - -	1	0	1
Freedon, - - - - -	4	1	5
	20	13	33

## WABASHAW AND ROOT RIVER.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Names lost, Wabashaw, - - - - -	68	32	100
Root river, - - - - -	10	4	14
	78	36	114

## FORTS SNELLING AND GAINES.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Franklin Steele, - - - - -	5	7	12
P. Prescott, - - - - -	7	5	12
Ft. Snelling, soldiers, - - - - -	158	0	158
Women and children, - - - - -	9	33	42
Ft. Gaines, soldiers, - - - - -	100	0	100
Women and children, - - - - -	0	17	17
To be added to Marine Mills Peginot, - - - - -	14	0	14
	293	62	355

## PEMBINA, RED RIVER.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Banaventue Parisen, - - - - -	4	7	11
Gie Zace, - - - - -	4	7	11
Michael Cline, - - - - -	6	4	10
V. Varsalié, - - - - -	1	4	5
Arcine Mouset, - - - - -	2	1	3
Michael Granbois, - - - - -	1	2	3

PEMBINA, RED RIVER.—*Continued.*

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
Charles Hoole, - - - - -	5	9	14
Joseph Doplune, - - - - -	4	2	6
Francois St. Pierre, - - - - -	3	8	11
Charles Azure, - - - - -	4	4	8
Jos. D. Coutrim, - - - - -	4	7	11
Jos. Nolen, - - - - -	5	5	10
Charles Grant, - - - - -	2	2	4
Pierre D. Coutrim, - - - - -	2	2	4
Hyacint Parisen, - - - - -	1	2	3
Louis Goodin, - - - - -	5	4	9
Aug. Parisen, - - - - -	3	2	5
V. Grant, - - - - -	1	4	5
Jos. Montreale, - - - - -	6	6	12
Antonio Azure, - - - - -	3	7	10
V. Parisen, - - - - -	1	4	5
Louis Smith, - - - - -	1	4	5
Joseph Moren, - - - - -	2	4	6
Gabriel Azure, - - - - -	1	2	3
Michael Alarie, sen., - - - - -	2	4	6
Michael Alarie, jun., - - - - -	2	2	4
John Swame, - - - - -	3	3	6
J. B. Wilkie, - - - - -	5	7	12
Pierre Azure, - - - - -	3	3	6
Renne Burge, - - - - -	2	1	3
Jos. Rotelle, - - - - -	2	1	3
Gilbert Berean, - - - - -	3	3	6
J. B. Fontane, - - - - -	3	6	9
Antoine L. Rock, - - - - -	3	4	7
V. Parenteau, - - - - -	3	2	5
Pierre Vandal, - - - - -	3	4	7
Jos. Vandal, - - - - -	3	3	6
Antonio Degarlais, sen., - - - - -	2	1	3
Antoine Degarlais, jun., - - - - -	2	2	4
Jos. Parenteau, - - - - -	5	5	10
Jos. Michotte, - - - - -	3	4	7
J. B. Martel, - - - - -	3	5	8
Michael Ducept, - - - - -	3	1	4
Paul Laraut, - - - - -	1	1	2
Antonio Blow, - - - - -	2	2	4
Francois Masson, - - - - -	1	2	3
Jos. Nedo, - - - - -	3	4	7
Edward Largis, - - - - -	2	2	4
V. Largis, - - - - -	0	3	3
Jos. Faisan, - - - - -	3	4	7
Francois Reinville, - - - - -	4	5	9
Jos. Reinville, - - - - -	2	2	4
Francois Demarius, - - - - -	5	5	10
Joseph Frederick, - - - - -	3	2	5
Jean B. Cardinal, - - - - -	3	5	8
Jos. D. Couteau, - - - - -	5	5	10
J. B. Cloutier, - - - - -	3	3	6
Jos. Adam, - - - - -	3	3	6
Joseph Cadotte, - - - - -	2	3	5

COUNCIL, 23\*

PEMBINA, RED RIVER.—*Continued.*

NAMES OF PERSONS,	MALES.	FEMALES.	TOTAL.
Francois Vivier, . . . . .	2	3	5
Abraham Belanger, . . . . .	3	4	7
Pierre Savouyard, . . . . .	3	3	6
Jos. Picard, . . . . .	2	1	3
J. Simon Belgard, . . . . .	3	2	5
Pierre Besar, . . . . .	3	5	8
Etienne Couptors, . . . . .	2	4	6
Louis D. Couteau, . . . . .	2	2	4
Jos. Laverdine, sen., . . . . .	1	2	3
Paulet Picar, . . . . .	2	2	4
Pierre Laverdine, . . . . .	3	3	6
Jos. Laverdine, jun., . . . . .	4	5	9
J. B. Charet, . . . . .	4	3	7
Antoine Ploof, . . . . .	3	3	6
Alexis Billgard, sen., . . . . .	3	2	5
Alexis Billgard, jun., . . . . .	1	1	2
Antoine Hool, . . . . .	7	2	9
Antoine L. Royne, . . . . .	4	2	6
Francois D. Loum, . . . . .	4	4	8
Pierre Pettier, sen., . . . . .	6	6	12
Pierre Pettier, jun., . . . . .	1	1	2
Louis Henry, . . . . .	1	3	4
Pierre Peltier, . . . . .	3	2	5
Jos. Hamelin, . . . . .	3	4	7
Jos. Azure, . . . . .	3	4	7
Michael Patman, . . . . .	3	8	11
Jos. Battineace, . . . . .	5	4	9
Francois Lengre, . . . . .	5	3	8
Jacque Hamelin, . . . . .	6	6	12
J. B. Hamelin, . . . . .	2	1	3
Louis Vapear, . . . . .	2	1	3
Jos. Fayaut, . . . . .	3	2	5
Frau Savouyard, . . . . .	2	3	5
Augustus Joslin, . . . . .	2	1	3
Andia Vaseeur, . . . . .	2	1	3
Pierre D. Namme, . . . . .	5	4	9
Francois Annot, jun., . . . . .	4	1	5
Francois Annot, sen., . . . . .	2	1	3
J. B. Valle, . . . . .	4	1	5
Charles Goulet, . . . . .	1	1	2
Pascal Moutour, . . . . .	1	3	4
Jos. Leudry, . . . . .	2	5	7
Wm. McGills, . . . . .	2	2	4
Antoine Guigres, . . . . .	3	4	7
Norman W. Kittson, . . . . .	6	2	8
	295	342	637

## MISSOURI RIVER.

NAMES OF PERSONS.	MALES.	FEMALES.	TOTAL.
V. H. Schlegel, . . . . .	1	0	1
Pierre Myer, . . . . .	1	0	1
August Belangon, . . . . .	1	0	1
Pierre Lagaine, . . . . .	1	0	1
Jau Brasso, . . . . .	1	0	1
Moril Areun, . . . . .	2	2	4
Henry Ange, . . . . .	2	6	8
Francois Lacharette, . . . . .	1	1	2
Francois Berceis, . . . . .	2	2	4
Batis Catalaini, . . . . .	1	0	1
Augustine Traversis, . . . . .	4	2	6
Francois Jaudroa, jun., . . . . .	2	2	4
Francois Jaudroa, sen., . . . . .	2	0	2
T. J. Brougrin, . . . . .	5	3	8
James Anyotte, . . . . .	2	0	2
Joseph Treedo, . . . . .	1	0	1
Paul Doise, . . . . .	2	0	2
Joseph Menare, . . . . .	3	4	7
Francois Leroudille, . . . . .	2	3	5
Butis St. Pierre, . . . . .	2	4	6
Alexander Young, . . . . .	1	1	2
Joseph Laconnette, . . . . .	3	1	4
Ferdrua Cardanelle, . . . . .	2	1	3
Joseph Dousette, . . . . .	3	2	5
Joseph Maxwell, . . . . .	1	2	3
Joseph Roulo, . . . . .	1	1	2
	49	37	86

## RECAPITULATION.

NAMES OF PLACES.	MALES.	FEMALES.	TOTAL.
Stillwater, . . . . .	455	154	609
Lake St. Croix, . . . . .	129	82	211
Marine Mills, . . . . .	142	31	173
St. Paul, . . . . .	540	300	840
Little Canada and St. Anthony, . . . . .	352	219	571
Crow Wing and Long Prairie, . . . . .	235	115	350
Osakis Rapids, . . . . .	92	41	133
Falls of St. Croix, . . . . .	15	1	16
Snake River, . . . . .	58	24	82
La Pointe County, . . . . .	12	10	22
Crow Wing, . . . . .	103	71	174
Big Stone Lake and Lac-Qui-Parle, . . . . .	33	35	68
Little Rock, . . . . .	20	15	35
Prairieville, . . . . .	9	13	22
Oak Grove, . . . . .	14	9	23
Black Dog Village, . . . . .	7	11	18
Crow Wing, East Side, . . . . .	35	35	70

RECAPITULATION.—*Continued.*

NAMES OF PLACES.	MALES.	FEMALES.	TOTAL.
Mendota, - - - - -	72	50	122
Crow Village, - - - - -	9	7	16
Red Wing Village, - - - - -	20	13	33
Wabashaw and Root River, - - - - -	78	36	114
Fort Snelling, - - - - -	26	12	38
Soldiers and women and children in the Forts, - - - - -	267	50	317
Pembina, - - - - -	295	342	637
Missouri River, - - - - -	49	37	86
	3,067	1,713	4,680

St. PAUL, MINNESOTA TERRITORY, JULY 4th, 1849.

I hereby certify that the foregoing enumeration of the inhabitants of the Territory of Minnesota is correct, so far as I have taken it. Pembina and the Missouri River Settlements are not yet returned, owing to want of time. They will be placed in the Secretary's office as soon as they come to hand.\*

JOHN MORGAN,  
Sheriff of St. Croix County, M. T.

## E.

## A PROCLAMATION,

BY ALEXANDER RAMSEY, GOVERNOR OF THE TERRITORY OF MINNESOTA.

*To all whom it may concern :*

WHEREAS, In and by the 4th section of the act of the Congress of the United States, entitled "An act to establish the Territorial Government of Minnesota," approved March 3d, 1849, it is enacted, "That the Legislative power and authority of said Territory shall be vested in a Governor and Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of nine members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall, at its first session, consist of eighteen members, possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. The number of Councillors and Representatives may be increased by the Legislative Assembly, from time to time, in proportion to the increase of population: PROVIDED, That the whole number shall never exceed fifteen Councillors and thirty-nine Representatives. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the members of the Council and the House of Representatives shall reside in, and be inhabitants of, the district for which they may be elected respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the

\* The returns of these Settlements were made in due time, the former by Norman W. Kittson, and the latter by E. Brisscott. It will be seen they have been properly placed in the preceding tables.

first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and he shall at the same time, declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said Council districts for members of the Council shall be declared by the Governor to be duly elected to the Council; and the person or persons authorized to be elected having the greatest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be duly elected members of the House of Representatives: PROVIDED, That in case of a tie between two or more persons voted for, the Governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place, and on such day, as the Governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council or House of Representatives according to the population, shall be prescribed by law, as well as the day of the commencement of the Legislative Assembly: PROVIDED, That no one session shall exceed the term of sixty days."

And, also, in the 5th section of the said act of Congress, it is among other things provided that "no person holding a commission or appointment under the United States, except Postmaster, shall be a member of the Legislative Assembly, or hold any office under the Government of said Territory."

And by the 14th section of the same act it is further provided, "That a Delegate to the House of Representatives of the United States, to serve two years, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States, to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly."

Now, in pursuance of the duty enjoined upon me as aforesaid, I hereby order and direct, that an election be held on WEDNESDAY, THE FIRST DAY OF AUGUST NEXT, between the hours of nine o'clock, A. M., and six o'clock, P. M., at their usual places of voting, and such other places as are hereafter indicated, by the qualified voters of the Territory of Minnesota, who shall choose by ballot:

ONE DELEGATE to represent the people of Minnesota, in the House of Representatives of the United States.

And the qualified voters residing in the several Council Districts, shall choose by ballot, at the time and places aforesaid, such number of Councillors and Representatives as said districts may be entitled to, as follows, viz:

The St. Croix Precinct of the county of St. Croix, and the settlements on the west bank of the Mississippi, south of the Crow Village to the line of Iowa, shall constitute the First Council District, and be entitled to one Councillor and two Representatives in the Legislative Assembly.

The Stillwater Precinct of the county of St. Croix, shall constitute the Second Council District, and be entitled to one Councillor and three Representatives in the Legislative Assembly.

The St. Paul Precinct of the county of St. Croix, (except the Little Canada Settlement) shall constitute the Third Council District, and be entitled to two Councillors and four Representatives in the Legislative Assembly.

The Marine Mills, Falls of St. Croix, Rush Lake, Rice River, and Snake River Precincts of the county of St. Croix, and the county of Lapointe, shall constitute the Fourth Council District and be entitled to one Councillor and one Representative in the Legislative Assembly.

COUNCIL, 24

The Falls of St. Anthony Precinct and the Little Canada Settlement of the Precinct of St. Paul, in the county of St. Croix, shall constitute the Fifth Council District, and be entitled to one Councillor and two Representatives in the Legislative Assembly. Said Little Canada Settlement is hereby declared to include all that part of the Precinct of St. Paul north of an east and west line drawn three miles above the south line of township twenty-nine, (29.)

The Sauk Rapids and Crow Wing Precincts of the county of St. Croix and all the settlements west of the Mississippi, and on the north of the Osakis river, and north of a due west line from the head waters of said river to the northern line of the Territory, shall constitute the Sixth Council District, and be entitled to two Councillors and four Representatives in the Legislative Assembly.

The country and settlements west of the Mississippi, not included in the First and Sixth Council Districts shall constitute the Seventh Council District, and be entitled to one Councillor and two Representatives in the Legislative Assembly.

And it is hereby further ordered and directed, that :

The qualified voters of that portion of the First Council District west of the Mississippi shall hold their election at the house of Augustine Rock, at Lake Pepin.

The qualified voters of that portion of the Sixth Council District west of the Mississippi will vote at the following places, viz : The voters at Long Prairie will vote at the trading house of Olmsted & Rhodes, at said place. All the voters north of the Crow Wing river and east of the Red river of the north, will vote in the Crow Wing Precinct of the county of St. Croix. The voters on the Military Reserve, west of the river, will also vote in the Crow Wing Precinct of the county of St. Croix. The voters on the west side of the Red river of the north, and on the Pembina river, will vote at the trading house of Norman W. Kittson, at Pembina.

The qualified voters of the Fifth Council District residing at the Little Canada Settlement, will hold their election at the mill of Benjamin Gervias, in said settlement.

The qualified voters of the Seventh Council District will vote at the following places, viz : The voters at Mendota, Fort Snelling, Black Dog Village, Prairieville, Oak Grove, Traverse de Sioux, and Crow Village, at the lower warehouse in Mendota. The voters at Lac-qui-Parle, Big Stone Lake, and Little Rock, at the house of Martin McLeod, at Lac-qui-Parle.

The election at the several polls shall be opened, organized, and conducted in all respects as required by the laws in force in the Territory of Wisconsin, at the date of the admission of the State of Wisconsin, except as may be otherwise provided by the organic law of the Territory or this proclamation ; and the officers conducting said election shall make a proper return of the persons voted for in their respective districts, as well as the number of votes they each received, into the office of the Secretary of the Territory of Minnesota, at St. Paul, on or before Tuesday, the 14th day of August next.

The qualifications of voters shall be as set forth in the 5th section of the organic law of the Territory, as follows, viz :

" SEC. 5. And be it further enacted, That every white male inhabitant above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory ; but the qualifications of voters and of holding office, at all subsequent elections, shall be such as shall be prescribed by the Legislative Assembly : PROVIDED, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act."

At all places of election herein provided for, out of the county of St. Croix, and in such of the precincts or voting places in said county as have not been organized, the qualified voters present at the respective places of election at the time of opening the polls, shall then and there proceed to elect or appoint three capable and discreet persons, possessing the qualifications of electors, to act as judges of the election, and said judges shall choose two persons having similar qualifications with themselves, to act as clerks of the election.

The attention of voters and of officers of elections is particularly called to portions of the law of the late Territory of Wisconsin, entitled "An act to provide for and regulate general elections," which are hereby made applicable and declared to be in force at the ensuing election, to wit, as follows:

"Previous to votes being taken, the judges and clerks of the election shall severally take an oath in the following form, to wit: I, A. B., do solemnly swear (or affirm, as the case may be,) that I will perform the duties of Judge (or Clerk, as the case may be) according to law and to the best of my ability; and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same."

"In case there shall be no Judge or Justice of the Peace present at the opening of the election, or in case such Judge or Justice shall be appointed judge or clerk of the election, it shall be lawful for the judges of the election, and they are hereby empowered, to administer the oath to each other and to the clerks of the election, and the person administering oaths shall cause an entry thereof to be made and subscribed by him and prefixed to the poll books.

"For the preservation of order, as well as to secure the judges and clerks from insult and abuse, it shall be the duty of the constable or constables, residing in the town or district, who shall be designated for the purpose by the judges of the election, to attend all elections within such town or district; and should no constable attend at such election, the judges of election are hereby authorized and empowered to appoint one or more special constables to assist in preserving order during the election; and the judges are hereby authorized to enforce a fine, not exceeding twenty dollars, on any person or persons who shall conduct in a riotous or disorderly manner, and shall persist in such conduct, after having been warned of the consequences, and on refusal to pay the same, to commit him or them to the common jail of the county of St. Croix for any time not exceeding six days, or until the fine shall be paid; and the constable to whom the order shall be directed, and the jailor of the county, are hereby directed to execute said order, and receive such person or persons so committed, as though it had been issued by a magistrate in due form of law.

The votes shall be publicly examined, and counted immediately after the closing of the polls, and the clerks shall set down in their poll books, the name of the person voted for, written at full length; the office for which such person received such vote or votes; and the number he did receive; the number being expressed at full length; such entry to be made, as near as circumstances will admit, in the following form, to wit:

At an election held at the house of \_\_\_\_\_ at \_\_\_\_\_ in the \_\_\_\_\_ Council District of the Territory of Minnesota, on the first day of August, A. D. 1849, the following named persons received the number of votes annexed to their respective names, for the following described offices, to wit:

- A. B. had \_\_\_\_\_ votes for delegate to Congress.
- C. D. had \_\_\_\_\_ votes for member of the Council.
- E. F. had \_\_\_\_\_ votes for member of the House of Representatives.

Certified by us.

A. B. }  
C. D. } Judges of Election.  
E. F. }

ATTEST:

G. H. }  
I. J. } Clerks of Election.

The Judges of the election shall then enclose and seal one of the poll books under cover, directed to the Secretary of the Territory; and the packet thus sealed shall be conveyed by one of the Judges or Clerks of the election, to be determined by lot, if they cannot otherwise agree—or it may be sent on this occasion by some trustworthy person, duly authorized in writing by the election board—and delivered to the said Secretary of the Territory, at his office in St. Paul, on or before the 14th day of August next; and the other poll book shall be deposited with one of the Judges of the election, to be determined as aforesaid. And the said poll book shall be subject to

the inspection of any elector who may wish to examine it. And if any Judge or Clerk of an election, after having been deputed by the Judges of election at which he shall have served as Judge or Clerk, to carry the poll book of such election to the Secretary of the Territory, or if any other person deputed and agreeing to perform such service, shall fail or neglect to deliver such poll book to the said Secretary, he shall, for every such offence, forfeit and pay the sum of five hundred dollars for the use of the Territory, to be recovered by an action of debt, in the name of the Territory, in the proper District Court.

"There shall be allowed out of the Territorial treasury, to be paid by the Secretary of the Territory, to the several Judges and Clerks of election, a compensation of two dollars each; and to the person carrying the poll book from the place of election to the Secretary's office, the sum of five cents per mile for going and returning. The Clerks of the election will also be allowed such compensation as may be deemed just for any stationery such Clerks may furnish for the purposes of the election."

And the persons elected to the Council and House of Representatives, respectively, will meet in Legislative session, on the first Monday in September next, at the house provided for the purpose, at the corner of St. Anthony and Minnesota streets, in the town of St. Paul.

Given under my hand, and the Great Seal of the Territory of Minnesota, at St. Paul, this seventh day of July, A. D. eighteen hundred and forty-nine, and of the Independence of the United States of America the seventy-fourth.

ALEX. RAMSEY,

*By the Governor,*  
C. K. SMITH, *Secretary.*

## F.

# A PROCLAMATION,

BY ALEXANDER RAMSEY, GOVERNOR OF THE TERRITORY OF MINNESOTA.

*To all whom it may concern;*

WHEREAS: By the returns on file in the office of the Secretary of the Territory, of an election held in the several precincts of the Territory of Minnesota, in pursuance of the directions of the organic law, by the qualified voters of said Territory, on Wednesday, the first day of August, one thousand eight hundred and forty-nine, it appears that Henry H. Sibley received a majority of all the votes polled for Delegate to the House of Representatives of the United States.

And, WHEREAS, by the fourteenth section of the act of Congress, entitled "An act to establish the Territorial Government of Minnesota," approved March 3d, 1849, it is provided "that a Delegate to the House of Representatives of the United States, to serve for the term of two years, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the election shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly."

Now, in pursuance of the duty enjoined upon me, as aforesaid, I hereby declare that Henry H. Sibley, having received the greatest number of votes, is duly elected.

the Delegate to the House of Representatives of the United States, for the Territory of Minnesota.

Given under my hand and the Great Seal of the Territory of Minnesota, at St. Paul, this 17th day of August, A. D. 1849, and of the Independence of the United States of America the seventy-fourth.

ALEX. RAMSEY.

*By the Governor,*  
C. K. SMITH, *Secretary.*

G.

## A PROCLAMATION,

BY ALEXANDER RAMSEY, GOVERNOR OF THE TERRITORY OF MINNESOTA.

*To all whom it may concern :*

WHEREAS : By the returns on file in the office of the Secretary of the Territory, of an election held in the several Council Districts of the Territory of Minnesota, in pursuance of the directions of the organic law, by the qualified voters of said Territory, on Wednesday, the first day of August, one thousand eight hundred and forty-nine, it appears that :

In the First Council District, James S. Norris received the highest number of votes for member of Council ; and Joseph W. Furber and James Wells received the highest number of votes for members of the House of Representatives.

In the Second Council District, Samuel Burkleo received the highest number of votes for member of the Council ; and Morton S. Wilkinson, Sylvanus Trask and Mahlon Black received the highest number of votes for members of the House of Representatives.

In the Third Council District, William H. Forbes and James McC. Boal received the highest number of votes for members of the Council ; and Benjamin W. Brunson, Henry Jackson, John J. Dewey, and Parsons K. Johnson received the highest number of votes for members of the House of Representatives.

In the Fourth Council District, David B. Loomis received the highest number of votes for member of the Council ; and Henry N. Setzer received the highest number of votes for member of the House of Representatives.

In the Fifth Council District, John Rollins received the highest number of votes for member of the Council ; and William R. Marshall and William Dugas received the highest number of votes for members of the House of Representatives.

In the Sixth Council District, David Olmsted and William Sturgis received the highest number of votes for members of the Council ; and Jeremiah Russell, Lorenzo A. Babcock, Thomas A. Holmes, and William Sturgis received the highest number of votes for members of the House of Representatives ; and

In the Seventh Council District, Martin McLeod received the highest number of votes for member of the Council ; and Alexis Bailly and Gideon H. Pond received the highest number of votes for members of the House of Representatives.

And WHEREAS : By the 4th section of the act of Congress, entitled "An act to establish the Territorial Government of Minnesota," approved March 3d, 1849, it is among other things provided, that "The number of persons authorized to be elected, having the highest number of votes in each of said Council Districts for members of the Council, shall be declared by the Governor to be duly elected to the Council ; and the person or persons authorized to be elected having the greatest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be duly elected members of the House of Representatives."

Now, in pursuance of the duty enjoined upon me as aforesaid, I HEREBY DECLARE that James S. Norris, Samuel Burkleo, William H. Forbes, James McC. Boal, David B. Loomis, John Rollins, David Olmsted, William Sturgis, and Martin McLeod, are duly elected to the Council of the Territory of Minnesota;

And that Joseph W. Furber, James Wells, Morton S. Wilkinson, Sylvanus Trask, Mahlon Black, Benjamin W. Brunson, Parsons K. Johnson, Henry Jackson, John J. Dewey, Henry N. Setzer, William R. Marshall, William Dugas, Jeremiah Russell, Lorenzo A. Babcock, Thomas A. Holmes, William Sturgis, Alexis Bailly, and Gideon H. Pond, are duly elected members of the House of Representatives of the Territory of Minnesota.

Which said persons, elected to the Council and House of Representatives respectively, will meet in Legislative session, on the first Monday, being the third day of September next, at the house provided for the purpose in the town of St. Paul.

Given under my hand and the Great Seal of the Territory of Minnesota, at St. Paul, this 17th day of August, 1849, and of the Independence of the United States of America the seventy-fourth.

ALEX. RAMSEY.

By the Governor,  
C. K. SMITH, Secretary.

## ORGANIC ACT.

AN ACT to establish the Territorial Government of Minnesota.\*

Temporary government for Territory of Minnesota established.

Power to divide said Territory, or to attach a portion of it to a State or Territory reserved.

[SEC. 1.] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That,* from and after the passage of this act, all that part of the territory of the United States which lies within the following limits, to wit: Beginning in the Mississippi river, at the point where the line of forty-three degrees and thirty minutes of north latitude crosses the same, thence running due west on said line, which is the northern boundary of the State of Iowa, to the north-west corner of the said State of Iowa, thence southerly along the western boundary of said State to the point where said boundary strikes the Missouri river, thence up the middle of the main channel of the Missouri river to the mouth of the White-earth river, thence up the middle of the main channel of the White-earth river to the boundary line between the possessions of the United States and Great Britain; thence east and south of east along the boundary line between the possessions of the United States and Great Britain to Lake Superior; thence in a straight line to the northernmost point of the State of Wisconsin in Lake Superior; thence along the western boundary line of said State of Wisconsin to the Mississippi river; thence down the main channel of said river to the place of beginning, be, and the same is hereby, erected into a temporary government by the name of the Territory of Minnesota: *Provided,* That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

\* This act should have been printed as a part of Document A. in the preceding pages of this appendix; but it was accidentally omitted, and the mistake not discovered in time to rectify it.—PRINTERS.

SEC. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Minnesota shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, shall be commander in chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

The executive power vested in a Governor; his tenure of office, powers, duties, and emoluments.

SEC. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives, and the President of the Senate, for the use of Congress. And in case of the death, removal, resignation, or necessary absence of the governor from the Territory, the secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

Secretary--his powers and duties.

In case of death, resignation, or removal of governor, the Secretary to act as governor.

SEC. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of nine members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall, at its first session, consist of eighteen members, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. The number of councillors and representatives may be increased by the legislative assembly, from time to time, in proportion to the increase of population: *Provided*, That the whole number shall never exceed fifteen councillors and thirty-nine representatives. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the council and representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district for which they may be elected respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and he shall, at the same time, declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said council districts for members of the council shall be declared by the gov-

Legislative power--how vested.

Legislative assembly to consist of council and house of representatives.

Proviso--number of councillors and representatives limited. Apportionment of representation.

Census to be taken--when.

How elections shall be conducted.

Proviso.

ernor to be duly elected to the council ; and the person or persons authorized to be elected having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall be declared by the governor to be duly elected members of the house of representatives : *Provided*, That in case of a tie between two or more persons voted for, the governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place, and on such day as the governor shall appoint ; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly : *Provided*, That no one session shall exceed the term of sixty days.

Proviso as to terms of sessions of legislative assembly. Qualifications of voters.

Proviso.

Sec. 5. *And be it further enacted*, That every free white male inhabitant above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory ; but the qualifications of voters and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly : *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared, on oath, their intention to become such, and shall have taken an oath to support the constitution of the United States and the provisions of this act.

Extent of legislative power.

Sec. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation, consistent with the constitution of the United States and the provisions of this act ; but no law shall be passed interfering with the primary disposal of the soil ; no tax shall be imposed upon the property of the United States ; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws passed by the legislative assembly and governor shall be submitted to the Congress of the United States, and if disapproved, shall be null and of no effect.

How township, district, and county officers shall be appointed.

Sec. 7. *And be it further enacted*, 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.

No member of the legislative assembly to hold office created while he was a member, or for one year thereafter. Officers of the Government of the United States, except postmasters, not to be members of the assembly.

Sec. 8. *And be it further enacted*, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term ; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Judicial power--how vested.

Sec. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall con-

Supreme court.

sist of a chief justice and two associate justices; any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and places as may be prescribed by law; and the said judges shall, after their appointment, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law: *Provided*, That the justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception and appeal, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law, but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeal in all such cases shall be made to the supreme court of said Territory, the same as in other cases. The said clerk shall receive, in all such cases, the same fees which the clerks of the district courts of the late Wisconsin Territory received for similar services.

SEC. 10. *And be it further enacted*, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the late Territory of Wisconsin received. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts, when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the marshal of the district court of the United States for the late Territory of Wisconsin; and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 11. *And be it further enacted*, That the governor, secretary, COUNCIL. 25

District Courts.

Jurisdiction of the supreme, district, and probate courts, and justices of the peace.

Clerks of district courts.

Clerk of Supreme Court.

Fees of clerk.

Attorney and marshal—their fees and emoluments.

Governor, secretary, chief, and ass.

associate justices, attorney, and marshal, how to be appointed.

Each to take official oaths, &c.

Salary of governor.

Salaries of chief and associate justices.

Salary of secretary.

Compensation of members of legislative assembly.

Provision for contingent expenses, &c.

Inhabitants to be entitled to all the rights and privileges secured to inhabitants of Wisconsin.

Laws of Wisconsin to continue in force.

Seat of government for said Territory.

chief justice, and associate justices, attorney, and marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation, before the district judge, or some justice of the peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the supreme court of the United States, to support the constitution of the United States, and faithfully to discharge the duties of their respective offices; which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation, before the said governor or secretary, or some judge or justice of the peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same, to the secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as superintendent of Indian affairs. The chief justice and associate justices shall receive an annual salary of eighteen hundred dollars. The secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter-yearly, at the treasury of the United States. The members of the Legislative assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated, annually, the sum of one thousand dollars, to be expended by the governor to defray the contingent expenses of the Territory; and there shall also be appropriated, annually, a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws and other incidental expenses; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted*, That the inhabitants of the said Territory shall be entitled to all the rights, privileges, and immunities heretofore granted and secured to the Territory of Wisconsin and to its inhabitants; and the laws in force in the Territory of Wisconsin at the date of the admission of the State of Wisconsin shall continue to be valid and operative therein, so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed, by the governor and legislative assembly of the said Territory of Minnesota; and the laws of the United States are hereby extended over and declared to be in force in said Territory, so far as the same, or any provision thereof, may be applicable.

SEC. 13. *And be it further enacted*, That the legislative assembly of the Territory of Minnesota shall hold its first session at Saint Paul; and at said first session the governor and legislative assembly shall locate and establish a temporary seat of government for said Terri-

tory at such place as they may deem eligible; and shall, at such time as they shall see proper, prescribe by law the manner of locating the permanent seat of government of said Territory by a vote of the people. And the sum of twenty thousand dollars, out of any money in the treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Minnesota, to be applied, by the governor and legislative assembly, to the erection of suitable public buildings at the seat of government.

Appropriation  
for public build-  
ings.

SEC. 14. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve for the term of two years, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such times and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

Delegate to Con-  
gress of the U. S.  
to be elected.

SEC. 15. *And be it further enacted*, That all suits, process, and proceedings, civil and criminal, at law and in chancery, and all indictments and informations, which shall be pending and undetermined in the courts of the Territory of Wisconsin, within the limits of said Territory of Minnesota, when this act shall take effect, shall be transferred to be heard, tried, prosecuted, and determined in the district courts hereby established, which may include the counties or districts where any such proceedings may be pending. All bonds, recognizances, and obligations of every kind whatsoever, valid under the existing laws within the limits of said Territory, shall be valid under this act; and all crimes and misdemeanors against the laws in force within said limits may be prosecuted, tried, and punished in the courts established by this act; and all penalties, forfeitures, actions, and causes of action, may be recovered under this act, the same as they would have been under the laws in force within the limits composing said Territory at the time this act shall go into operation.

All suits, pro-  
cess, and proceed-  
ings at law, &c.,  
pending in the  
courts of Wiscon-  
sin, within limits  
of said Territory,  
transferred to dis-  
trict courts of said  
Territory.

SEC. 16. *And be it further enacted*, That all justices of the peace, constables, sheriffs, and all other judicial and ministerial officers, who shall be in office within the limits of said Territory when this act shall take effect, shall be, and they are hereby, authorized and required to continue to exercise and perform the duties of their respective offices as officers of the Territory of Minnesota, temporarily, and until they, or others, shall be duly appointed and qualified to fill their places in the manner herein directed, or until their offices shall be abolished.

Justices of the  
peace, constables,  
&c., continued in  
office till others  
are appointed to  
succeed them.

SEC. 17. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to be expended by and under the direction of the said governor of the Territory of Minnesota, in the purchase of a library, to be kept at the seat of government, for the use of the governor, legislative assembly, judges of the supreme court, secretary, marshal, and attorney of said Territory, and such other persons and under such regulations as shall be prescribed by law.

Appropriation of  
\$5,000 for library.

SEC. 18. *And be it further enacted*, That when the lands in the said Territory shall be surveyed under the direction of the Govern-

Reservation of  
lands for use of  
schools.

ment of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same.

Until otherwise provided by law, the governor may define the judicial districts, and assign the judges to them, &c.

SEC. 19. *And be it further enacted*, That temporarily, and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

How laws shall be enacted by legislative assembly and approved by the governor.

SEC. 20. *And be it further enacted*, That every bill which shall or may pass the council and house of representatives shall, before it becomes a law, be presented to the governor of the Territory; if he approve, he shall sign it, but if not, he shall return it, with his objections, to the house in which it originated; which shall cause the objections to be entered at large upon their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall also be reconsidered, and if approved by two-thirds of that house, it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house, respectively. If any bill shall not be returned by the governor, within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the legislative assembly, by adjournment, prevent it; in which case it shall not become a law.

Approved March 3, 1849.

# MEMORIAL

FROM THE

## HALF-BREEDS OF PEMBINA.

*To his Excellency, Alexander Ramsey,  
Governor of Minnesota Territory :*

We, the undersigned, half-breeds of Pembina on the Red river, Territory of Minnesota, having learned with joy, that you have been chosen Governor of said Territory, address ourselves to you, to supplicate you to use a portion of the influence you possess with the high authorities of the General Government, to obtain for us certain privileges, to wit :

*First.* That the territorial line between the Republic of the United States and the British possessions, at the point where we reside, be verified, or rather redrawn, by competent authority. We are here near the line, and we entertain the opinion that the spot marked out heretofore by Maj. Long, abandons to the British a part of the American Territory, of which fact we are better assured by observations since made. This uncertainty, so far as the exact line is concerned, is a great source of perplexity, as it prevents us from making a proper division of our lands, and imposes upon us an unnecessary expense in the erection of our buildings. Moreover, the line not having been fixed by the authority of the two powers, we are subjected to violations of personal rights, as well as the laws of nations, the authorities of the Hudson Bay Company making no scruple of seizing individuals on this side the line, even in our houses, and on territory which is incontestably American, or a dependency of the United States. This is an abuse of power committed under the pretext that the line has not been judicially fixed.

*Second.* That it may please the Government to cause the lands in this district to be sold, to the end that strangers, as well as natives, may establish themselves permanently, the fertile soil of this region be no longer unproductive, and our colony increase in population, through the inducements offered for trade and commerce.

*Third.* That courts of justice may be constituted, and civil officers sent among us. Our settlements, although rapidly increasing,—the population even now being somewhat more than one thousand souls,—we have no person legally authorized, nor properly instructed in the law, to settle difficulties which arise from time to time in an infant colony. This evil, unless speedily remedied, will, without doubt, be detrimental to the prosperity of our country as well as the happiness of its residents.

*Fourth.* That British subjects be excluded from hunting on our lands. The Hudson Bay Company is so arbitrary, that whatever person purchases furs on the other side of the line, is immediately seized and incarcerated. We are not even permitted to take a piece of wood from that side, while the people from that side come to

hunt three or four hundred miles south of the line, and, of course, within the territories of the United States, taking back with them, twice a year, thousands of pounds sterling in value, and thousands of buffalo pemmican, thus ruining the game on our prairies, in defiance of all right. The ill-will of the Hudson Bay Company towards us is so great that they even refuse to take the coin of the United States, in order to straighten us in the trade, which might otherwise be carried on between two settlements so near to each other.

*Fifth.* That Congress would please to make some arrangement with the British Government for the absolute interdiction of spirituous liquors, which are now distributed in abundance by the Hudson Bay Company among all the Indian tribes, and even by their emissaries or subjects upon American soil, which is the cause of the ruin, the cause of the poverty and demoralization of these tribes, and of abominations unfit to be named.

*Sixth.* That the Government will please to erect a fort at this place, to be occupied by several companies of soldiers for the protection of the country, and to cause the rights of the people to be respected by those who, for so long a time, have been accustomed to violate them.

This is the entrance door to the United States. British subjects go, each year, to the United States, to exchange their products, which enter without any payment of duties, while the taxes fixed upon articles imported from the United States are exorbitant, and are extorted as soon as they reach British ground. Furthermore, we have no capitalists who are able to purchase the products of the soil and of the chase. The American Government, in protecting this colony, and causing its rights to be respected on the part of its haughty neighbors, will feed, by the public works which will be necessary, as well the laborer as the mechanic, and make us rejoice in the prosperity which a wise policy always brings to the numerous Americans.

If, by your influence and the great interest which you manifest for the good of all the inhabitants of the Territory, you obtain for us these favors, before two years are passed, we will number here five thousand souls, who, escaping joyfully from the state of slavery in which they were held by a stern necessity, will come here to enjoy the sweets of liberty to them at present unknown, and who will consider you as their liberator.

Signed by one hundred persons.\*

GUS. BELCOURT,  
*Missionary Priest.*

Jos. Rolette,  
Larcis Reille,  
Joseph Nolin,  
Nosburt Larena,  
J. Bt. Wilky,  
Bto. Dumont,  
Jos. Laverdure,  
Salomin Hamelin,  
Pre. Pelletier,  
Jos. Morin,  
Pre. Pelletier, jun.,  
Ss. Godom,  
Aug. Vandal,  
Pes. Discoteaur,  
Pes. Savoyard,  
Frs. Sunon,  
Frs. Vivier,  
Y. Bt. Vallier,  
J. Bt. Lafournaide,

Hyacinth Paviners,  
Chs.\*Bellegarde,  
Jos. Hamelin,  
Jos. Frederic,  
Jos. Parenteau,  
Chs. Azur,  
J. S. Bellegrade,  
N.\*Grant,  
Frs. Cline,  
Frs. Desjarlais,  
J. Btd. Martit,  
Ant. Azier, sen.,  
J. Bte. Charet,  
P. Montoir,  
Al. Bellegrade, sen.,  
Frs. Ozawaskuanikleveb,  
M. Alarie, sen.,  
Jaques Hamelin,  
Frs. Dumarais,

\* The signatures annexed are those of the principal hunters, who have returned in advance of the main body, and they express the unanimous and general desire of all.

Theodore Bellegrade,  
 Abraham Montour,  
 Frs. St. Pierre,  
 Abr. Belanger,  
 Ant. Lavogarde, jun.,  
 Ant. Lavogarde, sen.,  
 Al. Belgrade, jun.,  
 Jos. Richot,  
 Ss. Lacerte,  
 Martin Jerome,  
 Jos. Azur,  
 Jos. Boteniaul,  
 Jos. Fagnaut, sen.,  
 Jos. Descoteaux,  
 Ths. Petit,  
 John Farqueson,  
 Jos. Fagnaut, jun.,  
 Pre. Laverdun,  
 Gabl. Azure,  
 Jos. Vandal,  
 Ml. Duep,  
 Frs. Macon,  
 J. Bte. Pavirier,  
 J. Bte. Clouton,  
 Pre. Azur,  
 Pre. Vandal,  
 Jos. Paventeau,  
 Frs. Arniot, jun.,  
 St. Landry,  
 Al. Wilky,  
 Aug. Wilky,

J. Bte. Wilky, jun.,  
 H. Pavineu, sen.,  
 Andre Pavineu,  
 Al. Pavineu,  
 Chs. Desjavlais,  
 Ben. Beauchernin,  
 Norbt. Samerey,  
 Frs. Rainbelle,  
 Jos. Botras,  
 Ant. Morin,  
 Ant. Desjarlars, sen.,  
 Ant. Desjarlais, jun.,  
 Jos. Nadeau,  
 Jos. Rainville,  
 Ant. Azur, sen.,  
 Frs. Morin,  
 And. Jerome,  
 Jos. Jerome,  
 N. Andotte,  
 Mt. Cline,  
 Ant. Houle,  
 Jos. Arniot,  
 Pre. Nomme,  
 Ant. Desrochers,  
 Chs. Houle,  
 Mt. Fraud Bois,  
 Arcim Monjet,  
 Chs. Gladie,  
 Frs. Farquant,  
 Ss. Descoteaux.



# EXECUTIVE JOURNAL

## OF THE COUNCIL OF MINNESOTA,

*During the session of the Legislative Assembly of the Territory of Minnesota, begun and held at St. Paul on Monday the third day of September, A. D. 1849. Published by authority of the rules of the Council, separate from the Legislative proceedings.*

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COUNCIL, Wednesday, November 1, 1849.

The Council being resolved into an executive session, on the motion of Mr. Norris, as journalized on folio 150 of the Legislative Journal, having under consideration a communication from his Excellency, the Governor ;

On motion of Mr. Rollins,

The communication was read by the Secretary of the Council as follows, viz :

“ TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, NOV. 1, 1849. }

“ *To the Honorable Council of the Territory of Minnesota :*

“ I nominate Calvin A. Tuttle, of the county of Ramsey, as Territorial Treasurer of the Territory of Minnesota.

“ I also nominate Lorenzo A. Babcock, of the county of Benton, as Attorney General for the Territory of Minnesota.

“ I also nominate Jonathan E. McKusick, of the county of Washington, to be Territorial Auditor for the Territory of Minnesota.

“ ALEX. RAMSEY.”

The question then recurring and being put, “ Will the Council advise and consent to the appointment of Calvin A. Tuttle to be Territorial Treasurer for the Territory of Minnesota ?”

It was decided in the affirmative.

Mr. Sturgis moved that the vote by which the Council in executive session advised and consented to the appointment of Calvin A. Tuttle to be Territorial Treasurer for the Territory of Minnesota, be reconsidered ;

Which motion prevailed, when,

COUNCIL, 26

The question again recurring, "Will the Council in Executive session advise and consent to the appointment of Calvin A. Tuttle to be Territorial Treasurer for the Territory of Minnesota?"

And the Ayes and Noes being called for by Mr. Loomis, and ordered,

Those who voted in the affirmative were Messrs. Boal, Burkleo, Loomis, McLeod, Norris, Sturgis, and Forbes, *President*—7.

Mr. Rollins voted in the negative.

The question then recurring and being put, "Will the Council in Executive session advise and consent to the appointment of Lorenzo A. Babcock to be Attorney General for the Territory of Minnesota?"

It was decided in the affirmative.

The question then recurring and being put, "Will the Council in Executive session advise and consent to the appointment of Jonathan E. McKusick to be Territorial Auditor for the Territory of Minnesota?"

It was decided in the affirmative.

So the Council in Executive session advised and consented to the appointment of Calvin A. Tuttle, of Ramsey county, to be Territorial Treasurer for the Territory of Minnesota;

Lorenzo A. Babcock, of the county of Benton, to be Attorney General for the Territory of Minnesota; and

Jonathan E. McKusick, of the county of Washington, to be Territorial Auditor for the Territory of Minnesota.

Mr. Rollins moved that the Executive session of the Council be now closed;

Which was decided in the affirmative.

COUNCIL, *Wednesday*, November 1, 1849.

The Council, having resolved itself into an Executive session, on the motion of Mr. Sturgis, as journalized in the 154th folio of the *Legislative Journal* of the Council, for the consideration of an Executive communication from his Excellency, the Governor,

On motion of Mr. McLeod,

The communication from his Excellency, the Governor, was read as follows, viz:

"TERRITORY OF MINNESOTA, EXECUTIVE }  
DEPARTMENT, ST. PAUL, NOV. 1, 1849. }

"To the Honorable Council of the Territory of Minnesota:

"I nominate the following persons for Notaries Public for their respective counties, viz:

"Allan Morrisson and James Beatty, for the county of Benton;

"Harvey Wilson, for the county of Washington;

"David Lambert, William R. Marshall, Ellis G. Whitall, and P. P. Bishop, for the county of Ramsey.

"ALEX. RAMSEY."

Mr. McLeod moved that the question on the confirmation of the nominations be taken by counties;

Which motion prevailed, and

The question then recurring and being put, "Will the Council in Executive session advise and consent to the appointment of Allan Morrisson and James Beatty, of the county of Benton, to be Notaries Public in said county?"

It was decided in the affirmative.

The question then recurring and being put, "Will the Council in Executive session advise and consent to the appointment of Harvey Wilson to be a Notary Public in the county of Washington,"

It was decided in the affirmative.

The question then recurring and being put, "Will the Council in Executive ses-

sion advise and consent to the appointment of David Lambert, William R. Marshall, Ellis G. Whittall, and P. P. Bishop to be Notaries Public in the county of Ramsey," It was decided in the affirmative.

So the Council in Executive session confirmed the nomination of the following persons for the office of Notaries Public in their respective counties, viz :

Allan Morrisson and James Beatty, of the county of Benton ;

Harvey Wilson, of the county of Washington ; and

David Lambert, William R. Marshall, Ellis G. Whittall, and P. P. Bishop, of the county of Ramsey.

On motion of Mr. Burkleo,

The Executive session closed.



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Signed by the Speaker of the House of Representatives	59
" " President of the Council	59
Presented to the Governor	72
Approved	76
No. 2.—Regulating Groceries.	
Reported by the committee on the Judiciary	30
Read first and second times	30
Considered in committee of the whole	34, 35, 36, 37, 38, 45
Amended by the Council	37, 46
Laid on the table	37
Ordered to be engrossed	38, 45
Reported correctly engrossed	39, 52
Read the third time	41, 52

**BILLS—***Council file of—Continued.*

Referred to a select committee	41
Reported back by “	45
Passed and title agreed to	52
Amended by the House of Representatives	63
Council refuses to concur in amendments to bill	66
Amendment to title concurred in	67
House of Representatives refuses to recede	71
Committee of conference appointed by the H. of R.	71
“ “ “ Council	72
“ “ report thereon	85
Report adopted by the House of Representatives	92
“ “ Council	97
Reported correctly enrolled	111
Signed by the Speaker of the House of Representatives	116
“ “ President <i>pro tem.</i> of the Council	116
Presented to the Governor	121
Approved	125
<b>No. 3.—</b> Relative to the sale of liquor to the Indians.	
Reported by the committee on the Judiciary	31
Read the first and second times	31
Considered in committee of the whole	33
Laid on the table	33, 34, 39, 42
Negatived	46
<b>No. 4.—</b> To incorporate the Historical Society of Minnesota.	
Notice for leave to introduce	31
Introduced and read the first and second times	32
Considered in committee of the whole	39
Negatived	39
<b>No. 5.—</b> To provide against the traffic in ardent spirits with the Indians	
Notice for leave to introduce	30
Introduced and read the first and second times	34
Considered in committee of the whole	37, 53
Amended by the Council	38, 46, 53
Laid on the table	38, 46
Ordered to be engrossed	53
Reported correctly engrossed	56
Read the third time	56
Passed and the title agreed to	58
Amended by the House of Representatives	74
Title disagreed to by “	74
Amendments concurred in by the Council	78
Council non-concurs in the disagreement to the title	78
House of Representatives recedes	78
Reported correctly enrolled	85
Signed by the Speaker of the House of Representatives	87
“ “ President <i>pro tem.</i> of the Council	89
Presented to the Governor	91
Approved	103
<b>No. 6.—</b> Declaring the time at which the several acts passed at the present session shall take effect.	
Notice for leave to introduce	32
Introduced and read the first and second times	35
Considered in committee of the whole	39
Amended by the Council	40
Ordered to be engrossed	40
Reported correctly engrossed	40

BILLS—

*Council file of.*

Read the third time	41
Passed and title agreed to	41
Concurred in by the House of Representatives	52
Reported correctly enrolled	55
Signed by the Speaker of the House of Representatives	59
"    President <i>pro tem.</i> of the Council	59
Presented to the Governor	72
Approved	76
<b>No. 7.—</b> Granting a divorce to Louis Laramie from Wa-kan-ye-ke-win, an Indian woman of the Sioux tribe,	
Petition and affidavit for	38
Reported by select committee	40
Read the first and second times	40
Printing of dispensed with	40
Considered in committee of the whole	40
Amended	40
Ordered to be engrossed	40
Reported correctly engrossed	41
Read the third time	42
Passed, and title amended and agreed to	42
Concurred in by the House of Representatives	71
Reported correctly enrolled	81
Signed by the Speaker of the House of Representatives	82
"    President <i>pro tem.</i> of the Council	84
Presented to the Governor	91
Approved	103
<b>No. 8.—</b> Granting to Franklin Steele the right to keep and maintain a ferry across the Mississippi river,	
Petition relative to presented and referred	30
Bill reported by committee on	41
Read the first and second times	41
Considered in committee of the whole	49
Amended by the Council	49, 53, 54
Ordered to be engrossed	54
Reported correctly engrossed	56
Read the third time	56
Passed, and the title amended and agreed to	56
Amended by the House of Representatives	71
Amendments concurred in by the Council	73
Reported correctly enrolled	75
Signed by the Speaker of the House of Representatives	76
"    President <i>pro tem.</i> of the Council	77
Presented to the Governor	91
Approved	103
<b>No. 9.—</b> Regulating the rate of interest on money	
Reported by the committee on the Judiciary	42
Read the first and second times	42
Rule suspended in regard to	42
Considered in committee of the whole	42
Amended by the Council	42
Negatived	47
<b>No. 10.—</b> Providing for the erection of the counties of St. Croix, St. Paul, Elk, La Pointe, Mankato, Dakota, Prairie, and Katakong, and for other purposes.	
Reported by the committee on Territorial affairs	43
Read the first and second times	43

COUNCIL, 27



## BILLS—

*Council file of.*

Reported by the committee on Territorial Roads	57
Read the first and second times	57
Report of committee in favor of the passage of	60
Laid on the table	71, 77
Considered in the committee of the whole	81
Amended by the Council	81
Ordered to be engrossed	81
Reported correctly engrossed	84
Read the third time	84
Passed, and the title agreed to	84
Amended by the House of Representatives	93
Council concurred in all amendments	96
Reported correctly enrolled	111
Signed by the Speaker of the House of Representatives	116
"    President <i>pro tem.</i> of the Council	116
Presented to the Governor	121
Approved	125
<b>No. 15.—To exempt certain property from execution,</b>	
Notice for leave to introduce	60
Introduced and read the first and second times	60
Considered in committee of the whole	86, 87
Amended by the Council	88
Ordered to be engrossed	89
Reported correctly engrossed	91
Read the third time	92
Negativd	93
<b>No. 16.—Creating the offices of Auditor of Public Accounts, Territorial Treasurer, and Attorney General,</b>	
Notice for leave to introduce	58
Introduced and read the first and second times	60
Considered in committee of the whole	121
Negativd	122
<b>No. 17.—To provide for the election of Registers of Deeds, and to define their duties and powers,</b>	
Notice for leave to introduce	56
Introduced and read the first and second times	66
Considered in committee of the whole	121
Amended by the Council	122
Ordered to be engrossed	122
Reported correctly engrossed	123
Read the third time	124
Passed, and the title agreed to	124
Amended by the House of Representatives	139
Council concurred therein	142
Reported correctly enrolled	145
Signed by the Speaker of the House of Representatives	148
"    President of the Council	149
Presented to the Governor	154
Approved	154
<b>No. 18.—To establish and maintain Common Schools,</b>	
Reported by the committee on Schools	70
Read the first and second times	70
Considered in committee of the whole	98, 100, 113
Amended by the Council	100, 110, 113
Ordered to be engrossed	100
Reported correctly engrossed	105

## BILLS—

*Council file of.*

Ordered to a third reading	106, 113
Referred to the committee on Schools	106
Reported back by the committee	110
Read the second time	111
Read the third time by its title	113
Passed, and the title agreed to	113
Amended by the House of Representatives	130
Second and seventh amendments amended by the Council	132
House of Representatives concurs therein	139
Reported correctly enrolled	151
Signed by the Speaker of the House of Representatives	152
President <i>pro tem.</i> of the Council	153
Presented to the Governor	154
Approved	160
<b>No. 19.—To provide for the appointment of a Librarian, and for other purposes.</b>	
Notice for leave to introduce	68
Introduced and read the first and second times	77
Considered in committee of the whole	107, 108
Amended by the Council	108
Ordered to be engrossed	108
Reported correctly engrossed	110
Read the third time by its title	112
Passed, and the title agreed to	112
Negatived by the House of Representatives	119
<b>No. 20.—To authorize the election of County Treasurers, and to define their duties.</b>	
Notice for leave to introduce	54
Introduced and read the first and second times	78
Considered in committee of the whole	121
Amended by the Council	122
Ordered to be engrossed	122
Reported correctly engrossed	123
Read the third time	124
Passed, and the title agreed to	124
Concurred in by the House of Representatives	139
Reported correctly enrolled	145
Signed by the Speaker of the House of Representatives	148
President <i>pro tem.</i> of the Council	149
Presented to the Governor	154
Approved	154
<b>No. 21.—To provide for the Election of Sheriff's, and to define their duties.</b>	
Notice for leave to introduce	54
Introduced and read the first and second times	79
Considered in the committee of the whole	86
Amended by the Council	86, 90, 99
Laid on the table	86, 90
Vote for amending reconsidered	90
Ordered to be engrossed	99
Reported correctly engrossed	105
Read the third time	106
Passed, and the title agreed to	106
Amended by the House of Representatives	116
Amendments concurred in by the Council	117
Reported correctly enrolled	129

BILLS—

<i>Council file of.</i>	
Signed by the Speaker of the House of Representatives	134
“ President <i>pro tem.</i> of the Council	136
Presented to the Governor	138
Approved	144
No. 22.—Regulating the time of holding the general election, and for other purposes,	
Notice for leave to introduce	75
Introduced and read the first and second times	83
Considered in committee of the whole	109, 124
Amended by the Council	109, 124
Ordered to be engrossed	109
Reported correctly engrossed	110
Read the third time	112, 124
Passed, and the title agreed to	124
Concurred in by the House of Representatives	139
Reported correctly enrolled	145
Signed by the Speaker of the House of Representatives	148
“ President <i>pro tem.</i> of the Council	149
Presented to the Governor	154
Approved	154
No. 23.—To encourage wool-growing in Minnesota,	
Reported by the committee on Agriculture and Manufactures	84
Read the first and second times	84
Considered in committee of the whole	127
Amended by the Council	127
Ordered to be engrossed	127
Reported correctly engrossed	128
Read the third time	129
Passed, and the title agreed to	129
Negated by the House of Representatives	139
No. 24.—To amend an act entitled An Act concerning the time of commencing actions,	
Rule suspended relative to	87
Introduced and read the first and second times	87
Considered in committee of the whole	103
Ordered to be engrossed	103
Reported correctly engrossed	105
Read the third time	107
Passed, and the title agreed to	107
Concurred in by the House of Representatives	116
Reported correctly enrolled	121
Signed by the Speaker of the House of Representatives	130
“ President <i>pro tem.</i> of the Council	131
Presented to the Governor	137
Approved	144
No. 25.—A bill authorizing the Governor to appoint Commissioners to take the acknowledgments of deeds for lands lying within the Territory, and for other purposes,	
Notice for leave to introduce	84
Introduced and read the first and second times	93
Considered in committee of the whole	127
Amended by the Council	128
Negated	128
No. 26.—To regulate the Public Printing,	
Notice for leave to introduce	91

COUNCIL, 27\*

## BILLS—

*Council file of.*

Introduced and read the first and second times	93
Rule suspended relative to	105
Considered in committee of the whole	105
Amended by the Council	105
Ordered to be engrossed	105
Reported correctly engrossed	105
Read the third time	106
Passed, and the title agreed to	107
Amended by the House of Representatives	134
Amendments amended by the Council	140
House of Representatives refused to concur	144
Council refused to recede	146
Committee of conference appointed by the Council	146
“ “ “ “ House of Rep.	148
Report of committee adopted by the Council	157
“ “ “ “ House of Representatives	157
Reported correctly enrolled	157
Signed by the Speaker of the House of Representatives	157
“ “ President <i>pro tem.</i> of the Council	153
Presented to the Governor	159
Approved	160
No. 27.—Granting to Charles E. Doll and others the exclusive right to navigate the Mississippi river with steamboats from the Falls of St. Anthony to Crow Wing,	
Petition for presented and referred	79
Reported by the committee on Incorporations	93
Read the first and second times	93
Considered in committee of the whole	118
Amended by the Council	118
Ordered to be engrossed	118
Reported correctly engrossed	118
Read the third time	119
Passed, and the title agreed to	119
Concurred in by the House of Representatives	130
Reported correctly enrolled	135
No. 28.—Providing for the permanent location of the seat of Government by a vote of the people, and for other purposes,	
Notice for leave to introduce	102
Introduced and read the first and second times	105
Considered in committee of the whole	115, 127
Amended by the Council	127
Ordered to be engrossed	127
Reported correctly engrossed	128
Read the third time	128
Passed, and the title agreed to	128
Amended by the House of Representatives	139
Council refused to concur	142
House of Representatives refused to recede	144
Committee of conference appointed by the House of Rep.	144
“ “ “ “ Council	146
Report of the committee adopted by the Council	147
No. 29.—Granting to Francois Gamelle the right to establish and maintain a Ferry across the St. Peters river, near the mouth of said river,	
Rule suspended to introduce	111

## BILLS—

*Council file of.*

Introduced and read the first and second times	111
Printing of dispensed with	111
Considered in the committee of the whole	117
Amended by the Council	117
Ordered to be engrossed	117
Reported correctly engrossed	118
Read the third time by its title	119
Passed, and the title agreed to	119
Negated by the House of Representatives	130
No. 30.—Regulating the Assessment of Taxes,	
Rule suspended relative to	117
Introduced and read the first and second times	117
Considered in committee of the whole	146
Negated	147
No. 31.—For the Relief of James M. Goodhue,	
Rules suspended relative to	158
Introduced and read the first and second times	158
Amended by the Council	158
Read the third time	158
Passed, and title agreed to	158
Negated by the House of Representatives	159

## BILLS—

*House of Representatives file of.*

No. 2.—To provide for the appointment of a Librarian, and for other purposes,	
Received by message	44
Read the first and second times	45
Referred to the committee on Schools	45
Reported back by the committee	47
Amended by the Council	48, 51
Read a second time	43
Considered in the committee of the whole	48
Read the third time	51
Passed, and the title agreed to	51, 52
Vote on passage of reconsidered	51
Returned from the House of Representatives by message	58
Resolution relative to introduced	62
No. 3.—For the Relief of John Morgan,	
Received by message	34
Read the first and second times	34
Considered in the committee of the whole	35, 36
Referred to the committee on Territorial Expenditures	35
Documents relative to presented and referred	35
Reported back by the committee	36
Amended by the Council	36
Read the second time	36
Rule suspended relative to	36
Read the third time	36
Passed, and title agreed to	36
Reported correctly enrolled	56
Signed by the Speaker of the House of Representatives	59
“ President of the Council	59
Presented to the Governor	72
Approved	75

## BILLS—

*House of Representatives file of.*

No. 4.—To incorporate the St. Paul and St. Anthony Plank Road Company,	
Received by message	102
Read the first and second times	103
Considered in committee of the whole	120, 133
Amended by the Council	133
Read the third time by its title	133
Passed, and the title agreed to	133
Amendments amended by the House of Representatives	139
Council amends the substitute for the second amendment	142
House of Representatives concurred therein	144
Reported correctly enrolled	151
Signed by the Speaker of the House of Representatives	152
“ President <i>pro tem.</i> of the Council	153
Presented to the Governor	154
No. 5.—Granting a charter to Elam Greely, his heirs, &c., to construct and maintain a dam across Snake river, near the outlet of Cross Lake,	
Received by message	44
Read the first and second times	45
Referred to the committee on Incorporations	45
Reported back by “	60
Considered in committee of the whole	62
Read the third time	62
Passed, and the title agreed to	62
Reported correctly enrolled	71
Signed by the Speaker of the House of Representatives	73
“ President <i>pro tem.</i> of the Council	74
Presented to the Governor	91
Approved	110
No. 9.—To dissolve the marriage contract between Stanislaus Beilanski and Mary Beilanski,	
Received by message	51
Read the first and second times	55
Considered in committee of the whole	55
Laid on the table	55
Read the third time	57
Passed, and the title agreed to	57
Reported correctly enrolled	64
Signed by the Speaker of the House of Representatives	65
“ President <i>pro tem.</i> of the Council	66
Presented to the Governor	72
Approved	74
No. 10.—To incorporate the Historical Society of Minnesota,	
Received by message	52
Read the first and second times	55
Laid on the table	55
Considered in committee of the whole	67
Amended by the Council	67
Read the third time	67
Passed, and the title agreed to	67
Amendments amended by the House of Representatives	71
Concurred in by the Council	73
Reported correctly enrolled	75

BILLS—

<i>House of Representatives file of.</i>	
Signed by the Speaker of the House of Representatives	76
"    President <i>pro tem.</i> of the Council	77
Presented to the Governor	91
Approved	110
No. 11.—To prescribe the qualification of voters, and of holding office,	
Received by message	52
Read the first and second times	55
Laid on the table	55
Considered in committee of the whole	64
Amended by the Council	65
Read the third time	65
Passed, and the title agreed to	65
Amendment non-concurred in by the House of Rep.	73
"    amended by "    "	73
Council refused to recede from its amendment	79
"    "    concur in the amendment to the amendment	79
Committee of conference appointed by the Council	79
"    "    "    House of Rep.	83
Report of the committee of conference	123
"    "    "    adopted by the H. of R.	123
Report of the committee of conference adopted by the Council	123
Reported correctly enrolled	142
Signed by the Speaker of the House of Representatives	145
"    President <i>pro tem.</i> of the Council	146
Presented to the Governor	149
No. 12.—To prevent the taking and conversion of any logs, masts, or	
other timber, and for other purposes,	
Received by message	73
Read the first and second times	76
Referred to the committee on the Judiciary	76
Reported back by "    "	83
Considered in committee of the whole	83
Amended by the Council	83
Read the third time	84
Passed, and the title agreed to	84
Amendments of the Council concurred in by the House of Rep.	87
No. 14.—For the Relief of B. W. Lott and P. P. Bishop,	
Received by message	52
Read the first and second times	55
Laid on the table	55
Considered in committee of the whole	58, 61
Referred to the committee on Territorial Expenditures	59
Reported back by "    "    "	61
Amended by the Council	61
Read the second time	61
"    third time	61
Passed, and title agreed to	62
Amendments non-concurred in by the House of Rep.	63
Council refused to recede	63
Committee of conference appointed by the Council	64
"    "    "    House of Rep.	68
Report of the committee of conference	80
"    "    "    adopted by the Council	81
"    "    "    H. of R.	83
Reported correctly enrolled	85
Signed by the Speaker of the House of Representatives	87

COUNCIL, 28

## BILLS—

*House of Representatives file of.*

Signed by the President <i>pro tem.</i> of the Council	89
Presented to the Governor	91
Approved	110
<b>No. 15.—For the Relief of Charles M. Berg,</b>	
Received by message	52
Read the first and second times	55
Laid on the table	55, 57
Considered in committee of the whole	56
Amended by the Council	57
Read the third time	57
Passed, and the title agreed to	57
Amendments concurred in by the House of Representatives	83
Reported correctly enrolled	87
Signed by the Speaker of the House of Representatives	92
“ President <i>pro tem.</i> of the Council	96
Presented to the Governor	121
Approved	130
<b>No. 16.—To locate the temporary seat of Government of the Territory of Minnesota, and for other purposes,</b>	
Received by message	108
Read the first and second times	109
Considered in committee of the whole	112
Amended by the Council	112
Read the third time by its title	113
Negative	113
<b>No. 17.—To incorporate the Minnesota Mutual Fire Insurance Company,</b>	
Received by message	82
Read the first and second times	84
Considered in committee of the whole	104
Amended by the Council	104
Read the third time by its title	104
Passed, and the title agreed to	104
Amendments concurred in	111
Reported correctly enrolled	143
Signed by the Speaker of the House of Representatives	145
“ President <i>pro tem.</i> of the Council	146
Presented to the Governor	149
<b>No. 18.—To provide for laying out Territorial Roads in the Territory of Minnesota,</b>	
Received by message	71
Read the first and second times	73
Considered in committee of the whole	77, 78, 81
Amended by the Council	82, 84
Read the third time	84
Passed, and the title agreed to	84
Amendments non-concurred in	88
Council refused to recede	89
Committee of conference appointed by the Council	89
“ “ “ “ House of Rep.	93
Report of the committee of conference	132
“ “ “ “ adopted by the Council	146
Reported correctly enrolled	151
Signed by the Speaker of the House of Representatives	152
“ “ President <i>pro tem.</i> of the Council	153

## BILLS—

<i>House of Representatives file of.</i>	
Presented to the Governor	153
Approved	155
No. 19.—For the election of Commissioners to prepare a Code of	
Laws for the Territory of Minnesota,	
Received by message	87
Read the first and second times	87
Considered in committee of the whole	98
Amended by the Council	98
Read the third time	98
Passed, and title agreed to	98
Amendments non-concurred in	102
Council refused to recede	102
Vote on receding reconsidered	104
Council receded from its amendments	104
Reported correctly enrolled	118
Signed by the Speaker of the House of Representatives	121
“ President <i>pro tem.</i> of the Council	122
Presented to the Governor	129
Disapproved of by the Governor	143
Negated by the House of Representatives	148
No. 20.—Concerning Justices of the Peace, and the Action of Forcible	
Entry and Detainer,	
Received by message	85
Ordered to be read	91
Read the first and second times by its title	97
Referred to the committee on the Judiciary	97
Reported back by the committee	106
Amended by the Council	106
Read the second time by its title	106
Considered in committee of the whole	106
Read the third time by its title	106
Passed, and the title agreed to	106
Amendment non-concurred in	116
The Council receded from its amendment	117
Reported correctly enrolled	151
Signed by the Speaker of the House of Representatives	152
“ President <i>pro tem.</i> of the Council	153
Presented to the Governor	154
No. 21.—In relation to the Public Printing and Binding,	
Received by message	93
Read the first and second times	96
Negated	105
No. 22.—Concerning Divorces,	
Received by message	87
Read the first and second times	87
Considered in committee of the whole	120
Negated	121
No. 24.—To locate a Territorial Road from the town of St. Paul to	
Little Canada,	
Received by message	116
Read the first and second times	117
Considered in committee of the whole	120
Amended by the Council	120
Read the third time	120
Passed, and the title agreed to	120
Amendments concurred in	139

## BILLS—

<i>House of Representatives file of.</i>	
Reported correctly enrolled	142
Signed by the Speaker of the House of Representatives	145
"    President <i>pro tem.</i> of the Council	146
Presented to the Governor	149
No. 26.—To exempt from sale by execution the homestead,	
Received by message	130
Read the first and second times	133
Considered in committee of the whole	134, 144
Negatived	144
No. 27.—Concerning Debtors and their securities,	
Received by message	102
Read the first and second times	103
Considered in committee of the whole	134
Read the third time	135
Passed, and the title agreed to	135
Reported correctly enrolled	145
Signed by the Speaker of the House of Representatives	148
"    President <i>pro tem.</i> of the Council	149
Presented to the Governor	153
Approved	155
No. 28.—Laying out a Territorial Road from Stillwater to the mouth of Rum river,	
Received by message	102
Read the first and second times	103
Considered in committee of the whole	109
Amended by the Council	109
Read the third time by its title	109
Passed, and the title agreed to	109
Amendments of the Council amended	119
Concurred in by the Council	119
Reported correctly enrolled	129
Signed by the Speaker of the House of Representatives	134
"    President <i>pro tem.</i> of the Council	136
Presented to the Governor	138
Approved	148
No. 29.—To authorize Calvin A. Tuttle to build and maintain a dam across Rum river,	
Received by message	93
Read the first and second times	96
Referred to the committee on Incorporations	96
Reported back by the committee	99
Amended by the Council	99, 117
Read the second time by its title	100
Considered in committee of the whole	117
Read the third time by its title	117
Passed, and the title agreed to	117
Amendments non-concurred in	122
Council refused to recede	124
House of Representatives adheres to its non-concurrence	139
Council adheres to its amendments	142
No. 30.—To divorce Eleazor F. Ring from his wife, Elzora G. Ring,	
Received by message	93
Read the first and second times	96
Referred to the committee on the Judiciary	96
Reported back by the committee	100
Considered in committee of the whole	113

**BILLS—**

*House of Representatives file of.*

Read the third time	113
Passed, and the title agreed to	113
Reported correctly enrolled	123
Signed by the Speaker of the House of Representatives	130
"    President <i>pro tem.</i> of the Council	131
Presented to the Governor	137
<b>No. 31.—</b> Fixing the time of the Annual Meeting of the Legislative Assembly,	
Received by message	82
Read the first and second times	84
Considered in committee of the whole	100
Amended by the Council	100
Read the third time	100
Passed, and the title agreed to	101
Amendments concurred in	111
Reported correctly enrolled	118
Signed by the Speaker of the House of Representatives	122
"    President <i>pro tem.</i> of the Council	122
Presented to the Governor	129
Approved	148
<b>No. 32.—</b> To locate a Territorial Road from Point Douglass to St. Paul,	
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## ERRATA.

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- PAGE 6.**—After the third line insert the words—"The several officers elected were then sworn to a faithful performance of their duties by Chief Justice Goodrich."
- " 32.—After the ninth line insert the words—"Mr. Loomis, pursuant to previous notice, asked and obtained leave to introduce  
" "No. 4 (C. F.) A bill to incorporate the Historical Society of Minnesota."  
" Which was read the first and second times, and laid on the table to be printed."
- " 57.—Before the sixth line from the bottom insert—"The question then recurring on agreeing to the title of the bill,  
" It was decided in the affirmative. So the title was agreed to."
- " 77.—Before the eighth line from the bottom insert—"Mr. McLeod, from the committee on Engrossed Bills, reported correctly engrossed,  
" "No. 13 (C. F.) A Bill organizing a Board of County Commissioners in each county in this Territory." "
- " 93.—After "No. 21 (H. of R.)" should be inserted—"A Bill in relation to the Public Printing and Binding."  
" "No. 30 (H. of R.)" "
- " 116.—After the twenty-first line insert—"The House have passed  
" "No. 3 (C. F.) Memorial to Congress for the improvement of certain roads therein named;"  
" "No. 5 (C. F.) Memorial to Congress for additional mail facilities;"  
" "No. 24 (C. F.) A bill to amend an act entitled An act concerning the time of commencing actions;" and  
" "No. 4 (C. F.) Memorial to Congress relative to School Lands."  
" The House have passed  
" "No. 21 (C. F.) A Bill authorizing the election of Sheriffs, and defining their duties,"  
" With an amendment in which the concurrence of the Council is requested."
- " 117.—After the fifteenth line insert—"No. 21 (C. F.) A Bill authorizing the election of Sheriffs, and defining their duties."  
" Having been returned from the House of Representatives with an amendment, and the question recurring, 'Will the Council concur in the amendment made by the House of Representatives?'  
" It was decided in the affirmative. So the amendment was concurred in."

















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